

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
MARCH 29, 2017 MEETING

AMENDMENTS TO THE AGENDA

ATTACHMENT 10

LDRAB SUBCOMMITTEES

2017 Land Development Regulation Advisory Board (LDRAB) Subcommittees
LANDSCAPE
<p>The Landscape Subcommittee will reconvene in 2017 to address pending topics and work on the reorganization of Chapters in Article 7, Landscaping. The Subcommittee will be making recommendations for Unified Land Development Code (ULDC) amendments to be presented to the Land Development Regulation Advisory Board (LDRAB) and the Board of County Commissioners (BCC) in Round 2017-02, for tentative adoption in January 2018.</p>
<p>LDRAB Subcommittee Members in 2017:</p> <p style="text-align: center;">Terrence Bailey Stuart R. Fischer David Carpenter Joanne Davis</p>
USE REGULATIONS PROJECT LANDSCAPE SERVICE
<p>Solicit feedback from industry, primarily in the AGR Tier, to ascertain how best to accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.</p>
<p>LDRAB Subcommittee Members in 2017:</p> <p style="text-align: center;">Michael Peragine Philip L. Barlage Jim Knight Lori Vinikoor <u>Frank J. Gulisano</u> Tommy Strowd</p>



March 22, 2017

**Department of Planning,
Zoning & Building**

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

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



**Palm Beach County
Board of County
Commissioners**

- Paulette Burdick, Mayor
- Melissa McKinlay, Vice Mayor
- Hal R. Valeche
- Dave Kerner
- Steven L. Abrams
- Mary Lou Berger
- Mack Bernard

County Administrator

Verdenia C. Baker

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

RE: March, 2017 LDRAB Annual Organizational Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB Meeting on Wednesday, March 29, 2017.

The meeting will commence at **2:00 p.m.** in the Vista Center 1st Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact me at (561) 233-5206 or via email at WCross@pbcgov.org, or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at MCantor@pbcgov.org.

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: March 29, 2017 LDRAB Agenda

- c: Faye W. Johnson, Assistant County Administrator
- Patrick Rutter, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Jon MacGillis, ASLA, Zoning Director
- Maryann Kwok, Deputy Zoning Director
- Monica Cantor, Senior Site Planner, Zoning

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U:\Zoning\CODEREV\2017\LDRAB\Meetings\3-29-17\4 - Final Packet\1 - Transmittal Letter.docx

PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

MARCH 29, 2017

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Michael J. Peragine(District 1)

Philip L. Barlage (District 3)

James Knight (District 4)

Lori Vinikoor (District 5)

Vacant (District 6)

Richard Pinsky (District 7)

Daniel J. Walesky (Gold Coast Builders Assoc.)

Vacant (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

James M. McKay (American Institute of Architects)

Tommy B. Strowd (Environmental Organization)

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

Derek Zeman (Fl. Surveying and Mapping Society)

Vacant (Association Gen. Cont. of America)

James M. Brake (Member at Large/Alternate)

Vacant (Member at Large/Alternate)

Board of County Commissioners

Paulette Burdick
Mayor, District 2

Melissa McKinlay
Vice Mayor, District 6

Hal R. Valeche
Commissioner, District 1

David Kerner
Commissioner, District 3

Steven L. Abrams,
Commissioner, District 4

Mary Lou Berger
Commissioner, District 5

Mack Bernard
Commissioner, District 7

Verdenia C. Baker
County Administrator



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



LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

WEDNESDAY, MARCH 29, 2017 AGENDA
2300 NORTH JOG ROAD
KEN ROGERS HEARING ROOM - 1ST FLOOR (VC-1W-47)
2:00 P.M.

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Former LDRAB Member Recognition
5. Annual Election of Chair and Vice-Chair
6. Adoption of February 22, 2017 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B – Administrative Approval – Unmanned Retail Structure
2. Exhibit C – Retail Gas and Fuel – Standards for Approval
3. Exhibit D - Lifestyle Commercial Center (LCC)

C. ANNUAL ORGANIZATION DISCUSSION

1. Useful Internet Links for LDRAB/LDRC Members (Attachment 1)
2. 2016 LDRAB Attendance (Attachment 2)
3. 2016 Amendments
 - a. Electronic Changeable Copy Message Pilot Program
 - b. Amendment Round 2016-01 Summary (Attachment 3)
 - c. Amendment Round 2016-02 Summary (Attachment 4)
 - d. Use Regulations Project (Attachment 5)
 - e. Western Communities Residential Overlay
 - f. FPL PIA
4. 2017 LDRAB Members (Attachment 6)
5. 2017 Meeting Schedule and Work Plan (Attachment 7)
 - a. Deadlines/Scheduling for 2017 Amendments (Attachment 8)
 - b. Initiation of Amendment Round 2017-01 (Attachment 9)
 - c. Status of Subcommittee and Appointments (Attachment 10)
 1. Landscape Service Subcommittee April 10, 2017
 2. Landscaping Subcommittee Meetings Schedule
6. Sunshine Law Overview (Attachment 11)

D. PUBLIC COMMENTS

E. STAFF COMMENTS

F. ADJOURN

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 02/24/17)

Minutes of February 22, 2017 LDRAB Meeting

On Wednesday, February 22, 2017 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

Vice Chair David Carpenter, called the meeting to order at 2:10 p.m. William Cross, Principal Site Planner, called the roll.

Members Present: 12

David Carpenter (District 2)
Michael Peragine (District 1)
Philip Barlage (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5) **
Henry Studstill (District 7) *
Terrence Bailey (Florida Eng. Society)
Frank Gulisano (PBC Board of Realtors)
Tommy Strowd (Environmental Organization)
Daniel J. Walesky (Gold Coast Bld. Assoc.)
Derek Zeman (FL Surveying & Mappng. Soc.)
James McKay (AIA)

Members Absent: 2

Wesley Blackman, (PBC Planning Congress)
James Brake (Member at Large, Alt. #1)

Vacancies: 4

District 6
PBC League of Cities
Assoc. General Contractors of America
Member at Large, Alt #2

County Staff Present: 3

Leonard Berger, Chief Assistant County Attorney
William Cross, AICP, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner

2. Additions, Substitutions, and Deletions

Mr. Carpenter noted that there were no additions, substitutions or deletions, and requested a motion to approve the Agenda.

3. Motion to Adopt Agenda

Motion to adopt the agenda by Mr. Knight, seconded by Mr. Gulisano. Motion passed (10 - 0).

4. Adoption of January 25, 2017 Minutes (Exhibit A)

Motion to adopt by Mr. Knight, seconded by Mr. Gulisano. Motion passed (10 - 0).

B. ULDC Amendments

1. Exhibit B - Phase I PIA 2017-00314, PIPD Commercial Recreation Facilities (AKA Surf Ranch Florida)

Mr. Cross indicated that Exhibit B is a Phase 1 Privately Initiated Amendment (PIA) application from Urban Design Kilday Studios, and briefly reiterated how the two phases of the (PIA) process works. In this particular case, Phase 1 provides a general overview of what the request entails, a staff summary and recommendation, and opportunity for the LDRAB to provide a recommendation on whether or not to recommend initiation of Phase 2. If the BCC gives approval to proceed to Phase 2, additional research and analysis will be performed, and amendment language drafted for presentation to the LDRAB. Mr. Cross also made the following points.

- The request is for de-minimis amendments on paper, but the issue is much larger as it entails amending Planned Industrial Park Development (PIPD) regulations to increase the current limitation on commercial square footage, intended to allow for a commercial recreation use known as Surf Ranch Florida.
- The key point is that a Surf Ranch is not an industrial use and planned industrial parks are intended to encourage investment and job creation in Palm Beach County. Any other support activities are intended to be limited to those that serve workers, residents and customers of those businesses in the park. At the peak of the housing boom in the 2000's, a good portion of industrial lands were lost and since then the County and several municipalities have attempted to preserve its industrial lands.

* Henry Studstill arrived at 2:15 p.m.

- Staff is open to pursuing additional research contingent on entities such as the Business Development Board (BDB) confirming that this will be an asset to the County, meriting the reduction in commercial lands. If the BCC initiates Phase 2 Board approval, Zoning will solicit feedback from other entities before developing regulations to move forward.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

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Mr. Cross deferred to Ms. Joni Brinkman, to elaborate on the proposal.

Ms. Joni Brinkman, indicated for the record, that she was representing Urban Design Kilday Studios, and the company will be pursuing a Development Order Amendment (DOA) to allow the proposed use. She further indicated that although this is not project specific, she would be doing a Power Point presentation to give the Board a better understanding of the project, and its proposed location. A power point presentation was used, with key comments as follows:

- The World Surf Lake and the Kelly Slater Wave Company are considering an 80-acre parcel within the Park of Commerce for this project. She surmised that the parcel is not suitable for the type of large scale development that the County is seeking to preserve industrial lands for. The project is being funded privately by a strongly capitalized organization, is anticipated to cost about \$50 million, and there are no expectations of receiving incentives from Palm Beach County.
- She introduced Mr. Brian Waxman, main project leader (present at the meeting), and advised that the development team is seeking to address sustainability. The proposed project will be a man-made lake developed to provide an open barrel wave, probably the longest in the world, noting that the technology has been ten years in development. The lake will be constructed at the east end of the 80-acre tract. Accessory buildings include a learning center, clubhouse, boardroom and training facility.
- An aerial view of the 80-acre parcel, shows it to be irregularly-shaped, 600 ft. wide and 5,000 ft. deep. Ms. Brinkman surmised that the width is not conducive to industrial development such as wholesale /warehouse distribution, and that is reflected in the fact that the parcel has been vacant since 2006, when it was brought into the park. It is located at the north end of the Park of Commerce, just north of the canal that separates it from the rest of the park. Access will be from Seminole Pratt Whitney Road.,
- Ms. Brinkman indicated that the project will bring national recognition to Palm Beach County and promote tourism year-round. This is an up and coming sport which can be used as an innovative tool to attract the types of industries the County is looking for. There will be a training academy and the community will be included in the availability to use the facility for contest events, corporate retreats. Two special events are anticipated during the year where the World Surf League would hold a competition here, attracting athletes from all over the world and focusing national attention on Palm Beach County. These events would be televised on national networks.
- Ms. Brinkman indicated that two options had been developed for consideration:
 - ✓ The preferred option would be to amend the ULDC to allow this use within a IG pod in the Park, subject to Class A Conditional Use approval. The Class A approval allows the BCC to assess the merits of the project and it goes through a Public Hearing process.
 - ✓ The Second option is to amend the ULDC to allow a Commercial Pod to exceed 15 acres in the PIPD. The Park of Commerce was approved in 1981 and exceeds the current 15-acre limit; however that commercial land has been vacant, other than a gas station and a small office building, since the 80s, and the request would be to still maintain the compliance with the 20% limitation but still be allowed to exceed the 15 acres. That would allow a change in the use zone to Commercial General in which this use, the outdoor commercial use is already a permitted use within the PIPD. Again this would be specific to PIPDs in the Bio Research Protection Overlay (BRPO) district and the Park of Commerce happens to be the only one within that district.

Ms. Brinkman also presented a short video of a proto-type developed in California, to illustrate how the surf lake actually functions.

Ms. Brinkman addressed concerns about the PIPD commercial areas being focused on providing services to the workers and the residents in the PIPD and clarified that there is no residential component in this PIPD, however there are workers. Arrangements would be made with the workers and hopefully this would attract more business. In addition, the developers would like to be a community player and offer the availability of the surfs pool to under-privileged children in the area so, the proposal outweighs the concerns about the industrial land. There have been consultations with the Business Development Board (BDB) on this project and hopefully they will have additional information to relay.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 02/24/17)

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Mr. Cross referred to the second option which is to increase the amount of commercial acreage based on the fact that the use is permitted by right. The provision of the PIPD explicitly states that all those uses have to be intended for the workers and residents of the PIPD, like hotels convenience stores, other uses that would serve those workers – and pointed out that to say it is permitted by right is not entirely correct. This use would not be intended for those clients, so if that option was pursued it would be recommending requiring Class A Conditional Use approval. It is not necessarily countywide because of the limited numbers of PIPD, but if this does not succeed, what would be another use that would try to come in and use this code, and this has to be anticipated. In addition, on the site plan showing the lake being developed, there is some additional land area on that 80-acre parcel that is yet to be developed or shown as what could be developed, and we wouldn't want to open the door to have additional commercial uses on that parcel that is not inter-connected to the PIPD, and didn't intend to serve the workers and residents in the PIPD. It boils down to does this merit consideration on the industrial issue or not.

Mr. Carpenter referred to the increase in commercial in the PIPD that would result and the fact that it is not serving the area, and questioned if there is concern that if something happens to this project, later on, if they left, the commercial would be 20 acres instead of 15.

Mr. Cross responded that both PIPDs in question have acreages that exceed the 15-acre limit, that limit was imposed later. The main thing is that there will be a decrease in the available industrial lands and the potential for other commercial uses to intrude, should this not move forward.

Ms. Brinkman explained that this is the reason the preferred option is to leave it in the IG so nothing is taken out of industrial, and by allowing a Class A Conditional Use on it, if we don't go forward somebody else will be able to use it. She also pointed out that there is additional acreage facing Seminole Pratt Whitney Road and that is another reason to keep it as industrial use zone because there might be some kind of spinoff where smaller flex space users go into that space, and in that way it will be set up for industrial users.

** Mr. Carpenter noted the arrival of Ms. Vinikoor at 2:30 p.m.

Mr. Carpenter asked Mr. Cross to clarify the main concern. Mr. Cross responded that this is a policy question, whereas Zoning has historically been directed to take safeguards to preserve industrial lands.

Mr. Carpenter asked if what is to be considered is not really a water park but whether we want to allow the expanded commercial use in a PIPD and Mr. Cross opined that for types of activities that are called regional attractors – something hard to qualify in words, it is how to define what the type of use would be that merits losing industrial land. It's a trade-off, meaning that it is better for jobs, tourism, industry, investment, attracting other industries and investment to Palm Beach County. These are issues that require policy decisions and/or additional evaluation and input from entities such as the BDB.

