

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
MAY 22, 2019 MEETING

AMENDMENTS TO THE AGENDA
(Updated 05/21/2018)

Amend –Exhibit A, Minutes, Adoption of the April 24, 2019 Minutes, page i, modify to correct the date, and include Mr. Zeman’s Memorandum of Voting Conflict (attached)

4. Adoption of ~~November 14, 2018~~ February 27, 2019 Minutes (Exhibit A)

Motion to adopt the Minutes by Mr. Gulisano, seconded by Dr. Vinikoor with a change on Page iii, Section G.7, Voting of the Chair, correcting discussion from Mr. Bailey to Mr. Martin. Motion passed (14-0).

Amend –Exhibit G , Landscape Services Part 1 page 23, line 22-25, modify the description of Operations area.

- 22 d. Common Operations Area
23 A common area that is shared between the Nursery and the Landscape Service which
24 may include, but is not limited to: site improvements; drive aisles; drainage easements;
25 street or canal right-of-way easements; customer parking; and, structures.
26 e. Nursery Growing Area
27 Consists of an area(s) used solely for the propagation, cultivation, growing, storage, and
28 staging of plants.

Amend –Exhibit G , Landscape Services Part 2 page 23, line 35, to correct number format.

- 35 ~~da.~~ AR District in RSA
36 Shall be permitted subject to additional, applicable requirements of a Home Occupation
37 pursuant to Art. 4.B.1.E.10; Collocated Use Art. 4.B.2.C.21.e, or the following:
38 Landscape Service as a principal use
39 1) Sshall be located on a Ccollector or Aarterial street;
40 2) Shall be on a minimum of three acres; and,
41 3) May be allowed as a principal use subject to a Class A Conditional Use.

Amend -Exhibit G, Landscape Services Part 3 page 24, line 6-32, to correct number format and spelling, and to modify the percentages and acreage of Nursery, Landscape Service and Common Operations area for both the Full DRO and Public Hearing processes.

- 6 ge. Collocated Use
7 Shall be allowed only in conjunction with a Retail or Wholesale Nursery, and both uses
8 shall be operated under the same ownership, subject to the following:
9 1) ~~b.~~ AGR, AP, CN, CRE, and PO Zoning Districts
10 Shall be permitted subject to DRO approval as an accessory use only in conjunction
11 with a retail or wholesale nursery, excluding those that meet the limitations of a home
12 occupation.
13 a) Approval Process-Full DRO
14 (1) A minimum of ~~60~~ 50 percent of the lot area shall be Retail or Wholesale
15 Nursery;
16 (2) ~~The areas designated for Landscape Service (On-site Activities) shall be a~~
17 A maximum of ~~25~~ 30 percent of the lot area or one and one-half (1-1/2)-acre
18 whichever is less, shall be Landscape Service (On-site Activities); and,
19 (3) The areas designated for Common Operations Area shall be a maximum of ~~45~~
20 20 percent of the lot area.
21 b) Approval Process- ~~Public Hearing Class A Conditional Use, except the AGR~~
22 Zoning District
23 (1) A minimum of 50 percent of the lot area shall be Retail or Wholesale Nursery;
24 (2) ~~The areas designated for Landscape Service (On-site Activities) shall be a~~
25 A maximum of ~~30~~ 45 percent of the lot area or 2 acres whichever is less,
26 shall be Landscape Service (On-site Activities); and,
27 (3) The areas designated for Common Operations Area shall be a maximum of 20
28 percent of the lot area.
29 2) CC or CG Zoning Districts
30 a) Approval Process- ~~Administrative~~ Full DRO
31 (1) A minimum of ~~60~~ 50 percent of the lot area shall be Retail or Wholesale
32 Nursery;

Notes:

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

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

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
MAY 22, 2019 MEETING

AMENDMENTS TO THE AGENDA
(Updated 05/21/2018)

- 33 ~~(2) The areas designated for Landscape Service (On-site Activities) shall be a~~
34 ~~A maximum of 25 30 percent of the lot area or one and one-half (1-1/2)-acre~~
35 ~~whichever is less, shall be Landscape Service (On-site Activities); and,~~
36 ~~(3) The areas designated for Common Operations Area shall be a maximum of 45~~
37 ~~20 percent of the lot area.~~

~~...~~

- 36 **4) AR/RSA, AR/USA, RE, RT, RM, RS, UC, UI, CH-MUPD, CH-MXPD, NC-TND, and**
37 **TMD within the US, Rural or Exurban Tiers:**
38 a) Shall be on a minimum of three acres; and,
1 **b) Approval Process- ~~Public Hearing~~ Class A Conditional Use**
2 (1) The area(s) designated for Landscape Service (On-site Activities) shall be a
3 maximum of 30 percent of the Growing Area or 1 acre whichever is less.