Mr. Brian Waxman introduced himself, and responding to a question from Mr. Carpenter, put forward the following reasons why the developers want the Surf Ranch to be located in Palm Beach County:

- The desire to affiliate with the World Surf Lake ownership group and Kelly Slater, one of Florida's well known surfers. They have been working on this technology for ten years.
- Both the Chairman and himself live here. After looking else-where they concluded that Palm Beach County has the amenity base and the population base.
- He respects Mr. Cross' opinion and the BCC's directive on industrial lands but would like to stress that although the site has industrial zoning, it is not an industrial site. The width is 600 ft. and a warehouse could not be erected on it as there is not enough width for roadways, landscape buffers, setbacks, etc.
- There have been consultations with the County Commissioners and also constituents such as the BDB, and everybody is in support because the project will bring jobs, tourism and real estate taxes to a place that has been and is currently undeveloped.
- He opined that it is a very interesting business and he expects it will become a community amenity. The aim is to create something that is compatible within the PIPD, but has longevity to it. The idea behind the technology is that it opens up the base so that it is easier, there is better access, safer and more predictable.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 02/24/17)

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Mr. Knight expressed the view that the project will be a success and he foresees a hotel component and other potential uses. Most people who come will want to stay there. Ms. Brinkman clarified that this would be more in the policy area. The project will be in the Bio-Research Protection Overlay and the United Tech Overlay, and that overlay creates issues with having a hotel in the area. There is a small part in the commercial area within the PIPD that could support a hotel so this may be an option that could be created, but we would not be able to have a hotel on this parcel. Mr. Knight was of the view that regulations may change overtime where a hotel would be possible and he expressed support for the project. A surfer himself, he questioned whether the waves would be lefts and rights.

Mr. Waxman responded that one has been built and with the technology and the worldwide demand, it will be a bi-lateral wave. They are developing the left so that it goes west to east directly into the predominant wind, so it would primarily be an off-shore left-facing barrel wave. Mr. Waxman also spoke of collaboration with PGA National and the positive impact this project will have on tourism and the hospitality business. He anticipates that summer will be the busiest time. There are no plans for a hotel, selling food or beverage, but there will probably be an ancillary industrial facility for vendors of this park so they can manufacture, create and distribute stuff. He expects a boom to that local area, and the North County.

Mr. Waxman also replied to Mr. Barlage's inquiry on whether this will be an open air recreational type complex for entertainment but will it have the open air arena for seating, and if so, how many people can be seated. He clarified that there will be grassy areas for everyday use, permits will be pulled for special events; temporary grand stands will be brought in, similar to the Honda Classics; there will be a yearly world tour event where approximately 8 – 10 thousand people will attend, but ordinarily, just grassy open areas. He further said that they have approximately eleven events around the world through the year in various countries and have partnerships with ABC and ESPN.

In response to Mr. Gulisano's inquiry about the percentage of the Park which is built at this time, Mr. Cross replied that he did not have the percentage but the photos showed that their biggest tenant is a multi-storied Walgreen's distribution center, several smaller industrial tenants, with a gas station, but that the park was largely undeveloped otherwise. Mr. Gulisano responded that it is not very credible that the property just sat there, and roads could be put in and some small buildings, so there could be other uses for the property. The only thing this project would be violating is the fact that instead of having a self-contained industrial park where people work and live and recreate in the park, it would be bringing people from out of the area, but yet generating a nice feature. He opined that it is not a Zoning decision, but a policy decision, which should be made by the BCC. Practically speaking it's a great idea.

Ms. Vinikoor made a Motion to recommend initiation of Phase 2, and expressed that during the process staff will get additional information that might bring a successful resolution to the concerns, seconded by Mr. Gulisano. Motion passed (12-0).

C. PUBLIC COMMENTS

There were no public comments.

D. STAFF COMMENTS

Mr. Cross informed the Board that he had been directed to request that the LDRAB convene a Subcommittee to assist in evaluating potential ULDC amendments related to the Landscape Service industry. He reminded former Use Regulation Project (URP) sub-committee members, Ms. Vinikoor and Mr. Knight, that there had been discussions on Landscape Services, with emphasis on the AGR Reserve Tier. Existing provisions in place since the 90s allowed for a Landscape Service to be an accessory to a Nursery, noting that these uses were often vertically integrated – whereas, farmers who grow nursery stock, sell plants, install plants, and there is not much harm in letting them offer accessory services to trim plants, provided such use remains subordinate to the Nursery. He advised that there has been a recent increase in the number of Code Enforcement violations filed for illegally established Landscape Service or Contractor Storage Yard uses, predominantly in the AGR Reserve Tier. He further clarified that this is not a Tier specific issue, with similar issues having been identified in the Rural and Urban/Suburban Tiers. He advised that representatives from the AGR Tier that had been in discussions with staff during the URP, were invited to a meeting where it was agreed to roll back few of the minor changes that had been proposed to assist Code Enforcement, primarily by clarifying the accessory terminology and location standards. While the postponement may not necessarily

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
(Updated 02/24/17)**

Minutes of February 22, 2017 LDRAB Meeting

allow many of the businesses that were cited to come into compliance, it would allow additional time to for the industry to provide feedback. We are going to follow up with a subcommittee, bring industry to the table to see if we can better clarify when they are truly accessory and when they are not, and if they are not, what policy changes may be necessary to allow them to continue in the AGR Reserve Tier or elsewhere.

The following members volunteered to be subcommittee members: Mr. Knight, Ms. Vinikoor, Mr. Gulisano, Mr. Strowd, Mr Barlage, and Mr. Peragine.

Responding to an inquiry from Ms. Vinikoor regarding the AGR 60/40 requirements, Mr. Cross explained that the 60/40 is for preserve areas for Agricultural Reserve Planned Unit Development or Traditional Marketplace Development, to encourage and allow for farming, water conservation and other specific uses stated in the Comprehensive Plan. The Landscape Service use is not among those uses, so that is one of the uses that industry might be requesting to allow to be in a preserve.

Mr. Berger noted that the Code frequently uses limitations for accessory uses as a guidepost to determine whether it really is subordinate to the principal use, because if 80% of your income is having trucks pay to park at your nursery, then it is not accessory to your nursery. He surmised that there may be other options that could be considered to provide more practical, easier to understand regulations. He also indicated that everything is open for discussion in different aspects of businesses.

Motion by Ms. Vinikoor to nominate the six members listed to be on the sub-committee, seconded by Mr. Carpenter. Motion passed (12 - 0).

Mr. Cross informed the Board that the following are scheduled to be presented to the BCC the following day: Adoption: Use Regulations Project and the Medical Marijuana Moratorium; First Reading: Western Communities Residential Overlay (WCRO); Request for Permission to Advertise: FPL Privately Initiated Amendment. The packets are online on the BCC Hearing webpage.

Ms. Vinikoor expressed displeasure that the Kennels on Residential properties in the AGR and AR districts was included in the adoption of the Use Regulations Ordinance and that the Alliance of Delray wrote a letter to the BCC, but acknowledged that Animal Care and Control (ACC) supported the request.

Ms. Vinikoor recalled that LDRAB made a motion to recommend against the use. Mr. Cross confirmed that the code provides supplementary standards for the proposed use, which is more stringent than those for private accessory kennels. A private homeowner under today's code is allowed to construct a dog run, however the dog can be left unattended, which would not be allowed with the new use, which requires supervision by the homeowner. Mr. Berger noted that staff supported it because the ACC supported it.

Ms. Vinikoor stressed that these are residential properties and her objections were strongly supported by Mr. Carpenter.

Mr. Bailey reminded members that LDRAB is an advisory board. Staff did what their job is, the LDRAB did what their job is.

ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 4:00 p.m.

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

Minutes drafted by: _____

_____ Zona Case, Zoning Technician _____ Date _____

EXHIBIT B

ADMINISTRATIVE APPROVALS UNMANNED RETAIL STRUCTURES SUMMARY OF AMENDMENTS

(Updated 3/13/17)

1
2 Part 1. ULDC Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals (pages 39-40 of 87), is hereby
3 amended as follows:
4

Reason for amendments: [Zoning] Clarify administrative authority to amend projects approved by the Zoning Commission or Board of County Commissioners, to allow for the addition or modification of an unmanned retail structure, consistent with provisions for the similar Freestanding ATM use. This clarification was inadvertently omitted from the recently adopted Use Regulations Project, where the use was partially established by Board direction to accommodate a freestanding ice dispensing facility. Typically, the addition of a freestanding structure would necessitate a request to the ZC or BCC for a Development Order Amendment (DOA); however, the structures in question are de minimis, and are not anticipated to result in the same impacts as would an occupied freestanding structure.

5 6 ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES

7 CHAPTER D ADMINISTRATIVE PROCESS

8 Section 1 Development Review Officer (DRO)

9 G. Modifications to Prior Development Orders

10 1. Modifications to BCC or ZC Approvals

11 The DRO shall have the authority to approve modifications to a Development Order approved
12 by the BCC or ZC. An application for an amendment shall be submitted in accordance with
13 [Article 2.A.1, Applicability](#), and reviewed in accordance with the standards in [Article 2.D.1.C,](#)
14 [Review Procedures](#). Applications must be submitted on deadlines established on the Zoning
15 Calendar. The authority of the DRO to modify a BCC or ZC approved plan shall be limited to
16 the following: [Ord. 2008-003] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]

17
18 I. Add new or amend existing Freestanding ATMs, or Unmanned Retail Structure. [Ord.
19 2013-021]

20 21 2. Administrative Modifications

22 a. Purpose

23 To establish procedures to allow for approvals of specific minor corrections, additions and
24 amendments to Final Plans approved by the BCC, ZC or DRO. [Ord. 2007-001] [Ord.
25 2014-001] [Ord. 2015-006] [Ord. 2016-016]

26 b. Agency Review

27 Agency Review is for applications that require amendment(s) to existing approved plan(s).
28 This type of application requires review, comments, and conditions by a maximum of five
29 DRO Agencies. The DRO shall determine which Agencies are required to review the
30 amendment based upon the request and compliance with County Ordinances. The Zoning
31 Director shall maintain PPM Z0-0-29, Administrative Modifications to Approved Site Plans,
32 outlining a list of minor amendments and establishing items that are exempt from the
33 Administrative Modifications process. Amendments include the following, provided [Art.](#)
34 [2.D.1.G.1, Modifications to BCC/ZC Approvals](#), requirements are not exceeded: [Ord.
35 2008-003] [Ord. 2011-001] [Ord. 2014-001] [Ord. 2015-006] [Ord. 2016-016]

36
37 9) Proposed or relocated guard houses; ~~and~~, [Ord. 2014-001] [Ord. 2015-031]

38 10) PUD informational signs; ~~and~~, [Ord. 2015-031]

39 11) Add new or amend existing Freestanding ATMs, or Unmanned Retail Structure.

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51 U:\Zoning\CODEREV\2017\LDRAB\Meetings\3-29-17\4 - Final Packet\5 Exh. B - Administrative Approvals-Unmanned Retail
52 Structures.docx

Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [**Relocated to:**].

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 C

RETAIL GAS AND FUEL ADDITIONAL STANDARDS FOR APPROVAL SUMMARY OF AMENDMENTS (Updated 3-20-17)

1
2 Part 1. ULDC Art. 4.B.2.C.16.d, Additional Standards for Approval [Related to Retail Gas and
3 Fuel], is hereby amended as follows:
4

Reason for amendments: [Zoning] Delete redundant standards previously established for Retail Gas and Fuel uses, which are either redundant to existing Standards regulating site development, or must be demonstrated. Specifically, Art. 2.B.1.B.2, Consistency with the Code; Art. 2.B.1.B.3, Compatibility with Surrounding Uses; and Art. 2.B.1.B.5, Development Patterns, among others, already establish sufficient standards for uses requiring Class A Conditional Use approval. Similar standards would apply for Waivers or subsequent Development Order Amendments.

5
6 **ARTICLE 4, USE REGULATIONS**

7 **Section 2 Commercial Uses**

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

9 **15. Gas and Fuel Sales, Retail**

10 **d. Additional Standards for Approval**

11 ~~In addition to the Standards of Art. 2.B.2.B, Standards for Conditional Uses and~~
12 ~~Development Order Amendments, or Art.2.B.2.G.3, Standards (Type 2 Waiver), when~~
13 ~~considering a Development Order application for a Conditional Use, DOA or Type 2~~
14 ~~Waiver, the BCC shall consider whether or not: [Ord. 2011-016]~~

15 ~~1) Adequate ingress and egress have been provided. [Ord. 2006-004]~~

16 ~~2) Adequate buffering and setbacks from residential areas have been provided. [Ord.~~
17 ~~2006-004]~~

18 ~~3) Sufficient vehicle stacking, circulation, access, and area for turning movements have~~
19 ~~been provided. [Ord. 2006-004]~~

20 ~~4) The number of fueling positions proposed is excessive. [Ord. 2006-004]~~

21 ~~5) There are an excessive number of similar stations in the vicinity. [Ord. 2006-004]~~

22 **[Renumber accordingly.]**
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55 U:\Zoning\CODEREV\2017\LD RAB\Meetings\3-29-17\1 - Prior Round Table\3-20-17 DRAFT Exh. C - Retail Gas and Fuel - Standards
56 for Approval.docx

Notes:

- **Underlined** indicates **new** text.
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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

General Reason for Amendments: [Zoning] The Future Land Use Element (FLUE) of the Comprehensive Plan was recently amended by Ord. 2017-004, to delete the requirement that the Lifestyle Commercial Center (LCC) be a standalone zoning district that mirrored the Traditional Marketplace Development (TMD) district.

As a result, this amendment deletes the LCC as standalone zoning district throughout the ULDC; and, retains some LCC regulations not covered under TMD.

Part 1. ULDC Art. 1.1.2, Definitions (pages 30, 85, 102 and 117 of 119), is hereby amended as follows:

Reason for amendments: [Zoning] See General Reason for Amendment above.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

7. Access, Primary - for the purposes of a Lifestyle Commercial Center, a primary access shall be from an arterial street. If a development fronts two arterial streets, the primary access shall have the largest ADT as determined by the County Engineer. [Ord. 2010-005]

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

49. Build-to-Line - an alignment establishing a certain location for a building from either the R-O-W for a public street or the curb line along internal streets for a TMD, TND Neighborhood Center, LCC, WCRAO, IRO or PRA project. [Ord. 2010-005] [Ord. 2010-022]

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

59. Lot Frontage -

b. For the purposes of TDD, WCRAO, IRO, LCC or PRA projects where a build-to-line is required, and vehicular access may be from the side or rear of the property, the property line used to meet the build-to-line requirements shall be the lot frontage. [Ord. 2006-004] [Ord. 2010-005] [Ord. 2010-022]

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

41. Planned Development, District (PDD) - a zoning district which is approved pursuant to the policies and procedures of Art. 3.E, Planned Development Districts of this Code including: PUD, Residential Planned Unit Development District; MXPDP, Mixed-Use Planned Development District; MUPDP, Multiple Use Planned Development District; PIPDP, Planned Industrial Park Development District; MHPDP, Mobile Home Park Planned Development District; and, RVDP, Recreational Vehicle Park Planned Development District; and LCC, Lifestyle Commercial Center. [Ord. 2010-005]

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

99. Street, Main - for the purposes of a Lifestyle Commercial Center, a street consisting of buildings located on both sides with on-street parking; sidewalks for pedestrian circulation with provisions for streetscape; usable open spaces, and buildings with a variety of heights and sizes characterized by distinctive architectural elements. [Ord. 2010-005]

105. Streetscape - For the purposes of the IRO, WCRAO, PRAs, LCC and TDDs, the visual elements of a street, adjoining buildings, street furniture, trees, pedestrian areas and open spaces, that combine to form the street's character. [Ord. 2010-005] [Ord. 2010-022]

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EXHIBIT D

**LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS**

(Updated 3/23/17)

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4 **Part 2. ULDC Art. 2, Development Review Procedures (pages 12 and 46 of 87), is hereby**
5 **amended as follows:**

6

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

7 **CHAPTER A GENERAL**

8 **Section 1 Applicability**

9

10 **E. Pre-Application Conference (PAC)**

11

12 **1. Plan Review**

13 The applicant shall specify in the application whether the PAC is requested for a conceptual
14 plan review. A conceptual master plan shall be required for the Infill Redevelopment Overlay
15 (IRO), ~~Lifestyle Commercial Center (LCC)~~, or applications for rezoning or conditional use
16 approval for Development Orders in the Priority Redevelopment Areas (PRAs). **[Ord. 2005 –**
17 **002] [Ord. 2010-005] [Ord. 2010-022]**

18

19 **3. Additional ~~LCC~~, IRO and PRA Requirements**

20

21

Table 2.A.1.E - Conceptual Master Plan Requirements for PAC

Conceptual Master Plan Requirements	IRO	LCC	PRAs
Intensity or density	✓	✓	✓
Transect zones assigned to all land.	✓		✓
Vehicular and pedestrian circulation, including location of access points and interconnectivity to adjacent parcels, perimeter streets, internal street network including alleys.	✓	✓	✓
General outline of building placement and building type, including any tenants 65,000 square feet or larger.	✓		
Freestanding or any tenants 65,000 square feet or larger.		✓	
Pedestrian streetscape realm for all perimeter street frontages or required frontage types.	✓		✓
Pedestrian area for main street(s).		✓	
Proposed or required mix of uses, including residential units, identifying whether or not such is horizontally or vertically integrated.	✓	✓	✓
Location of any Conditional Uses, and outdoor uses such as Restaurant, Financial Institution with Drive Thru Facilities, Financial Institution Freestanding ATM, gasoline pumps and related queuing areas, outdoor dining areas, and required outdoor daycare areas, among others. Where applicable, additional detail shall be required to demonstrate how such uses will be located behind buildings, or shielded from adjacent residential uses or perimeter streets.	✓	✓	✓
Location of parking, loading and service areas (dumpsters, etc.).	✓	✓	✓
Required public open space or usable open space.	✓	✓	✓
Demonstrate consistency with the master plan or design guidelines adopted under the Future Land Use Atlas amendment ordinance, if applicable.		✓	
Green Building Incentive Program: Where applicable, include any site improvements that will be used towards an application for bonus height.			✓
[Ord. 2010-005] [Ord. 2010-022] [Ord. 2017-007]			

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EXHIBIT D

**LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS**

(Updated 3/23/17)

Part 3. ULDC Art. 3.A.1.B, Overlays and Zoning Districts (pages 16 of 234), is hereby amended as follows:

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

CHAPTER A GENERAL

Section 1 Districts

B. Overlays and Zoning Districts

3. Planned Development Districts (PDD)
~~LCC, Lifestyle Commercial Center [Ord. 2011-016]~~

Part 4. ULDC Table 3.A.3.C – FLU Designation and Corresponding Planned Development Districts (pages 18 of 234), is hereby amended as follows:

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)

	AGR (2)	RR	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	
....												

	AGR (1)	RR	AGE	CL	CH	CLO	CHO	IND	INST	CR	MLU	EDC
....												
LCC				✓	✓							

[Ord. 2008-037] [Ord. 2009-040] [Ord. 2009-040] [2010-005] [Ord. 2010-022] [Ord. 2014-031]

Notes:
1. Check (✓) indicates the PDD corresponds to the FLU designations. Any application for a rezoning to a PDD shall be to a PDD that corresponds to a FLU designation. [Ord. 2008-037]
....

Part 5. ULDC Table 3.A.3.C – TDD Corresponding Land Use (pages 19 of 234), is hereby amended as follows:

Reason for amendments: [Zoning] Correct glitch by deleting provisions indicating that the TMD district is consistent with the Commercial Low Office (CLO) and Commercial High Office (CHO) FLU designations. Comprehensive Plan FLUE Policy 4.4.4-a only allows TMD to be located on sites with Commercial High (CH) or Commercial Low (CL) FLU designation.

Table 3.A.3.D - TDD Corresponding Land Use

	AGE	AGR	RR	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
TND	(1)			✓	✓	✓	✓	✓	✓	✓	✓
TTD	✓			✓	✓	✓	✓	✓	✓	✓	✓	
	AGE	AGR	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
TMD	(1)			✓	✓	✗	✗			✓	✓

[Ord. 2010-022] [Ord. 2014-025] [Ord. 2014-031]

Legend: Check (✓) indicates the TDD corresponds to the FLU category. Any application for a rezoning to a TDD shall be to a TDD that corresponds to a FLU designation. [Ord. 2008-037]

Note:
1) A TND or TMD Pod may be permitted within a TTD with an AGE FLU designation in accordance with Table 3.F.5.D, Traditional Town Development Land Use Allocation.

Notes:
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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

1
2 Part 6. ULDC Art. 3.E.1.B.2.f, LCC Minimum Density Requirements (pages 133 of 234), is hereby
3 deleted:
4

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

5 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

6 Section 1 General

7 B. FAR, Density, and Use Standards

8 2. Density

9 ~~f. LCC Minimum Density Requirements~~

10 ~~All residential units shall be vertically or horizontally integrated. The minimum required~~
11 ~~density shall be determined as a percentage of maximum density indicated in Table~~
12 ~~3.E.1.B, PUD Density, as follows: [Ord. 2010-005]~~

13 ~~1) Sites with Future Land Use designations of LR-2 or lower shall provide, at a minimum,~~
14 ~~50 percent of the maximum PUD density; or [Ord. 2010-005]~~

15 ~~2) Sites with an LR-3 Future Land Use designation shall provide, at a minimum, 33~~
16 ~~percent of the maximum PUD density; or [Ord. 2010-005]~~

17 ~~3) Sites with Future Land Use designations of MR-5 or higher shall provide, at a minimum,~~
18 ~~20 percent of the maximum PUD density. [Ord. 2010-005]~~

19 ~~Minimum workforce housing units shall be calculated in accordance with Art. 5.G.1,~~
20 ~~Workforce Housing Program. [Ord. 2010-005]~~

21
22
23 Part 7. ULDC Art. 3.E.1.D.1, Pre-Application Conference (pages 137 of 234), is hereby deleted:
24

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district. Specific application procedures are in place for TMDs.

25 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

26 Section 1 General

27 D. Application Requirements

28 For a rezoning to a PDD, the applicant shall comply with the requirements in Article 2.B.1, Official
29 Zoning Map Amendment (Rezoning), Art. 2.A.1.G.2, Application Procedure, General and
30 Art.2.A.1.G.3, Plan Requirements for certification and final approval by the DRO. [Ord. 2009-040]

31 ~~1. Pre-Application Conference (PAC)~~

32 ~~All applications for a LCC shall require a PAC pursuant to Art. 2.A.1.E, Pre-Application~~
33 ~~Conference. [Ord. 2010-005]~~

34 [Renumber Accordingly]

35
36
37 Part 8. ULDC Art. 3.E, Lifestyle Commercial Center Development (LCC) (pages 117 of 119), is
38 hereby amended as follows:
39

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

As a result, this amendment deletes most of the LCC requirements and relocates specific LCC provisions related to Interconnectivity, Perimeter Frontage and Type 1 Waivers to be under the TMD as they are not covered under the TMD regulations,

40 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

41 ~~Section 8 Lifestyle Commercial Center Development (LCC)~~

42 ~~A. General~~

43 ~~1. Purpose and Intent~~

44 ~~The purpose and intent of the LCC is to implement the FLUE Policy 2.2.2-c of the Plan, as~~
45 ~~amended. A LCC is a mixed-use form of development that incorporates a variety of uses such~~

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC) SUMMARY OF AMENDMENTS

(Updated 3/23/17)

1 as: commercial, residential, civic and recreational. The LCC may be a transitional form of
2 development located adjacent to properties with a residential future land use or Zoning district.
3 The layout typically supports an open air, traditional market place design configuration, which
4 consists of one or more main streets with integrated in-line tenants and may include limited
5 freestanding tenants.

6 LCC regulations are established to provide predictability in the built environment with a degree
7 of design flexibility while ensuring compatibility, interconnectivity and intensity issues are
8 addressed. **[Ord. 2010-005]**

9 **2. Applicability**

10 The requirements of this Section shall apply to all LCCs. **[Ord. 2010-005]**

11 **3. Conflicts**

12 If a conflict exists between this Section and other Articles in this Code, the provisions of this
13 Section shall apply to the extent of the conflict. **[Ord. 2010-005]**

14 **B. Design Principles**

15 The LCC form of development shall consider the impact of proposed commercial uses, and the
16 need to establish an interface with existing and future adjacent developments. This interface shall
17 be comprised of the following: site layout, building form, interconnectivity, and mixed of uses that
18 will support the surrounding residential uses. The LCC shall be laid out with one or more main
19 streets that incorporate any in-line large tenant that is designed as a multi-tenant store front. It may
20 also include a freestanding large tenant and outparcel tenants that are located outside of the main
21 street. **[Ord. 2010-005]**

22 **1. Site Layout**

23 **a. Street**

24 Streets within an LCC shall be designed to create block configurations composed of main
25 streets, secondary streets and alleys, as defined in Art. 3.E.8.C.3, Site Layout. **[Ord. 2010-**
26 **005]**

27 **b. Interconnectivity and Circulation**

28 The site layout shall provide interconnectivity between the LCC and adjacent parcels on at
29 least two sides. The ingress/egress shall be aligned with that of existing and future
30 developments on adjacent parcels and shall be shown on the Preliminary Site Plan (PSP)
31 pursuant to Art. 2.A.1.G.3, Plan Requirements. The design principles are: **[Ord. 2010-**
32 **005]**

33 1) Minimize internal vehicular trips by arranging buildings, amenities, and parking in
34 proximity to each other to reduce pedestrian walking distance; **[Ord. 2010-005]**

35 2) Establish location of vehicular or pedestrian interconnectivity points with adjacent
36 properties; **[Ord. 2010-005]**

37 3) The site shall be designed without any provisions for gates unless stated otherwise
38 herein. **[Ord. 2010-005]**

39 **c. Buildings**

40 1) A majority of the buildings (building square footage) shall front on an internal main
41 street with a build-to-line. Buildings shall frame the main street integrating site
42 elements such as sidewalks and pedestrian amenities. **[Ord. 2010-005]**

43 2) Buildings in developments that include a freestanding large tenant, or outparcel
44 tenants, shall be oriented in a manner that complements the main street buildings and
45 associated parking areas, and mitigates the impact of potential incompatibilities on
46 surrounding properties. **[Ord. 2010-005]**

47 **d. Pedestrian Area and Usable Open Space**

48 1) Pedestrian areas in any form of usable open space shall function as activity nodes
49 within the development. These areas or activity nodes shall include, but not limited to:
50 art, fountains, shaded sitting areas and other similar amenities to encourage public
51 use. **[Ord. 2010-005]**

52 2) Large or out-parcel tenants located outside of the main street areas shall be connected
53 to the LCC pedestrian circulation system through a series of usable open spaces and
54 shaded sidewalks. **[Ord. 2010-005]**

55 **e. Parking and Loading**

56 1) Required parking and loading for each tenant shall be located to the side and rear of
57 the building. **[Ord. 2010-005]**

58 2) Perimeter of parking lots shall be framed by buildings, structures or landscaping to
59 create user friendly spaces. **[Ord. 2010-005]**

60 **f. Transitional Elements**

61 Drainage or preserve areas shall serve as a transition between the commercial portion of
62 the development and adjacent existing residential uses when possible. **[Ord. 2010-005]**

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

1

Figure 3.E.8.B—Typical Open Space and Main Street Layouts



[Ord. 2010-005]

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~~2. Building Forms and Design~~

- ~~a. Buildings shall be designed in scale and proportion to provide pedestrian-level interest and establish a sense of place by incorporating a variety of heights and façade treatments. Architectural, landscape, or hardscape focal points shall be provided at key locations such as internal street intersections, public gathering areas and along external streets to create a sense of arrival and place or to provide terminus. [Ord. 2010-005]~~
- ~~b. Buildings facing the arterial street shall provide pedestrian sidewalks or usable open space to be oriented towards the arterial street to encourage walkability, and a positive visual interface along the street right-of-way. [Ord. 2010-005]~~

~~3. Mixed Use and Integration~~

- ~~The LCC shall primarily consist of commercial related uses, live-work units, and limited residential units based upon the site's FLU designation. The integration of uses shall consist of the following: [Ord. 2010-005]~~
- ~~a. Placement of buildings providing a harmonious interface between internal mixed uses, and adjacent uses; and [Ord. 2010-005]~~
- ~~b. Horizontally integrated residential units are serving as a transition between the more intense uses and immediately adjacent existing or future residential uses to reduce the need for large buffers. [Ord. 2010-005]~~

~~C. Design and Development Standards~~

~~An LCC shall comply with all standards listed below unless a waiver is granted pursuant to Article 3.E.8.D, Type I Waivers. [Ord. 2010-005]~~

~~1. Minimum Site Area~~

~~Site area shall be 10 acres. [Ord. 2010-005]~~

~~2. Access and Frontage~~

- ~~a. Minimum frontage shall be consistent with PDD standards pursuant to Art. 3.E.1.C.2.a., Access and Circulation. [Ord. 2010-005]~~
- ~~b. Primary access shall be provided from the arterial street to a main street of the LCC. [Ord. 2010-005]~~

~~3. Site Layout~~

~~Blocks and streets shall establish the general framework for the site layout. [Ord. 2010-005]~~

~~a. Blocks~~

- ~~Blocks shall be created by utilizing streets and alleys to provide continuous vehicular circulation, interconnectivity, and accessibility within the LCC, with exception in area where an access is required by the Engineering Department. Blocks shall be subject to the following thresholds: [Ord. 2010-005]~~
- ~~1) Minimum length of a block shall be 160 feet; [Ord. 2010-005]~~