[Renumber remaining of Section Accordingly]

Amend -Exhibit G, Landscape Services Part 5 page 26, line 55, to correct spelling.

- 50 **2) Compatibility Buffer**
51 ~~A compatibility buffer shall be provided around all growing areas less than 50 feet in~~
52 ~~width. The buffer requirements may be satisfied by plant material for sale provided that~~
53 ~~the plant material is grown in the ground, ten feet on center, six feet high and the~~
54 ~~growing area is a minimum of five feet wide. Is exempt where the growing area is~~
55 ~~adjacent to a parcel of land that has an existing Bona Fide Agriculture use.~~

Amend -Exhibit G, Landscape Services Part 6 page 28, line 46, to correct spelling.

- 41 **2) Compatibility Buffer**
42 ~~A compatibility buffer shall be provided around all growing areas less than 50 feet in~~
43 ~~width. The buffer requirements may be satisfied by plant material for sale provided that~~
44 ~~the plant material is grown in the ground, ten feet on center, six feet high and the~~
45 ~~growing area is a minimum of five feet wide. Is exempt where the growing area is~~
46 ~~adjacent to a parcel of land that has an existing Bona Fide Agriculture use.~~

E. Convene as Land Development Regulations Commission (LDRC) Add Consistency Determination letter (Attached)

Notes:

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ZEMAN DEREK GENE	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LAND DEVELOPMENT REGULATION ADVISORY
MAILING ADDRESS 17820 113TH TERR. N	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY JUPITER PALM BEACH	NAME OF POLITICAL SUBDIVISION: PALM BEACH COUNTY
DATE ON WHICH VOTE OCCURRED 4/24/19	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, DEREK ZEMAN, hereby disclose that on APRIL 24th, 20 19.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of the client of the company I ~~work~~ ^{work} for, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

FPL IS A CLIENT OF DRMP WHICH PERFORMS LAND SURVEY AND SUBSURFACE UTILITY ENGINEERING. I AM AN EMPLOYEE OF DRMP AND PROJECT MANAGER OF SEVERAL FPL PROJECTS.

4/24/19

Date Filed

Derek Zeman

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**Department of Planning,
Zoning & Building**

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West Palm Beach, FL 33411-2741
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Zoning Division 233-5200
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Mary Lou Berger
Melissa McKinlay

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

TO: Wesley Blackman, AICP, Chairman, and
Members of the Land Development Regulation Advisory Board
(LDRAB) wesblackman@gmail.com

FROM:  Bryan Davis, Principal Planner
Planning Division

DATE: May 21, 2019

RE: Comprehensive Plan Consistency Determination for Proposed
ULDC Amendments

The Planning Division has determined the proposed ULDC amendments, Exhibit B through Exhibit G, of the packet provided by the Zoning Division and scheduled for the May 22, 2019 LDRAB/LDRC meeting are generally consistent with the Comprehensive Plan.

Additional review will be required for any revision(s) to an amendment other than for the purpose of correcting grammatical or spelling errors.

cc: Patricia Behn, Interim Planning Director
Jon MacGillis, ASLA, Zoning Director
Melissa Michael, Senior Planner
Wendy Hernandez, Principal Site Planner
Jan Rodriguez, Senior Site Planner
Alexander Biray, Zoning Technician



PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

MAY 22, 2019

BOARD MEMBERS

**Wesley Blackman, AICP, Chair (PBC Planning Congress)
Dr. Lori Vinikoor, Vice-Chair (District 5)**

Joanne Davis (District 1)

Drew Martin, (District 2)

Philip L. Barlage (District 3)

James Knight (District 4)

Myles Basore (District 6)

Robert J. Harvey (District 7)

Daniel J. Walesky (Gold Coast Builders Assoc.)