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC) SUMMARY OF AMENDMENTS

(Updated 3/23/17)

1 ~~2) Maximum length of a block shall be 660 feet without pedestrian pass-thru; and, [Ord.~~
2 ~~2010-005]~~

3 ~~3) Maximum length of a block shall be 750 feet with pedestrian pass-thru. [Ord. 2010-~~
4 ~~005]~~

5 ~~b. Streets~~

6 ~~Streets shall include main streets, secondary streets, alleys, and driveways that are~~
7 ~~designed consistent with the following. Streets designated as public or private R-O-W shall~~
8 ~~also comply with any Engineering requirements. [Ord. 2010-005]~~

9 ~~1) Main Street~~

10 ~~The main street(s) shall be designed as the primary street(s) in the LCC and shall~~
11 ~~comply with the following standards: [Ord. 2010-005]~~

12 ~~a) A continuous main street shall traverse a minimum of 60 percent of the length or~~
13 ~~width of the LCC, whichever is greater; [Ord. 2010-005]~~

14 ~~b) The design shall be consistent with Figure 3.F.2.A, TDD Commercial Street or the~~
15 ~~TMD design exception summarized in Figure 3.F.4.D, Typical Example of TMD~~
16 ~~Commercial Street with Angled Parking; [Ord. 2010-005]~~

17 ~~c) A minimum of 65 percent of the total GFA for the overall development shall be~~
18 ~~located on the main street(s); [Ord. 2010-005]~~

19 ~~d) A plaza may be located at the end of a main street provided a building is located~~
20 ~~immediately adjacent to the plaza to frame the space and establish a visual~~
21 ~~terminus; and, [Ord. 2010-005]~~

22 ~~e) Intersections of two main streets, if provided, shall provide an amenity including,~~
23 ~~but not limited to: roundabout with decorative pavers and a focal point; or any other~~
24 ~~element that reflects a common architectural theme of the LCC. [Ord. 2010-005]~~

25 ~~2) Secondary Street~~

26 ~~Secondary streets shall be designed consistent with Figure 3.F.2.A, TDD Commercial~~
27 ~~Street, except that on-street parking may not be required and minimum sidewalk width~~
28 ~~may be reduced from ten to four feet in width. [Ord. 2010-005]~~

29 ~~3) Alley~~

30 ~~Alley access shall not be permitted from a main street. Alleys shall conform with the~~
31 ~~requirements of Art. 3.F.2.A.1.e, Alleys. [Ord. 2010-005]~~

32 ~~c. Interconnectivity~~

33 ~~1) Interconnectivity shall be required if the LCC is adjacent to an existing development or~~
34 ~~vacant parcels. The Planning Division shall review and make a recommendation on~~
35 ~~interconnectivity, pursuant to Objective 4.3, Community Design of the Plan. In~~
36 ~~addition, the following shall apply: [Ord. 2010-005]~~

37 ~~2) All required connecting points shall be paved up to the property line of adjacent parcels~~
38 ~~and a cross access agreement shall be recorded. [Ord. 2010-005]~~

39 ~~3) All connecting access points shall be designed and constructed pursuant to the Land~~
40 ~~Development Design Standards Manual. [Ord. 2010-005]~~

41 ~~4) The use of gates or other preventative barriers is prohibited, exceptions are allowed~~
42 ~~for: dumpsters, loading areas, private garages and parking areas. [Ord. 2010-005]~~

43 ~~4. Buildings~~

44 ~~All buildings shall front a street, and shall be designed in compliance with the following: [Ord.~~
45 ~~2010-005]~~

46 ~~a. Internal Frontage~~

47 ~~1) Buildings or structures located on the main or secondary street shall be setback a~~
48 ~~minimum of 15 feet and maybe expanded to 25 feet to provide outdoor dining areas,~~
49 ~~pedestrian area or usable open space. Setbacks are measured from the proposed~~
50 ~~building façade to the inside edge of the curb. [Ord. 2010-005]~~

51 ~~b. Perimeter Frontage~~

52 ~~Buildings that front on the perimeter of a LCC and adjacent to residential uses, arterial~~
53 ~~streets or any other street exterior to the development shall be considered perimeter~~
54 ~~building frontage, and shall comply with the following: [Ord. 2010-005]~~

55 ~~1) Buildings or structures located on the perimeter of the site shall be setback a minimum~~
56 ~~of 25 feet. Setbacks are measured from the proposed building façade to the inside~~
57 ~~edge of the perimeter R-O-W buffer. [Ord. 2010-005]~~

58 ~~2) Facade shall provide design features including, but not limited to: building entrances,~~
59 ~~display windows, usable open space and pedestrian circulation system. [Ord. 2010-~~
60 ~~005]~~

61 ~~3) Outdoor vehicular circulation and queuing areas for uses including, but not limited to:~~
62 ~~gas sales, financial institution, restaurants, and other facilities with drive-thru shall only~~
63 ~~be allowed if the associated outdoor vehicular activities are not visible from the street~~
64 ~~or adjacent residential uses. [Ord. 2010-005]~~

65 ~~c. Building Design~~

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC) SUMMARY OF AMENDMENTS

(Updated 3/23/17)

1 ~~1) The facade design of all buildings shall comply with Art. 5.C, Design Standards. [Ord. 2010-005]~~

2 ~~2) For perimeter building that faces a street R-O-W, a pedestrian area with sidewalks and~~
3 ~~street trees shall be provided abutting the building. [Ord. 2010-005]~~

4 ~~**d. Building Height**~~

5 ~~The maximum building height shall be 45 feet. The height limit shall not apply to those~~
6 ~~exceptions listed in Art. 3.D.1.E.4, Height Exceptions.~~

7 ~~**e. Tenant Size and Large Tenant**~~

8 ~~1) The total square footage for all freestanding buildings and large tenants shall not~~
9 ~~exceed 40 percent of the GFA of the LCC. [Ord. 2010-005]~~

10 ~~2) Large tenants occupying more than 100,000 square feet shall be prohibited. [Ord.~~
11 ~~2010-005]~~

12 ~~3) Any large scale single tenant retail use (as defined by the definition of big box in the~~
13 ~~Plan), with or without accessory tenants, in a single building, shall not exceed 65,000~~
14 ~~square feet. [Ord. 2010-005]~~

15 ~~4) Large tenants shall be architecturally designed to appear as a multi-tenant building.~~
16 ~~[Ord. 2010-005]~~

17 ~~5) Large tenants shall comply with requirements for fenestration details and exterior~~
18 ~~treatments of Table 5.C.1.I.13, Large Scale Commercial Development. [Ord. 2010-~~
19 ~~005]~~

20 ~~6) No single tenant shall occupy more than 200 feet of frontage. An increase of up to 240~~
21 ~~feet per single tenant shall be permitted, provided that any increase over 200 feet~~
22 ~~incorporates the appearance of a separate storefront to include: a distinct architectural~~
23 ~~style a minimum of 40 feet in length, similar transparency, and an additional building~~
24 ~~entrance, or appearance of an entrance. [Ord. 2010-005]~~

25 ~~**f. Integrated Residential Use**~~

26 ~~Residential uses shall be provided in compliance with Art. 3.E.1.B.2.f, LCC Minimum~~
27 ~~Density Requirements and the following standards: [Ord. 2010-005]~~

28 ~~1) For project with vertically integrated units, these units shall be located above non-~~
29 ~~residential buildings, and shall be accessed from the main street through a common~~
30 ~~area, including but not limited to: an internal lobby, courtyard, gathering areas, or~~
31 ~~usable open space between buildings. [Ord. 2010-005]~~

32 ~~2) For horizontally integrated units, alternative frontage requirements may be permitted~~
33 ~~pursuant to Art. 3.F.4.D.4.d, Optional Standards for Residential PDRs. [Ord. 2010-~~
34 ~~005]~~

35 ~~**5. Pedestrian Area on Main Street**~~

36 ~~The area between the building façade and the main street curb is defined as pedestrian area,~~
37 ~~and shall be subject to the following: [Ord. 2010-005]~~

38 ~~a. Required on both sides of a main street with open or arcaded sidewalks, street trees,~~
39 ~~pedestrian amenities, and street furniture. [Ord. 2010-005]~~

40 ~~b. All sidewalks shall be a minimum six feet width with no encumbrance. The width may be~~
41 ~~increased to accommodate seating areas or other pedestrian amenities. In addition to the~~
42 ~~sidewalk, a minimum width of five feet shall be provided for the installation of street trees,~~
43 ~~landscaping and street lights. [Ord. 2010-005]~~

44 ~~c. A minimum of 75 percent of the frontage on the main street shall have arcaded sidewalks~~
45 ~~or any other architectural element that provides shade to pedestrians such as permanent~~
46 ~~canopies and awnings. All arcades or architectural shade elements shall have a minimum~~
47 ~~height clearance of 12 feet. When canopies or awnings are provided to comply with the~~
48 ~~75 percent requirement, they shall extend at least 6 feet to shade pedestrian sidewalks.~~
49 ~~[Ord. 2010-005]~~

50 ~~d. Pedestrian pass thru that connects the main street and the parking lots or service areas at~~
51 ~~the rear or the side of the building shall have a maximum width of 25 feet. Pedestrian pass-~~
52 ~~thrus shall be occurred at intervals no greater than 100 feet to provide convenient~~
53 ~~pedestrian access. [Ord. 2010-005]~~

54 ~~**6. Pedestrian Area on Secondary Street**~~

55 ~~Pedestrian area shall be a minimum width of ten feet and shall be located on both sides of the~~
56 ~~street. The sidewalk shall be a minimum width of five feet with no encumbrance and a minimum~~
57 ~~width of five feet for amenities such as street trees and street lights. [Ord. 2010-005]~~

58 ~~**7. Usable Open Space**~~

59 ~~A minimum of five percent of the total site GFA shall be provided as usable open space. [Ord.~~
60 ~~2010-005]~~

61 ~~**a. Dimensions**~~

62 ~~All usable open spaces shall meet the minimum dimensions provided under Table 3.E.8.C,~~
63 ~~Dimensions for Usable Open Space. The provision of usable open space in excess of the~~
64 ~~minimum required shall be notated. [Ord. 2010-005]~~

65 ~~**b. Street Frontage**~~

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

- 1 Usable open space shall be bounded by a street on at least one side. ~~[Ord. 2010-005]~~
- 2 ~~c. Landscaping~~
- 3 A minimum of 15 percent of each usable open space shall be shaded by landscape material
- 4 or shade structures at time of construction, and a minimum of 30 percent of the total square
- 5 footage shall be pervious. ~~[Ord. 2010-005]~~
- 6 ~~d. Pedestrian Amenities~~
- 7 If one or more usable open spaces are provided within the LCC, a minimum of 50 percent
- 8 of these spaces shall be designed with seating areas for pedestrians. Each space shall
- 9 have a minimum of one linear foot of seating for each 200 square feet of overall area. ~~[Ord.~~
- 10 ~~2010-005]~~
- 11 ~~8. Street Trees, Street Lights and Utilities~~
- 12 a. Street trees shall be planted pursuant to Art. 3.F.2.A.4.d, Street Trees. ~~[Ord. 2010-005]~~
- 13 b. Street lights shall be provided along all streets and alleys pursuant to Art. 3.F.2.A.1.f.2).a),
- 14 TDD Street Lighting. At least one light fixture shall be located at the pedestrian crosswalk
- 15 and along of all pedestrian pass thru. ~~[Ord. 2010-005]~~
- 16 c. All public utilities shall be installed in accordance to the standard of Art. 11.E.7, Utilities.
- 17 ~~[Ord. 2010-005]~~
- 18 ~~9. Parking and Loading~~
- 19 Parking shall comply with Art. 6, Parking, unless otherwise stated below: ~~[Ord. 2010-005]~~
- 20 a. Parking Lot
- 21 A maximum of 200 parking spaces shall be permitted in each parking lot. The perimeter of
- 22 the parking lot shall be framed by: ~~[Ord. 2010-005]~~
- 23 1) buildings or structures on all four sides; or ~~[Ord. 2010-005]~~
- 24 2) an eight-foot wide landscape strip. The landscape strip shall have a 30 inch high hedge
- 25 or a 30 inch concrete wall and appropriate groundcover. Canopy trees shall be planted
- 26 at 20 feet on center. ~~[Ord. 2010-005]~~
- 27 b. Parking Structures
- 28 Parking for any use in excess of six spaces per 1,000 square feet of non-residential floor
- 29 area shall be located in a parking structure. ~~[Ord. 2010-005]~~
- 30 c. Service and Loading Areas
- 31 All service and loading areas shall be located along the rear or side of the structures, and
- 32 shall not be visible from the main street and any usable open space. The service areas
- 33 shall be located within the footprint of the building or immediately adjacent to the building.
- 34 ~~[Ord. 2010-005]~~
- 35 ~~10. Landscaping~~
- 36 Landscaping shall comply with Art. 7, Landscaping, unless otherwise stated below: ~~[Ord.~~
- 37 ~~2010-005]~~
- 38 a. Landscape Buffer Exemption
- 39 Required perimeter buffers may be modified subject to an approved Alternative Landscape
- 40 Plan, if: ~~[Ord. 2010-005]~~
- 41 1) the proposed horizontally integrated residential units of the LCC are located adjacent
- 42 to existing residential units of the same housing type and density, and the adjacent
- 43 parcel has an existing buffer that meets this Code; or ~~[Ord. 2010-005]~~
- 44 2) the adjacent non-residential development is compatible with the LCC and has an
- 45 existing buffer that meets this Code. ~~[Ord. 2010-005]~~
- 46 b. Foundation Planting
- 47 Foundation planting shall be in compliance with Art. 7, Landscaping, unless otherwise
- 48 stated below: ~~[Ord. 2010-005]~~
- 49 1) Foundation plantings shall not be required for the following: buildings with frontages
- 50 on the main streets, secondary streets, buildings along an alley or internal street
- 51 between non-residential buildings, or where buildings front on a plaza or square. ~~[Ord.~~
- 52 ~~2010-005]~~
- 53 2) Buildings that face a perimeter street R-O-W and designed with: arcades, pedestrian
- 54 area or framed by an usable open space. ~~[Ord. 2010-005]~~
- 55 ~~D. Type I Waivers~~
- 56 *An applicant may seek Type I Waivers from specific code requirements listed in accordance with*
- 57 *Art. 2.D.6, Type I Waiver, and Table 3.E.8.D, LCC Waivers. Type I Waiver approval shall be*
- 58 *granted prior to DRO certification. The following table summarizes the development standards that*
- 59 *could be requested through a Type I Waiver process. ~~[Ord. 2011-016] [Ord. 2012-027]~~*

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC) SUMMARY OF AMENDMENTS

(Updated 3/23/17)

1

Table 3.E.8.D – Type I Waivers

Requirements	Waiver	Criteria of Review (1)
Main Street		
Art. 3.E.8.C.3.b.1).a) A continuous main street shall traverse a minimum of 60 percent of the length or width of the LCC; whichever is greater.	Reduce a maximum of 10 percent.	-Constraints on site configuration prohibiting compliance with minimum length; -Encumbrance by existing natural features or easements (lake, preserve, etc.);
Art. 3.E.8.C.3.b.1).c) A minimum of 65 percent of the total GFA shall be located on the main street(s).	Reduce a maximum of 10 percent.	-Existing site constraints that prohibit compliance with required layout and square footage cannot be accommodated on main streets.
Interconnectivity		
Art. 3.E.8.C.3.c.4) The use of gates or other preventative barriers is prohibited, exceptions are allowed for: dumpsters, loading areas, private garages and parking areas.	Allow use of gates within the development.	-Special circumstances between adjacent uses; -Specific user requirements within the LCC requires building(s) to be gated provided these gates do not impact the continuity of the LCC street network.
Perimeter Frontage		
Art. 3.E.8.C.4.b.2) Facade shall provide design features, including but not limited to: building entrances, display windows, usable open space and pedestrian circulation system.	No facade design features	-If proposed building is separated from the adjacent street or use by a canal R-O-W or other geological encumbrance or utility easement that is 80 feet or greater. -Facade shall meet Art.5.C.
Art. 3.E.8.C.4.b.3) Outdoor vehicular circulation and queuing areas for uses including, but not limited to: gas sales, financial institution, restaurants, and other facilities with drive-thru shall only be allowed if the associated outdoor vehicular activities are not visible from the street or adjacent residential uses.	Allow outdoor vehicular activities to be visible from the perimeter street.	-Provide a Type 3 Incompatibility Buffer, and exemplary architectural design that incorporates walls or other visual barriers a minimum of six feet in height, or a combination of the two.
Building Height		
Art. 3.E.8.C.4.d The maximum building height shall be 45 feet.	Increase building height up to a maximum of 60 feet. >60 feet shall be subject to a Waiver approval by the BCC.	-Demonstrate that the use associated with the building requires additional height due to its use or structural reasons related to the use or building design; -Architectural focal point shall be provided and proportional to the additional height of the building. -Additional height of the building shall create no impact on adjacent properties. -Utilize Green Architecture, if applicable.
Tenant Size and Large Tenant		
Art. 3.E.8.C.4.e.1) The total square footage for all freestanding building and large tenants shall not exceed 40 percent of the GFA of the LCC.	Increase a maximum of 10 percent of the total GFA to be designated for freestanding buildings and large tenants.	-Increase Architectural features that exceed Art.5.C ; or -Utilize Green Architecture, if applicable; and -Increase usable open space by 10% for the site.
Art. 3.E.8.C.4.e.6) Single tenants shall not occupy more than 240 feet of frontage.	Increase to a maximum of 325 feet for sides that do not have pedestrian use areas or street frontages other than for service areas.	-Provide Architectural features that exceed Art.5.C ; -Utilize Green Architecture, if applicable
Vertical Integration		
Art. 3.E.8.C.4.f.1) Vertically integrated units shall be accessed from the main street through a common area, including but not limited to: an internal lobby, courtyard, gathering area or usable open space between buildings.	Vertically integrated units without access from the main street	-Proposed access complies with the entry requirements of Art. 5.C.1.H.1.d, Entries, provided it is adjacent to usable open space.
Usable Open Space		
Table 3.E.8.C. Dimensions for Usable Open Space	Reduce a maximum of 25 percent of the minimum dimensions.	-Proposed design features of the reduced usable open space elements shall exceed minimum code requirements; and, -Demonstrate the overall usable open spaces are evenly distributed to meet the purpose and intent of this requirement.
Parking Lot		
Art. 3.E.8.C.9.a A maximum of 200 parking spaces shall be permitted in each parking lot.	Increase a maximum of 20 percent.	-Only allowed if framed by buildings on all four sides and designed to give the appearance of small parking lots.
[Ord. 2010-005] [Ord. 2012-027]		
Notes:		
1. The applicant can submit additional justification or documentation to support waiver request.		

2
3

Notes:

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

Part 9. ULDC Art. 3.F, Traditional Development Districts (TDDs) (pages 177 and 192 of 213), is hereby amended as follows:

Table with 2 rows and 1 column. Row 1: Reason for amendments: [Zoning]. Row 2: 1. See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 1 General Provisions for TDDs

D. Types of TDDs

TDDs include the following:

2. Traditional Marketplace Development (TMD)

TMDs are mixed-use commercial, residential, and office areas that function as town activity centers serving residents in the vicinity. The Lifestyle Commercial Center (LCC) is a type of TMD in the Urban Suburban Tier limited only to sites required by Condition of Approval by Ordinances 2008-048 and 2009-028.

Section 3 Traditional Neighborhood Development (TND)

D. Land Use Zones

1. Neighborhood Center

A Neighborhood Center is intended to accommodate neighborhood-oriented non-residential uses and services. It may include professional offices, community facilities, and civic uses to serve the population of the TND and adjacent neighborhoods. Multi-family or live/work residential uses are is encouraged when located above non-residential uses. [Ord. 2012-027]

a. General Standards

6) Maximum Total Floor Area

40,000 square feet of GFA, excluding multi-family units or the residential portion of a live/work unit counted as density.

Ord. 2012-027]

b. Building Standards

3) Multi-family and Live/Work

Multi-family residential and live/work units shall only be permitted subject to the following: [Ord. 2012-027]

Part 10. ULDC Art. 3.F.4.C, Development Standards for All TMDs (pages 199 of 213), is hereby amended as follows:

Table with 2 rows and 1 column. Row 1: Reason for amendments: [Zoning]. Row 2: 1. See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 4 Traditional Marketplace Development (TMD)

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

C. Development Standards for all TMDs

The following standards apply to TMDs located in all tiers: [Ord. 2005 – 002]

1. General Standards

The following standards apply to all TMDs; however, additional standards or provisions shall apply to the AGR Tier, per Art. 3.F.4.D, Standards Applicable to AGR Tier, and Urban/Suburban Tier, per Art. 3.F.4.E, Standards Applicable to Urban/Suburban Tier. [Ord. 2005-002] [Ord. 2005-041]

....
c. Maximum Floor Area per Single Tenant [Ord. 2005-041]

1) U/S Tier

Variance from these requirements shall be prohibited. No single tenant may occupy more than 50,000 ~~sq. ft. unless approved as a requested use square feet, except as follows:~~

a) CL FLU

A maximum of 65,000 square feet may be permitted subject to Class A Conditional Use approval.

b) CH FLU

Single tenants occupying more than A maximum of 100,000 square feet ~~are prohibited~~ may be permitted subject to Class A Conditional Use approval. [Ord. 2005 – 002]

2) Exurban/Rural and AGR Tiers

No single tenant may occupy more than 25,000 ~~sq. ft. square feet~~ unless approved as a ~~requested~~ Conditional Use. Single tenants occupying 65,000 ~~sq. ft. square feet~~ or more are prohibited. [Ord. 2005 – 002]

....
3. Building Form

a. Maximum Building Height

1) U/S Tier

a) 45 feet and two stories unless waived through a Type 2 Waiver. A third story is allowed if the top floor is dedicated to residential uses. [Ord. 2005 – 002]

b) The height limit shall not apply to those exceptions listed in Art. 3.D.1.E.4, Height Exceptions. [Ord. 2005 – 002]

....
Part 11. ULDC Art. 3.F.4, Traditional Marketplace Development (TMD) (pages 209 of 213), is hereby amended as follows:

Reason for amendments: [Zoning] Establish regulations for TMDs in the Urban/Suburban Tier when developed in the form of LCC as requirements for LCC were modified from the Comprehensive Plan through Ordinance 2017-004 making LCC a type of TMD.

39 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

40 Section 4 Traditional Marketplace Development (TMD)

41 E. Urban/Suburban Tier – Lifestyle Commercial Center (LCC)

42 1. Applicable to existing sites assigned a commercial FLU designation and Condition of Approval
43 requiring the use of the LCC within the boundaries of two site specific FLUA amendments:

44 a. LGA 2008-009 - Lake Worth Commercial - Ordinance 2008-048

45 b. LGA 2009-006 – Lake Worth/Turnpike SW Commercial - Ordinance 2009-028

46 2. Unless stated otherwise, TMD provisions shall apply to all site specific FLUA noted above.

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC) SUMMARY OF AMENDMENTS

(Updated 3/23/17)

C. Definitions and Supplementary Use Standards for Specific Uses

4. Car Wash

Reason for amendments: [Zoning] See General Reason for Amendment above. Delete references to LCC for consistency with recent amendments to FLUE Policy 4.4.4-d (fka 2.2.2-c), which allows for the LCC to be consolidated under the TMD district.

e. ~~LCC District~~ Zoning District – TMD

A maximum of one Car Wash may be allowed. The Car Wash shall be located outside the main street, and may be accessed from a secondary street, alley or from a parking lot. The Car Wash shall not be visible from the main street. [Ord. 2010-005]

11. Financial Institution with Drive Thru Facilities

b. Approval Process

1) CC District, Commercial Pod of PUD, CLO PDD, ~~CL-LCC~~ and TMD

b) PDD ~~or LCC~~ with CLO future land use designation; and,

c. Zoning Districts - TDD ~~and LCC~~

12. Financial Institution – Freestanding ATM

b. Zoning Districts - TDD ~~and LCC~~

15. Gas and Fuel Sales, Retail

e. Zoning Districts – TMD ~~and LCC~~

32. Restaurant, Type 1

d. Zoning Districts – TMD ~~and LCC~~

33. Restaurant, Type 2

c. Zoning Districts - TND, ~~and TMD,~~ ~~and LCC~~

40. Vehicle Sales and Rental, Light

e. Zoning Districts

2) ~~LCC and~~ TMD

41. Veterinary Clinic

d. Zoning District

2) MUPD with CL FLU Designation, ~~LCC~~ and TDD Districts

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EXHIBIT D

**LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS**

(Updated 3/23/17)

- 1 **B. General Standards**
- 2
- 3 **2. Separation and Setbacks**
- 4
- 5 **b. Towers Located in Non-Residential Zoning Districts**
- 6

Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts

TOWER TYPE	Adjacent to	PC	AP	CN	CLO	CC	CHO	CG	CRE	UC	UI	IRO	IL	IG	IPF	PO	MUPD	MXPD	PIPD	LCC	
....																				
....																				
....																				
[Ord. 2015-006]																					
Notes:																					
(1) Maximum height subject to the specific requirements contained in the Supplementary Use Standards.																					
(2) Applicable to any tower height																					
% Separation or setback as a percentage of tower height																					

- 7
- 8 **4. Distance Between Towers**
- 9 Towers shall be subject to the following minimum distances between towers:
- 10

Table 4.B.9.B - Distances Between Towers

Tower Type	Zoning District							
	AGR, PC, and parcels less than 10 acres in AR	CC, CHO, CLO, CN, RE, RM, RS, RT, TND - NC	PUD: Commercial and Recreation pods. UC, UI CG, CRE, MUPD: CL and CH FLU. MXPD, LCC, TND OSREC	Parcels less than 10 acres in: AP, IG, IL, PIPD	Parcels 10 or more acres in: AP, AR, IG, IL, PIPD	PO	PUD: Civic pod, MUPD: INST FLU, IPF	FPL Trans. R-O-Ws and FDOT R-O-Ws
....								
....								

11

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EXHIBIT D

LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS

(Updated 3/23/17)

C. Definitions and Supplementary Use Standards for Specific Uses

5. Recycling Drop-Off Bin

c. Location

The drop-off bin shall be located in or adjacent to an off-street parking area, and shall not be located within required parking spaces. In TMD and LCC districts, and for IRO projects, the recycling drop-off bins shall be designed to be consistent with the building's design and shall not be located on a Main Street. [Ord. 2010-005] [Ord. 2013-001]

Part 13. ULDC Art. 5, Supplementary Standards (pages 15, 38 of 100), is hereby amended as follows:

Reason for amendments: [Zoning] Delete reference to LCC as the Zoning District is consolidated with TMD per revised Plan policy FLUE 4.4.4-d (fka 2.2.2-c) and contained in Ord. 2017-004.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

2. Fences and Walls

e. Dangerous Materials

2) Electrified Fences - Exceptions and Regulations

b) Standards

(7) URAO, IRO, LCC, WCRAO and TDD Limitations

(a) Electrified fences shall not be permitted in any URAO, IRO, LCC, or TDD developments constructed with a required build to line or any other area unless located behind buildings and in areas not accessible by the public. [Ord. 2013-018]

Part 14. ULDC Art. 5, Supplementary Standards (pages 15, 38 of 100), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Delete reference that exempts LCC from the requirements of Art. 5.C. related to recesses and projections. Requirements for LCC as a standalone zoning district were deleted from the Plan FLUE through Ordinance 2017-004. The revised Plan policy FLUE 4.4.4-d (fka 2.2.2-c) makes LCC a type of TMD and TMD primary and secondary frontage are not subject to the Architectural Guidelines in Art. 5.C.
2. Currently Art. 5 limits development in CL FLU to 65,000 square feet for single tenant with the exception of a specific geographic area. This amendment expands exception of square footage limitation for single tenants to 100,000 square feet for sites in the Urban/Suburban Tier and condition of approval requiring the use of LCC by Ordinances 2008-048 and 2009-028 as established in Plan policy FLUE 4.4.4-d (fka FLUE 2.2.2-c). Regardless of the provisions established by Ordinance 2017-004 allowing 100,000 square feet of single tenant in LCC, the site under Ord. 2009-048 is limited to 65,000 square feet.