Anna Yeskey (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

Jaime Plana (American Institute of Architects)

Susan A. Kennedy (Environmental Organization)

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

Derek Zeman (Fl. Surveying and Mapping Society)

**Charles Drawdy (Association Gen. Cont. of
America)**

Abraham Wein (Member at Large/Alternate)

Vacant (Member at Large/Alternate)

Board of County Commissioners

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Mayor, District 7**

**David Kerner
Vice Mayor, District 3**

**Hal R. Valeche
Commissioner, District 1**

**Robert S. Weinroth
Commissioner, District 4**

**Mary Lou Berger
Commissioner, District 6**

**Gregg K. Weiss
Commissioner, District 2**

**Melissa McKinlay
Commissioner, District 5**

County Administrator

Verdenia C. Baker



Expires June 30, 2019

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

**WEDNESDAY, MAY 22, 2019 AGENDA
2300 NORTH JOG ROAD
ROOM VC-1E 47, VISTA CENTER
2:00 P.M.**

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
 - a. Staff
 - b. Board Member
3. Motion to Adopt Agenda
4. Adoption of April 24, 2019 Minutes (Exhibit A)
5. Public Comments – Any persons wanting to speak on an item shall complete and submit a comment card to the Secretary prior to the item being discussed.

B. ULDC AMENDMENTS-NEW

	<u>PAGES</u>
1. Exhibit B Article 2- Development Order Abandonment	1 - 5
2. Exhibit C Article 4- Electric Vehicle Charging Station Facility	6 - 7
3. Exhibit D Article 6- Parking- On-Street and Improvement Material	8 - 8
4. Exhibit E Article 5- Lighting-Nuisances	9 - 12
5. Exhibit F Articles 3 and 4- Cottage Homes	13 - 22
6. Exhibit G Articles 4, 5 and 6- Landscape Service	23 - 33

C. ULDC AMENDMENTS-REVISIONS

D. PRIVATELY INITIATED AMENDMENTS

E. CONVENE AS LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

1. Proof of Publication
2. Consistency Determination for Exhibits B through F 34 - 34

F. ADJOURN AS LDRC AND RECONVENE AS LDRAB

G. STAFF COMMENTS

H. BOARD MEMBER COMMENTS

I. ADJOURN

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EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

(Updated 05/13/19)

Minutes of April 24, 2019 LDRAB/LDRC Meeting

On Wednesday, April 24 2019, the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Kenneth S. 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

Chair Mr. Wesley Blackman, called the meeting to order at 2:04 p.m. Mrs. Wendy N. Hernández, Code Revision Principal Site Planner, called the roll.

Members Present: 14

Joanne Davis (District 1, Commissioner Valeche)
Drew Martin (District 2, Commissioner Weiss)

Philip L. Barlage (District 3, Commissioner Kerner)
Jim Knight (District 4, Commissioner Weinroth)
Lori Vinikoor (District 5, Commissioner Berger)

Myles Basore (District 6, Commissioner McKinlay)
Robert J. Harvey (District 7, Commissioner Bernard)

Daniel J. Walesky (Gold Coast Builders Association)
Anna Yeskey (League of Cities)
Frank Gulisano (Realtors Association of the Palm Beaches)

Jaime M. Plana (American Institute of Architects)
Derek G. Zeman (Florida Surveying and Mapping Society)

Wesley Blackman (PBC Planning Congress)
Abraham Wien (Alternate At-Large #2)

Vacancies: 2

Environmental Organization
Alternate At-Large #1

Members Absent: 2

Terrence Bailey (Florida Engineering Society)
Charles D. Drawdy (Assoc. General Contractors of America)

County Staff Present: 17

Ramsay J. Bulkeley, Planning, Zoning and Building Executive Director

Jon MacGillis, Zoning Director
Maryann Kwok, Deputy Zoning Director

Wendy N. Hernández, Principal Site Planner

Jan Rodriguez, Senior Site Planner

Lorraine Fuster, Senior Site Planner

Alexander Biray, Zoning Technician

Leonard Berger, Chief Assistant County Attorney

Bob Banks, Chief Land Use County Attorney

Patricia Behn, Interim Planning Director

Bryan Davis, Principal Planner

Maria Bello, Principal Planner

Michael R. Howe, Senior Planner

Joanne Keller, Land Development Director

Robert Santos-Alborna, Code Enforcement Director

Lesley George, Housing and Economic Sustainability Housing Liaison*

Kelley A Burke, Senior County Commission Administrative Assistant (Commissioner McKinlay)*

* *County Staff in audience.*

2. Additions, Substitutions, and Deletions

Mr. Blackman noted the addition of an Add/Delete sheet to the Agenda.

3. Motion to Adopt Agenda

Motion to adopt the Agenda with the Add/Delete sheet by Dr. Vinikoor, seconded by Mr. Gulisano. Motion passed (14-0).