CHAPTER C DESIGN STANDARDS

Section 1 Architectural Guidelines

C. Exemptions

7. All building frontages that are required to be located on a main street in an LCC shall be exempt from the requirements of Art. 5.C.1.H.1.c.1), a), Recesses and Projections. [Ord. 2010-005]

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EXHIBIT D

**LIFESTYLE COMMERCIAL CENTER (LCC)
SUMMARY OF AMENDMENTS**

(Updated 3/23/17)

1
2 **I. Large Scale Commercial Development**

3
4 **1. Single Tenant Limit**

5 Variances from these requirements shall be prohibited. [Ord. 2005 – 002] [Ord. 2011-001]

6 **a. CL FLU**

7 The maximum building size for a single tenant shall be less than 65,000 gross square feet
8 except as follows: [Ord. 2005-002] [Ord. 2013-001]

9 1) ~~The commercial development of the parcel located at the northwest corner of Southern~~
10 ~~Boulevard and Seminole Pratt Whitney Road and identified in the legal description in~~
11 ~~Ordinance 2010-030 (LGA 2010-012); and, shall be exempt from the maximum square~~
12 ~~footage limitation for single tenants in the CL FLU designation. [Ord. 2005-002] [Ord.~~
13 ~~2013-001]~~

14 2) Sites approved under Ordinances 2008-048 and 2009-028 as an LCC in the
15 Urban/Suburban Tier are allowed to have up to a maximum of 100,000 square feet.

Reason for amendments: [Zoning] Delete reference to LCC as the Zoning District is consolidated with TMD per revised Plan policy FLUE 4.4.4-d (fka 2.2.2-c) and contained in Ord. 2017-004.

19 **CHAPTER E PERFORMANCE STANDARDS**

20 **Section 5 Hours of Operation**

21 **A. Proximity to Residential**

22 Any non-residential use shall be subject to the hours of operations indicated in Table 5.E, Hours of
23 Operation, when-located within 250 feet of a Residential FLU designation or use, unless stated
24 otherwise. Mixed uses located in the following zoning districts shall not be considered residential
25 uses for the purposes of hours of operation: Neighborhood General (NG), Neighborhood
26 Commercial (NC) and Urban General (UG) Sub-areas of the WCRAO and UC, UI, MXP, ~~LCC,~~
27 and TMD. [Ord. 2017-007]

30 **Part 15. ULDC Art. 7, Landscaping (pages 16 of 52), is hereby amended as follows:**

Reason for amendments: [Zoning] Delete reference to LCC as the Zoning District is consolidated with TMD per revised Plan policy FLUE 4.4.4-d (fka 2.2.2-c) and contained in Ord. 2017-004.

Table 7.C.3 - Minimum Tier Requirements

Code Requirements	U/S Tier ⁸	AGR and Glades Tiers	Exurban and Rural Tiers
....			
....
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-025] [Ord. 2014-031]			
Notes:			
....			
6. TDDs, LCC, IRO and PRA Development Orders are exempt from foundation planting requirements for primary and secondary, or other similar types of building frontages, buildings along an alleyway or accessway to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004] [Ord. 2010-022]			
....			

Notes:

~~Stricken~~ indicates text to be deleted. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to:].

~~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.

ATTACHMENT 1

USEFUL INTERNET LINKS FOR LDRAB/LDRC MEMBERS

The following provides a few helpful links to web pages containing information applicable to Land Development Regulation Advisory Board (LDRAB) and Land Development Review Committee (LDRC) members:

Palm Beach County (PBC) Unified Land Development Code (ULDC) Article 2.G.2, General Provisions: <http://www.pbcgov.com/epzb/uldc/Articles/Article2.pdf>

PBC ULDC Article 2.G.3.A, Land Development Regulation Advisory Board (LDRAB): <http://www.pbcgov.com/epzb/uldc/Articles/Article2.pdf>

Palm Beach County Commission on Ethics: <http://www.palmbeachcountyethics.com/>

- Palm Beach County Code of Ethics (Effective June 1, 2011): http://www.palmbeachcountyethics.com/pdf/Code_of_Ethics_Ordinance_June_1_2011.pdf
- Palm Beach County Code of Ethics – Guide for Elected Officials and Advisory Board Members: http://www.palmbeachcountyethics.com/pdf/Training_Guide_for_Elected_Officials_and_Advisory_Board_Members.pdf
- Quick Reference to Advisory Board Conflicts, Disclosures and Waivers: http://www.palmbeachcountyethics.com/pdf/Advisory_Boards_Reference_Guide.pdf

LDRAB Rules of Procedure: <http://discover.pbcgov.org/pzb/zoning/ULDCPDF/LDRAB-LDRC-rulesofprocedure.pdf>

Palm Beach County Charter: <http://discover.pbcgov.org/PDF/Publications/Charter.pdf>.

Voting Conflict Form: <http://discover.pbcgov.org/pzb/zoning/ULDCPDF/LDRAB-LDRC-Voting-Conflict-Form-8b.pdf>.

ATTACHMENT 2 - LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

2016 ATTENDANCE MATRIX

(Updated 12/14/16)

Seat	Member	District or Organization	Term Expires	2016 Dates													
				1/27	2/24	3/23	4/27	5/25	6/22	7/27	8/31	9/27	10/14 SP	10/26	11/16	11/30 SP	12/14
1	Michael J. Peragine	District 1	Feb. 5, 2019	N	Vacant	Y	Y	Y					N	Y	Y	Y	Y
2	David Carpenter	District 2	Feb. 6, 2018	Y	Y	Y	Y	N					Y	Y	Y	Y	Y
3	Barbara Katz	District 3	Feb. 5, 2019	Y	Y	Y	Y	Y					N	Y	Y	Y	Y
4	James Knight	District 4	Feb. 6, 2018	Y	Y	Y	Y	Y					Y	Y	Y	Y	Y
5	Lori Vinikoor	District 5	Feb. 5, 2019	Y	Y	Y	Y	Y					Y	Y	Y	Y	Y
6	Vacant	District 6	Feb. 6, 2018	N	N	Y	N	N					Y	N	Y	Vac	Vac
7	Henry Studstill	District 7	Feb. 5, 2019	N	Vacant	N	Y	N					N	N	N	Y	N
8	Daniel Walesky	Gold Coast Builders Association	Feb. 2, 2018	Y	N	N	Y	Y					CANCELLED	Y	Y	Y	N
9	Joni Brinkman	League of Cities	Feb. 6, 2018	Y	N	N	Y	Y					N	Y	N	Y	Vac
10	Terrence Bailey	Florida Eng. Society	Feb. 5, 2019	Y	Vacant	Y	Y	Y					N	Y	Y	Y	Y
11	James McKay	American Institute of Architects	Feb. 6, 2018	Y	Y	N	N	N					Y	Y	Y	Y	Y
12	Tommy Strowd	Environmental Organization	Feb. 2, 2018	N	Y	N	Y	Y					Y	N	Y	Y	Y
13	Frank Gulisano	PBC Board of Realtors	Feb. 6, 2018	Y	Y	Y	Y	N					N	N	Y	Y	Y
14	Derek Zeman	Florida Society Prof. Surveyors	Feb. 5, 2019	Y	Vacant	Y	Y	N					Y	Y	Y	N	Y
15	Vacant	Assoc. General Contractors of America	Feb. 3, 2010	Vacant	Vacant	Vacant	Vacant	Vacant					Vac	Vac	Vac	Vac	Vac
16	Wes Blackman	PBC Planning Congress	Feb. 2, 2018	Y	Y	Y	Y	N					Y	Y	Y	Y	Y
17	James Brake	Alternate #1	Feb. 8, 2019	N	-	N	N	N					Y	N	N	N	N
18	Leo Plevy	Alternate #2	Feb. 6, 2018	N	Y	N	Y	Y					N	N	N	N	N
Total Attendees:				11	9	10	14	9					10	11	13	12	12

Legend/Notes:																		
Y	Present	*Y*	Present (Participated via teleconference with quorum physically present and Board approval)					N	Absent	*N	Absent (Attended less than 3/4 of meeting)							
1			Michael J. Peragine appointed on June 3, 2014, eligible for first meeting July 2014. New term June 3, 2014 to Feb. 2, 2016.															
2			David Carpenter reappointed on February 3, 2015, eligible for first meeting on February 25, 2015. Term Feb. 4, 2015 to Feb. 6, 2018.															
3			Barbara Katz reappointed on Jan. 26, 2016 for new term Feb. 2, 2016 to Feb. 5, 2019.															
4			James Knight reappointed on Dec. 16, 2014 for new term Feb. 4, 2015 to Feb. 6, 2018..															
5			Lori Vinikoor reappointed on Jan. 26, 2016 for new term Feb. 2, 2016 to Feb. 5, 2019.															
6			Stuart Fischer appointed on Aug. 18, 2015 for new term Feb.4, 2015 to Feb. 6, 2018. Resigned in November 2016.															
7			Henry Studstill reappointed on March 22, 2016, eligible for first meeting on March 23, 2016. Term February 3, 2016 to February 5, 2019.															
8			Daniel Walesky replaced Raymond Puzitiello- Jan. 13, 2015. Term: Feb. 5, 2013 to Feb. 2, 2016. Mr. Puzitiello resigned - Nov. 2014. Appointment term wrong 2/4/2015 to 2/2/2018															
9			Joni Brinkman reappointed on Jan. 13, 2015 for new term Feb. 4, 2015 to Feb. 6, 2018.															
10			Terrence Bailey reappointed on March 1, 2016 for new term Feb. 3, 2016 to Feb. 5, 2019															
11			Jerome Baumoehl last meeting Feb.24, 2016. Resigned June 2, 2016. James McKay appointed Sept. 27, 2016, eligible for first meeting on October 14, 2016. Term ends Feb. 6, 2018.															
12			Tommy Strowd appointed to vacant position- Jan. 13, 2015. Term: Feb. 5, 2013 to Feb. 2, 2016. Ed Tedtmann resigned July 25, 2014. Appointment term wrong 2/4/2015 to 2/2/2018															
13			Frank Gulisano reappointed on Jan. 13, 2015 for new term Feb. 4, 2015 to Feb. 6, 2018.															
14			Gary Rayman last meeting 1/27/2016. Derek Zeman appointed on March 1, 2016. Eligible for 1 st LDRAB meeting on March 23, 2016.															
16			Wes Blackman reappointed on Jan. 13, 2015 for new term Feb. 4, 2015 to Feb. 2, 2018.															
17			James Brake appointed on Jan. 26, 2016 for new term Feb. 2, 2016 to Feb. 8, 2019.															
18			Leo Plevy reappointed on March 10, 2015, eligible for first meeting on March 25, 2015. Seat term Feb. 4, 2015 to Feb. 2, 2018															
*			Special meetings will not be a factor in calculating total attendance.															
**			Attendance reflects previous LDRAB member.															
			ULDC Art. 2.G.2.B.1.c, Attendance: 1) "Lack of attendance is defined as a failure to attend three consecutive meetings..." or, 2) "...a failure to attend at least two-thirds of the meetings scheduled during the calendar year." Also "Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting."															
			A total of 10 meetings are scheduled for 2015. A special meeting will be held on June 24, 2015. Minimum attendance – seven meetings of all meeting scheduled. (Cancelled meetings are counted towards the total of meetings attended). Members cannot miss any more than three meetings.															



**UNIFIED LAND DEVELOPMENT CODE (ULDC)
AMENDMENT ROUND 2016-01
SUMMARY OF PROPOSED AMENDMENTS – SHORT FORM**
(UPDATED 7/06/2016)

BCC PUBLIC HEARINGS
JUNE 23, 2016 – REQUEST FOR PERMISSION TO ADVERTISE
AUGUST 25, 2016 – FIRST READING
SEPTEMBER 22, 2016 – ADOPTION

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS
MARCH 27, 2016
APRIL 27, 2016
MAY 25, 2016 (ALSO INCLUDES LDRC)

Exhibit A – [Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]

- Recognize F.S. 723.041(4) pre-empting changes to property development regulations for previously approved mobile home parks.

Exhibit B – Art. 1.F.2.C, Residential Development Regulations [AR District]

- Clarify and expand upon regulations allowing for the development of single-family homes and accessory structures on non-conforming lots with Agricultural Residential (AR) zoning.

Exhibit C – Art. 2.B.2.H.2, EAC [Expedited Application Consideration]

- Expand provisions for EAC to include addition of land area resulting from abandonment of R-O-W.

Exhibit D – Art. 6.A.1.D.14, Design and Construction Standards [Parking]

- Consolidate and simplify minimum dimensions for parking spaces; and,
- Update references to “Accessible” parking dimensions.

Exhibit E – Art. 6, Parking [Loading Space Reduction]

- Clarify applicability of Type I Waivers for prior provisions allowing for limited reductions in minimum number or dimensions for required loading spaces.

Exhibit F – Art. 7, Landscaping [Alternative Landscape Plan Update]

- Clarify applicability of Type I Waivers for prior provisions allowing for use of Alternative Landscape Plans;
- Clarify approval processes for various landscape related plans; and,
- Update list of standards eligible to be revised by Type I Waiver, and clarify additional criteria for each standard to be waived.

Exhibit G – Article 14, Environmental Standards

- Update list of Palm Beach County Natural Areas.

Exhibit H – Design Standards Alternative

- Delete provision for Design Standards Alternative.

Exhibit I – Zoning District Consistency with Future Land Use Atlas

- Implement Comprehensive Plan Policies 2.2.1-j and 1.6-d, which:
 - ✓ Requires that the Single Family Residential (RS) Zoning district be consistent with the Low Residential 1, 2 and 3 future land use (FLU) designations; and
 - ✓ Allows for lower density (larger lots) Zoning districts to be consistent with higher density FLU's.
- Clarify applicability of Class A Conditional Use approval for Zero Lot Line and Townhome applications in the RS Zoning district.

Exhibit J – Overlay Updates

- Clarify status of minor Overlays identified in the Plan and ULDC to improve ease of use; and,
- Delete the SR7 Economic Development Overlay (SR7 EDO) to recognize Royal Palm Beach annexation.

Exhibit K – Parks and Recreation

- Update references to average household sizes used to calculate minimum recreational requirements;
- Establish provisions to recognize permitted underground utilities (within easements) that are permitted within recreational areas; and,
- Update standards to recognize different recreational needs of Congregate Living Facility residents.

Exhibit L – Height Measurement for Fences, Walls and Hedges

- Resolution of minor scrivener's error.

HEALTH REGULATIONS – BCC Convenes as the Environmental Control Board

Exhibit A – Article 15, Health Regulations

- Delete setback standards for water wells for consistency with Florida law.



**UNIFIED LAND DEVELOPMENT CODE (ULDC)
AMENDMENT ROUND 2016-02
SUMMARY OF PROPOSED AMENDMENTS – SHORT FORM**
(UPDATED 1/04/2017)

BCC PUBLIC HEARINGS

DECEMBER 7, 2016 – REQUEST FOR PERMISSION TO ADVERTISE

JANUARY 05, 2017 – FIRST READING

JANUARY 26, 2017 – ADOPTION

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS

OCTOBER 26, 2016

NOVEMBER 16, 2016 (ALSO INCLUDES LDRC)

NOVEMBER 30, 2016 (ALSO INCLUDES LDRC)

EXHIBIT A – AGR Tier - Previously Approved and Non-conforming Uses (pages)

Update provisions related to uses existing prior to the establishment of the Agricultural Reserve (AGR) Tier.