4. Adoption of November 14, 2018 Minutes (Exhibit A)

Motion to adopt the Minutes by Mr. Gulisano, seconded by Dr. Vinikoor with a change on Page iii, Section G.7, Voting of the Chair, correcting discussion from Mr. Bailey to Mr. Martin. Motion passed (14-0).

5. Public Comments

Mr. Blackman noted the larger than normal crowd, and reminded members of the public who wish to speak to fill out a comment card.

B. ULDC AMENDMENTS – NEW

1. Exhibit B and B2 – Workforce Housing

Mrs. Hernández explained Exhibit B is the Code language and Exhibit B2 describes how the Code is proposed to be changed, both prepared by Planning staff.

Mr. Howe provided a PowerPoint presentation briefly introducing the history and functions of the Workforce Housing Program, and its proposed rewrite has been ongoing since 2015, with collaboration between multiple stakeholders.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 05/13/19)

Minutes of April 24, 2019 LDRAB/LDRC Meeting

Mrs. Bello further explained the changes are backed by tests from the County's economic consultant and stakeholders, and offered to explain any aspects in further detail.

Mr. Blackman explained the Board's process of reviewing lengthy proposed changes on a page by page basis, engaging in additional questions with staff, and then opening it up for public comment at two minutes per person.

Mrs. Hernández explained the proposed changes by page as they relate to the Code, and addressed questions and comments by the Board.

Mr. Martin asked whether this will provide an incentive to get rid of open space. Mrs. Bello explained increased density on sites would decrease pressure elsewhere. Mr. Martin further had concerns about using median income as a base, and maintenance issues in relation to South Florida's climate. Mrs. Bello indicated other programs exist for Affordable Housing. Mr. Walesky had concerns about deed restrictions.

a. Public Comments

Mrs. Suzanne Cabrera, Housing Leadership Council of Palm Beach County President and CEO, expressed the need for more units as opposed to ineffective in-lieu payments and creating a "race to the bottom" pricing scenario. She also clarified the eighty-five percent check is at CO rather than Building Permit, but would rather see it decoupled completely.

Mrs. Cindee LaCourse-Blum, Community Land Trust of Palm Beach County Executive Director, clarified "encumbered units" eligibility prohibiting "double-dipping," and concern over exchanges with nonprofits and other housing entities being penalized trying to provide a benefit to the community. She expressed concern that Building Permits did not reflect completion, and would also prefer a complete decoupling. She also noted depreciated value of home improvements are accounted for and that AMIs increase over time.

Mrs. Laurel Robinson, Housing Center of the Palm Beaches President and CEO, explained nonprofit developers use different financing options for encumbrances, and suggested language to allow County Staff to review for possible conflict. She was also grateful of two bedroom units being included in rental units. She found rent calculations confusing, but thinks language should be added to never allow negative rent in any kind of calculation. She also proposed disposition of workforce housing as it relates to exchange buildings, and a new category for a partner who might own the land or is participating in development of land not owned or directly controlled by the developer.

Mr. Kevin Ratterree, GL Homes Vice President, commended stakeholder collaboration, but expressed concerns about the eighty-five percent certificate of occupancy tieback, which will make banks reluctant to loan for zero interest in a project. Instead, he suggested a flat three-year period of time with extensions granted if good faith is being shown that the units are being close to CO'd.

Ms. Dodi Glass, WCRA Consultant, expressed the importance of all stakeholders to collaborate as a broader education process, concerns about the layering of programs whereas workforce housing obligations can't have other obligations, how it relates to other programs and discouragement of concentrations of income.

Mr. David Kemp, Town of Jupiter Principal Planner, expressed his support, specifically the revisions to the release of obligation, defining of rental brackets, and increase of in-lieu fees. He compared it to Jupiter's in-lieu fees being high to provide units.

b. Discussion

Mr. Martin proposed a motion to accept either eliminating the in-lieu fees or substantially increasing them. Mr. Blackman asked about the fund. Mr. Howe said approximately six million has been collected, which has been used for down payment assistance.

Mr. Guilsano said higher in-lieu fees will be passed on to other housing prices, which raises all housing prices and makes the situation worse. As professionals and data indicate, he believes it should be accepted as it is written.

Mr. Blackman asked how nonprofits have been incorporated historically, and how it could play a greater role. Mr. Howe explained the program is supplemental for units with tax credits, which nonprofits have to take that into account, and units aren't tied into any encumbrances.