EXHIBIT B – AGR Tier - Planned Development Districts (page)

Incorporate new Policies established as part of the Agricultural Reserve Round Table and BCC Workshops, including but not limited to:

- Eliminate requirement that all new Commercial Development be in the form of a Traditional Marketplace Development (TMD);
- Amend Multiple Use Planned Development (MUPD) Zoning district to allow for residential uses;
- Require new commercial development greater than 16 acres to provide Preserve Areas; and,
- Establish general design standards for all new commercial or mixed use development.

EXHIBIT C – Art. 3.B.16, Urban Redevelopment Area Overlay (URAO) (page)

Recognize deletion of certain Comprehensive Plan elements and adoption of new policies intended to further encourage redevelopment within the URAO, including but not limited to:

- Establishing a mechanism to allow property owners to “utilize” former FLU designation and Zoning;
- Clarifying Urban Infill (UI) may allow for residential and/or non-residential uses;
- Deleting minimum two-story requirement; and,
- Clarifying longstanding interpretation allowing for parking and other outdoor uses on the side of buildings, and expand options for Waivers to attain limited parking in front of buildings.

EXHIBIT D – Reasonable Accommodation Time Limitation (page)

Establish a one-year timeframe to utilize a Determination of Reasonable Accommodation.

EXHIBIT E – Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm Residences (pages)

Incorporate new Policies established as part of the Agricultural Reserve Round Table and BCC Workshops, including but not limited to:

- Allow agricultural property with an existing or planned Farm Residence to sell development rights from all but one acre for the house; and,
- Expand applicability to recognize parcels with split zoning (AGR Zoning and AGR PUD Preserve Areas).

EXHIBIT F – Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO) (pages)

General updates primarily intended to provide additional clarity for ease of use, in addition to clarifying where Multi-family Residential and Townhomes may be permitted in mixed use Sub-areas.

Exhibit G – Table 6.A.1.D, Minimum Parking Lot Dimensions . (page)

Recognize previously approved and potential future requests for reduced Drive Aisle Width where a wider parking stall is utilized.

EXHIBIT H Table 8.G.3.B, Electronic Message Sign Types and Approval Process (page)

Streamline the approval process for electronic gas station fuel pricing.

EXHIBIT I – Definition for Addition (page)

Clarify the type of construction that constitutes an addition to an existing structure. In addition, “Adaptive Use” is being relocated to reflect the correct alphabetic order.

EXHIBIT J – Administrative Inquiry (pages)

Clarify limitations and advertising requirements for the Administrative Inquiry process.

EXHIBIT K – Art. 3.D.1.D.1, Base Building Line (page)

Clarify prohibition of Variance Relief for the placement of required landscaping or parking within a Base Building Line.

EXHIBIT L – Regulating Plans (pages)

Delete requirements for Regulating Plans which oftentimes provides redundant information, while retaining framework should applicants which to provide additional details to garner support for requests subject to BCC or ZC approval.

Attachment 5

UNIFIED LAND DEVELOPMENT CODE (ULDC) USE REGULATIONS PROJECT AMENDMENTS ORDINANCES 2017-007 SUMMARY OF PROPOSED AMENDMENTS – SHORT FORM

(UPDATED 3/22/2017)

BCC PUBLIC HEARINGS

JANUARY 5, 2017 – REQUEST FOR PERMISSION TO ADVERTISE

JANUARY 26, 2017 – FIRST READING

FEBRUARY 23, 2017 – ADOPTION

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS

OCTOBER 23, 2013/ FEBRUARY 26, 2014 AND JULY 23, 2014/ JUNE 24, 2015 AND NOVEMBER 18, 2015

ARIL 27, 2016, MAY 25, 2016; AND OCTOBER 14, 2016

NOVEMBER 30, 2016 AND DECEMBER 14, 2016 (LDRC)

EXHIBIT A – Art. 1, Definition and Acronyms

Delete duplicated use definitions and clarify interpretation of Excavation provisions.

EXHIBIT B – Art. 2, Development Review Procedures

Delete references to Requested Uses as the Use Matrices only include Conditional Uses.

EXHIBIT C – Art. 3, Overlays and Zoning Districts

Delete URAO, IRO, PDD, and TDD Use Matrices and update references.

EXHIBIT D – Art. 4, Use Regulations

- Reorganize uses and consolidate Use Matrices by Use Classification to reflect the most restrictive approval process in Matrices.
- Update uses by deleting, consolidating or splitting uses based on industry trends.
- Residential Uses: Divide Separate uses into principal and accessory categories; establish general standards for accessory uses; create Limited Pet Boarding use.
- Commercial Uses: Adult Entertainment subject to Administrative (DRO) instead of Special Permit; Landscape Service use to remain as in Supplement 20 of the Code; Update Location Criteria and expand exceptions at intersection and separation in MUPD; Establish Microbrewery use as a new small scale establishment allowed in commercial and industrial districts with accessory taproom; Simplify approval of Limited Access Self Service Storage in certain commercial districts;
- Residential Uses: Remove Fitness Center from Industrial Light Pod of PIPD and IL Zoning District and recognize existing approvals as legal conforming uses; allow Variances for increased height and reduced setbacks for protective netting in Golf Courses.
- Institutional, Public and Civic Uses: Clarify Charter School is subject to standards applicable to Public Schools; Make Place of Worship subject to administrative approval (DRO) instead of public hearing process and clarify location threshold
- Industrial Use: Establish Equestrian Waste Management Facility as a new use; Establish standards under Contractor Storage Yard to allow parking under Home Occupation.
- Agricultural Uses: Reorganize Standards and emphasize reference in Use Matrix to Policy and Procedure Manual (PPM MD-RI-002) that clarifies the Building and Zoning process for Farm uses
- Utility Uses: Establish 500' separation distance for Chipping and Mulching and Composting Facilities from residential; Distinguish Electronic Distribution Substation from Minor Utilities.
- Transportation uses: New use classification consolidating all transportation related uses; Clarify Transportation Facility use.
- Commercial Communication Towers: Reorganize classification and correct glitches.
- Excavation Uses: Update Hauling standards; Clarify approval for Agricultural and Type 2 Excavation.
- Temporary Uses: New use classification created for uses of a temporary nature, typically subject to Special Permit.

EXHIBIT E – Art. 5, Supplementary Standards

- Clarify accessory office and incidental sales;
- Relocate and consolidate Barbed Wire; Flex Space; Outdoor Storage regulations (Location, Height, Screening and Industrial Zoning District specific regulations); clarify setbacks and exemptions for Kennels and Runs fences; and
- Relocate, consolidate and provide Hours of Operations by Use Classification.

EXHIBIT F – Art. 6, Parking

Update use names; clarify parking provisions for new uses; and, establish temporary off-site parking regulations.

Exhibit G – Art. 7, Landscaping

Update use names for consistency with Art. 4 Use Regulations

EXHIBIT H Art. 8, Signage

Update use names for consistency with Art. 4 Use Regulations and signage provisions for Unmanned Retail Structure.

EXHIBIT I – Art. 9, Archaeological and Historic Preservation

Update references to Excavation Use classification

EXHIBIT J – Art. 10, Enforcement

Update references to Excavation Use classification

EXHIBIT K – Art. 11, Subdivision, Platting and Required Improvements

Update reference to Excavation Use classification

EXHIBIT L – Art. 12, Traffic Performance Standards

Delete reference to Requested Use approval.

2017
PALM BEACH COUNTY ZONING DIVISION
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
CURRENT MEMBER LIST

Updated: March 15, 2017

SEAT	MEMBER (OCCUPATION)	DISTRICT OR ORGANIZATION	TERM ENDS
1	Michael Peragine (Real Estate Broker)	District 1 Commissioner Valeche	February 5, 2019
2	David Carpenter (Landscape Architect)	District 2 Commissioner Burdick	February 6, 2018
3	Philip L. Barlage (Retired Property Appraiser – Officer COWBRA)	District 3 Commissioner Kerner	February 5, 2019
4	James Knight (Builder/Developer)	District 4 Commissioner Abrams	February 6, 2018
5	Lori Vinikoor (Community Activist)	District 5 Commissioner Berger	February 5, 2019
6	Vacant	District 6 Commissioner McKinlay	February 6, 2018
7	Richard Pinsky (Consultant)	District 7 Commissioner Bernard	February 5, 2019
8	Daniel Walesky (Residential Builder)	Gold Coast Builders Association	February 2, 2018
9	Vacant	PBC League of Cities	February 6, 2018
10	Terrence N. Bailey (Engineer)	Florida Engineering Society	February 5, 2019
11	James McKay (Architect/Engineer)	American Institute of Architects	February 6, 2018
12	Tommy Strowd (Environmentalist)	Environmental Organization - Arthur. R. Marshall Foundation for the Everglades	February 2, 2018
13	Frank J. Gulisano (Realtor)	Realtor's Association of the Palm Beaches	February 6, 2018
14	Derek Zeman (Surveyor)	Florida Surveying & Mapping Society	February 5, 2019
15	Vacant	Associated General Contractors of America	-
16	C. Wesley Blackman, AICP (AICP Planner)	PBC Planning Congress	February 6, 2018
17	James Brake (Real Estate Consultant)	Alternate #1	February 8, 2019
18	Vacant	Alternate #2	February 6, 2018

U:\Zoning\CODEREV\2017\LDRAB\Meetings\3-29-17\4 - Final Packet\10 Attach 6 -2017 LDRAB Members list.docx

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

2017 MEETING DATES

(Updated 12/21/16)

DATE	DAY
January 25, 2017	Wednesday (4 th)
February 22, 2017	Wednesday (4 th)
March 29, 2017	Wednesday (4 th)
April 26, 2017	Wednesday (4 th)
May 24, 2017	Wednesday (4 th)
June 28, 2017*	Wednesday (4 th)
July 26, 2017	Wednesday (4 th)
August 23, 2017	Wednesday (4 th)
September 27, 2017*	Wednesday (4 th)
October 25, 2017	Wednesday (4 th)
November 29, 2017**	Wednesday (5 th)
December 13, 2017*	Wednesday (2 nd)
January 24, 2018	Wednesday (4 th)
Notes:	
* <i>Back-up dates to be used if necessary.</i>	
** <i>Meeting date rescheduled to accommodate holidays</i>	
*** <i>Special Meeting</i>	

Meeting location and start times are typically as follows:

Planning, Zoning and Building Department
Vista Center
2300 North Jog Road
West Palm Beach, Florida 33411
Kenneth S. Rogers Hearing Room (VC-1W-47)
Meetings typically commence at 2:00 p.m.

(1) DISCLAIMER: Meetings are subject to change, cancellation, or may be continued, rescheduled, relocated, or commenced at a different time as necessary. (Reasons for the change include but not limited to length of agenda, as needed to respond to Hurricanes or other similar natural disasters, etc.).



**INTER-OFFICE COMMUNICATION
DEPARTMENT OF PLANNING, ZONING AND BUILDING
ZONING DIVISION**

TO: Interested County Staff, Related Agencies and Public in General

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

DATE: December 29, 2016

RE: **Deadlines/Scheduling for Proposed 2017 Unified Land Development Code (ULDC) Amendment Rounds: County Agencies and Privately Initiated Amendments**

Department of Planning,
Zoning & Building
2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

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



**Palm Beach County
Board of County
Commissioners**

Paulette Burdick, Mayor

Melissa McKinlay, Vice Mayor

Hal R. Valeche

Dave Kerner

Steven L. Abrams

Mary Lou Berger

Mack Bernard

County Administrator

Verdenia C. Baker

This memo serves to notify County Agencies and individuals seeking Privately Initiated Amendments (PIA) of the scheduling for 2017 ULDC Amendment Rounds. To minimize redundancy and staffing needs, County Agencies are required to submit amendments in accordance with the timeframes and deadlines indicated below. Applicants proposing to submit PIAs are encouraged to utilize the County submittal dates but may also seek to proceed under a separate timeline; however, this may incur additional expenses to cover required legal advertisements. It is critical that all applicants coordinate with Zoning Division staff to meet the established schedules and deadlines for any amendments.

ULDC Amendment Rounds:

The following lists the tentative deadlines, and Land Development Regulation Advisory Board (LDRAB) and Board of County Commission (BCC) Zoning Hearing dates for the two ULDC Amendment Rounds scheduled for 2017.

ACTIVITY	ROUND 2017-01	ROUND 2017-02
Deadline to submit amendment requests to the Zoning Division	January 13, 2017	June 9, 2017
Deadline to submit backup documentation	February 10, 2017	July 7, 2017
LDRAB Update	February 22, 2017	July 26, 2017
BCC Initiation	February 23, 2017	July 27, 2017
LDRAB Meetings (1) (2)	February 22, 2017 (3)	
	March 29, 2017	August 23, 2017
	April 26, 2017	September 27, 2017
	May 24, 2017	October 25, 2017
BCC Hearing – Request for Permission to Advertise	June 22, 2017	November 30, 2017
BCC Public Hearing – 1 st Reading (4)	July 27, 2017	January 4, 2018
BCC Public Hearing – 2 nd Reading and Adoption (4)	August 24, 2017	January 25, 2018

NOTES:

- (1) LDRAB Agenda's will be scheduled by the Zoning Division.
- (2) On the last meetings of the Round, or as otherwise required, the LDRAB will also serve as the Land Development Regulation Commission (LDRC).
- (3) Tentative LDRAB Annual Meeting.
- (4) Some amendments may only require one public hearing.

"An Equal Opportunity
Affirmative Action Employer"

Dates may be subject to change. See the Zoning Division [2017 ULDC Amendment Schedule](#) webpage at:

- <http://discover.pbcgov.org/pzb/zoning/ULDC/2017-Amendments-Schedule.aspx>.

Application Requirements

Initial submittal of amendment requests must include the following:

- 1) Cover letter from Department or Division Director, or other authorized staff;
- 2) Name, title and contact information of primary contact person (will be required to attend LDRAB, LDRC and BCC Hearings to answer any questions);
- 3) Location in ULDC of proposed amendment(s), to include exact article citation and title (or nearest relevant title), and page number(s); and,
- 4) A detailed summary of each proposed amendment.

Backup documentation must include the following for each proposed amendment:

- 1) Verification that any interested or affected persons or organizations have been consulted during the initiation of amendments, and are being updated where applicable;
- 2) A detailed background and summary; and,
- 3) Preparation of amendment exhibits using the file template provided by Zoning, providing citation and title, a concise “reason for amendment”, and text, tables or images to be deleted, relocated or added.

Privately Initiated Amendments (PIA):

In 2012 the BCC adopted the Privately Initiated Amendment (PIA) process to assist the public. The County will coordinate with interested parties who choose to submit a PIA and ensure it follows the newly established process. For a copy of the flow chart process for a PIA, please visit the Zoning Web Page at:

- http://discover.pbcgov.org/pzb/zoning/PDF/FlowchartsProcesses/ULDC_Amend_Public_Initiat_Flowchart.pdf.

Pre-application Meeting:

A pre-application meeting is required prior to submittal of a County or privately initiated amendment. Please contact Code Revision staff at (561) 233-5566 to schedule an appointment.

If you have any questions or require additional information regarding the proposed schedules, please contact me at (561) 233-5234, or William Cross, Principal Site Planner, at (561) 233-5206, or WCross@pbcgov.org.

JPM/WJC/dsg

- C. Hard Copy to:
Faye Outlaw, Assistant County Administrator
Patrick W. Rutter, Executive Director PZB

Electronic Copy to: Distribution List (attached)

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Kristin Garrison, Director, Planning and Real Estate, School District of Palm Beach County
Darrel Graziani, Environmental Administrator, Palm Beach County Health Department
Arthur Kirstein, IV, Agricultural Economic Development Coordinator, PBC Coop. Ext. Service
Bob A. Hamilton, Director, Park Planning, Research and Development Division, Parks and Recreation
Jean Matthews, Senior Planner, Parks and Recreation
Timothy Mayer, Director, Division of Environmental Health and Engineering
Eric McClellan, Director, Facilities Development and Operations
Elizee Michel, Executive Director, Housing and Community Development



ATTACHMENT 9

MEMORANDUM

TO: Paulette Burdick, Mayor, and
Members of the Board of County Commissioners

THRU: Patrick Rutter, Executive Director, PZ&B *PR*

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

DATE: March 10, 2016 *17 WJC 3/11/17*

RE: **Initiation of Unified Land Development Code (ULDC) Amendment Round 2017-01 and Electronic Message Center Sign Pilot Program Update**

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 2017-01, and the Zoning Director Status Report on the Electronic Message Center Sign One-Year Pilot Program.

This memo will be presented at the March 23, 2017 BCC Zoning Hearing for discussion under "Zoning Director Comments". 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/WJC

Attachment 1 - Initiation of ULDC Amendment Round 2017-01

C: Verdenia C. Baker, County Administrator
Faye Johnson, Assistant County Administrator
Wes Blackman, Chair and Members of the LDRAB
Robert Banks, Chief Land Use Assistant County Attorney
Leonard Berger, Chief Assistant County Attorney
Lorenzo Aghemo, Planning Director
Maryann Kwok, AICP, Deputy Director, Zoning
William Cross, AICP, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Zoning Division Staff

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**Department of Planning,
Zoning & Building**
2300 North Jog Road
West Palm Beach, FL 33411-2741
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Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb

**Palm Beach County
Board of County
Commissioners**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche

Dave Kerner

Steven L. Abrams

Mary Lou Berger

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2017-01
(Updated 3/10/17)

SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS	
BCC ZONING HEARINGS:	LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS:
<ul style="list-style-type: none"> ▪ June 22, 2017: Request for Permission to Advertise ▪ July 27, 2017: 1st Reading ▪ August 24, 2017: 2nd Reading/Adoption 	<ul style="list-style-type: none"> ▪ March 29, 2017 (Annual Meeting) ▪ April 26, 2017 ▪ May 24, 2017 [Land Development Regulation Commission (LDRC)]

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
Art. 1, General Provisions*		
Art. 1.C, Rules of Construction and Measurement	Zoning	Establish standard for rounding of numbers.
Art. 1.I.A.28, Definition for Advertising Structure	Zoning	Delete duplicate definition of "Advertising Structure" addressed under Art. 1.I.S.44.a.4) [Related to Sign Types]
Art. 2, Development Review Procedures*		
Art. 2.D.1.G.1.I [Related to Modifications to BCC/ZC Approvals and Freestanding ATM]	Zoning	Clarify that this provision will include new Unmanned Retail Structure use adopted with the Use Regulations Project.
Mobile Home Owner Disclosure Requirements to Potential Buyers	Zoning/ County Attorney	Ascertain feasibility of requiring owners of Mobile Home dwellings located within a Mobile Home Park (MHP) to provide disclosure to potential buyers, in scenarios where the owner has been informed that a developer has purchased the MHP
Art. 3, Overlays and Zoning Districts*		
Art. 3.B.14.F.2.b, Minimum Building Frontage Exception	Zoning	Applies to the Westgate Community Redevelopment Area Overlay (WCRO): Clarify and define extent to which minimum building frontage requirements may be reduced under provisions recognizing that such standards would not be feasible on narrow lots with no side or alley access to any required parking lots.
Art. 3.E, Planned Development Districts	Zoning/ Planning	Implement Comprehensive Plan amendments adopted on January 30, 2017, which includes: <ul style="list-style-type: none"> • Miscellaneous updates to clarify or simplify mixed and multiple use development requirements. • Expand requirement for vertical integration allowing for maximum residential density and non-residential intensity, to include horizontal integration. • Eliminate redundant Lifestyle Commercial Center. • Clarify language regarding sunset High Residential (RH) Zoning District.

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2017-01
(Updated 3/10/17)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
Art. 4, Use Regulations Art. 4.B.2.C.20, Landscape Service	PZ&B	Continuation of Use Regulations Project, extended to allow for additional time to work with industry, primarily in the AGR Tier, to ascertain how best to accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.
Art. 4.B.2.C.15.d, Additional Standards for Approval	Zoning	Eliminate additional standards for approval for Retail Gas and Fuel establishments, whereas several are redundant to other site development requirements, and those related to “excessive pumps” and “excessive number of similar stations in the vicinity” are subjective and best addressed by market demand.
Art. 5, Supplementary Standards*		
Art. 5, Supplemental Use Standards	Zoning/ Building/ Code Enforcement	Use of Shipping Containers for Principal and Accessory Structures: <ul style="list-style-type: none"> • Retain existing exemption for shipping containers associated with Bona-fide Agricultural uses. • Clarify standards for where shipping containers are used to store tools or equipment on construction sites; • Clarify and/or ascertain if additional standards may be required where shipping containers are modified to comply with Florida Building Code (e.g. manufactured buildings), including: <ul style="list-style-type: none"> ✓ Accessory structures such as barns, storage sheds, etc. or ✓ Principal structures such as single-family dwellings or non-residential structures. • Clarify prohibition on use of shipping containers.
Art. 5.B1.A, Accessory Uses and Structures	Zoning	<ul style="list-style-type: none"> • Accessory Solar Structures: Establish standards to distinguish solar industry trends such as Florida Power and Light “solar trees” to differentiate between commercial solar energy facilities or current practice of allowing placement as an accessory use on rooftops, to address aesthetics, potential for conflict with existing or require landscaping materials, and other safety considerations. • Accessory Structure Setbacks and Location: Establish reasonable exceptions to recognize where multi-structure homes or other uses may be considered as a principal use for purposes of allowing improvements within the front yard (defined as the area between the frontage of the lot and the principal structure).
Art. 5.B.1.A.12, Accessory Radio Tower	Zoning/ Building	Clarify exemptions for accessory radio towers, including: <ul style="list-style-type: none"> • For State regulated Drainage Improvement Districts, where antennae’s or towers are limited to receipt of electronic transmissions used to remotely operate drainage or flood control structures; and, • County Facilities Development and Operations (FD&O) towers used for emergency transmissions.

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2017-01
(Updated 3/10/17)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
Art. 6, Parking and Loading* Table 6.A.1.D, Minimum Off-Street Parking and Loading Zone Requirements	Zoning	<ul style="list-style-type: none"> Loading Zone requirements for Congregate Living Facilities and Nursing Homes: Update current standard to establish a threshold where additional loading zones may be redundant and unnecessary. Update use types inadvertently omitted from the Use Regulations Project, including but not limited to uses revised such as General Repair and Maintenance, which became Light Repair and Maintenance and Heavy Repair and Maintenance.
Art. 8, Signage* Art. 8, Electronic Changeable Copy Message Sign	Zoning	<p>Clarify exemption of gas and fuel price electronic message signage from backlight prohibitions of the AGR Tier.</p> <p><u>Discussion Item: Zoning Director Status Report - Electronic Changeable Copy Message Sign Priority Redevelopment Area (PRA) One-Year Pilot Program</u></p> <p>Option 1: Discontinue the Pilot Program Option 2: Expand the Pilot Program (future amendment Round), including but not limited to:</p> <ul style="list-style-type: none"> Expand boundaries Amend limitations on: static message requirements; location including setbacks from residential uses or hours of operation; maximum number per development; maximum percentage of sign area; or, expand to allow graphics, among others.
Art. 8, Signage	Zoning	<u>Discussion Item: Agricultural Reserve (AGR) Tier – Industry Request for Modification of Tier Based Limits on Sign Illumination Standards</u>
Art. 16, Airport Regulations* Art. 16, Airport Regulation Updates	DOA	Art. 16, Airport Regulation Updates: Airport and Airspace Protection and Zoning updates to Chapter: F.S. 333, Florida Statutes, effective July 1, 2016.
Privately Initiated Amendments (PIA) (may be processed out of Round)*		
PIA-2016-02131 [AGR Tier CLF Intensity]	Zoning Planning	Phase II PIA, Art. 4.B.1.C.1, Congregate Living Facility (CLF): Concurrent Phase II PIA required to implement proposed PIA to amend the Comprehensive Plan to allow a CLF in Zoning districts consistent with the Institutional (INST) future land use (FLU) designation within the AGR Tier, to be calculated by maximum allowed Floor Area Ratio (FAR), versus current density based requirements.
PIA-2017-00314 [Surf Ranch Florida]	Zoning	Phase I PIA, PIPD Commercial Recreation Facilities: Request to initiate Phase II PIA to the Planned Industrial Park Development District (PIPD), to allow for commercial recreation uses not originally anticipated for the district, to enable the development of an Outdoor Entertainment venue to be known as “Surf Ranch Florida,” on an 80-acre parcel within the Palm Beach Park of Commerce.

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2017-01
 (Updated 3/10/17)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
PENDING [Mixed Use Amendments to AGR Tier MUPD (Morningstar)]	Zoning Planning	Phase II PIA: Concurrent Phase II PIA required to implement proposed PIA to amend the Comprehensive Plan to allow for modifications to policies regarding density, intensity, preserve area requirements, and allow for mixed use within the Multiple Use Planned Development (MUPD) district.
Other - 2017 Legislative Session		
	Zoning	PENDING: Review of laws adopted in 2017 Session to determine if any ULDC amendments are required for consistency.
Other		
2017 Comprehensive Plan Text Amendments	Zoning/ Planning	Concurrent development of ULDC amendments related to the following Plan amendments initiated by the BCC on January 30, 2017: <ul style="list-style-type: none"> • Institutional and Public Facilities Designation • Mixed and Multiple Uses • Commercial Designations • Urban Agriculture

* ULDC References are based on ULDC Supplement 20 and subject to change upon publication Supplement 21, excepting Art. 4, Use Regulations.

ATTACHMENT 10

LDRAB SUBCOMMITTEES

2017 Land Development Regulation Advisory Board (LDRAB) Subcommittees	
LANDSCAPE	
<p>The Landscape Subcommittee will reconvene in 2017 to address pending topics and work on the reorganization of Chapters in Article 7, Landscaping. The Subcommittee will be making recommendations for Unified Land Development Code (ULDC) amendments to be presented to the Land Development Regulation Advisory Board (LDRAB) and the Board of County Commissioners (BCC) in Round 2017-02, for tentative adoption in January 2018.</p>	
LDRAB Subcommittee Members in 2017: Terrence Bailey Stuart R. Fischer David Carpenter Joanne Davis	
USE REGULATIONS PROJECT	
<p>Solicit feedback from industry, primarily in the AGR Tier, to ascertain how best to accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.</p>	
LDRAB Subcommittee Members in 2017: Michael Peragine Philip L. Barlage Jim Knight Lori Vinikoor Tommy Strowd	

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Attachment 11

Sunshine Law Overview for Advisory Board Members

The Sunshine Law applies to *all* meetings of any governmental board at which “official acts” are to be taken and applies to any gathering or discussions of two or members of the same board regarding issues that *may* come in front of that board in the future.

All meetings of public agencies at which “official acts” are taken must be open to the public.

The term “official acts” includes not only the final act of the public agency, but ***every step in the decision making process*** which leads to the final act.

- ❖ The Sunshine Law requires all meetings to be held in the public.
- ❖ Advisory boards that recommend action to the ultimate decision making body must meet in the sunshine.
- ❖ Quasi-Judicial boards make final decisions must meet in the sunshine.
- ❖ All meetings must be reasonably noticed prior to the meeting. Notice of meetings can be posted on a website, in a newspaper and posting at the place of the meeting whenever possible.
- ❖ All meetings must be held at a facility that does not discriminate on the basis of sex, age, race, color, origin or economic status.
- ❖ All meetings must be conducted in a public facility that does not unreasonably restrict access.
- ❖ Written minutes must be taken at every meeting and must be accessible upon request within a reasonable amount time.

Ex-Parte Communications

- ❖ The Sunshine law prohibits two or more members from privately discussing ***any matter that might come before the board in the future.***
- ❖ No secret ballots may be conducted. Staff may not poll the board in advance of a meeting.
- ❖ Board members cannot have private discussions during a meeting (ex-parte communications), to avoid the appearance of impropriety. All discussions must be heard by everyone.
- ❖ Staff members are prohibited from serving as a go-between for board members when trying to circumvent the sunshine law, in order to pass messages from one board member to another.
- ❖ Members cannot circulate memos or e-mails to other board members for their comments.
 - (Note: any communication that you make concerning official county business even if by text message on your personal phone or on your personal email account is a public record subject to disclosure).

Quorum for Meetings

- A quorum of the board must be physically present at the meeting for official action to take place.

Penalties for violating the Sunshine Law

- Any member who *knowingly* violates the sunshine law is guilty of a **second degree misdemeanor**, punishable by a term of up to 60 days in jail, a fine of up to \$500 or both. Any appointed official convicted of a misdemeanor may be **removed from office**.
- Any member who violates the sunshine law is subject to a \$500 civil penalty.
- Agency decisions linked to sunshine law violation **can be rendered void**, although in some situations, decisions have been reinstated after full, public airing of the decision at issue.
- Agency must pay attorney's fees and costs to person who successfully alleges Sunshine Law violation.