Dr. Vinikoor questioned the issues concerning the eighty-five percent, which Mrs. Bello said will be worked on before being presenting to the Board of County Commissioners.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 05/13/19)

Minutes of April 24, 2019 LDRAB/LDRC Meeting

Mr. Knight suggested putting the Middle income bracket in for sale. Mr. Blackman concurred it was a worthy concept and that it might be a mistake not to.

Mr. Walesky motioned to accept with modifications on page 13, line 45, adding Middle back in as a tier for sale and page 21, delete 30-33 eighty-five percent permit tieback. Seconded by Mr. Gulisano. The Motion passed (13-1). Mr. Martin voted nay, believing in-lieu fees defeats the purpose of getting workforce housing built.

C. PRIVATELY INITIATED AMENDMENTS

1. Exhibit C – PIA-2018-2043 Renewable Energy Solar Facilities

Mr. Zeman recused himself from the vote as Florida Power & Light is a potential client. Mr. Berger instructed him to fill out a Form 8B.

Mr. Matthew Silver, FP&L Project Manager, gave a PowerPoint presentation introducing solar power and farms.

Mrs. Joni Brinkman, Urban Design Kilday Studios Principal Planner, further presented aspects of the proposed text amendment and stated County Staff in agreement, sans a minimum hedge height of six feet.

Mrs. Hernández briefed on Phase I, whereas LDRAB and the BCC found merit to modify the Code. She further explained inherent differences in Urban Design Kilday and County Staff's Exhibits as reflected by Board concerns in November, definition, introduction of exemption language in Article 4 with cross referencing as opposed to waivers, and compatibility buffers. She noted a correction from PC FLU to Conservation. The Board's concerns from the November meeting for native vegetation and fencing for compatibility buffers were taken into consideration. However, the language controls residential uses as opposed to residential districts, and requiring seven feet as opposed to four.

Mrs. Brinkman clarified the agreement in language as amended in the Add/Delete sheet, with the exception of minimum/maximum.

Mrs. Davis hoped it would not be a "hedge," rather a mixed run of a variety of native plants in a natural flow. Mrs. Brinkman said it would be one native plan. Mr. Silver will look into it further. Mr. Martin concurred. She further questioned why it was called a hedge if it is supposed to look natural. A discussion between the Board ensued. Mrs. Kwok said Staff will look further into an alternative term.

Motion to approve by Mr. Gulisano, seconded by Mr. Martin.

Discussion: Dr. Vinikoor wanted clarification on whether it would be called Renewable Energy rather than solar farm. Mrs. Hernández explained Renewable Energy are two separate uses, specifically solar and wind.

Motion passed (13-0-1). Mr. Zeman abstained due to conflict.

D. ADJOURN AS LAND DEVELOPMENT REVIEW ADVISORY BOARD (LDRAB) AND CONVENE AS LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

1. Proof of Publication

The Chair acknowledged Proof of Publication and Mr. MacGillis and Mrs. Hernández also confirmed the publication.

Motion to accept Proof of Publication by Mr. Gulisano, seconded by Mr. Martin. Motion passed (14-0).

2. Consistency Determination for Exhibits B through J

Mr. Davis informed the Board Mr. Scott Rodriguez has left employment with the County, and Ms. Melissa Michael, who was in a meeting at the time, is his successor.

Motion to determine Exhibits B, and D-J consistent with the Comprehensive Plan by Mr. Knight, seconded by Mr. Gulisano. Motion passed (14-0). Motion to determine Exhibit C consistent with the Comprehensive Plan by Mr. Knight, seconded by Mr. Gulisano. Motion passed (13-0-1). Mr. Zeman abstained due to conflict.

E. ADJOURN AS LDRC AND RECONVENE AS LDRAB

1. Workshop Exhibit K – Landscape Services

Mr. MacGillis noted the purpose of the Workshop per the Subcommittee, industry, and interested parties, is to determine the consensus of the Board and bring it back in May for full review.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 05/13/19)

Minutes of April 24, 2019 LDRAB/LDRC Meeting

Mrs. Hernández gave a PowerPoint presentation introducing Landscape Services and its history in relation to the Code, amendments, and conflict regarding violations and nuisances. From collaboration with stakeholders, County Staff is proposing to change Landscape Services as an accessory use of Nurseries to collocated use, eliminating the arbitrary requirement being held to business receipts. She presented percentage ratios of land utilization, which staff is still determining in residential districts, and approval processes they entail.

Mr. Gulisano questioned how traffic problems would be solved. Mrs. Hernández answered required traffic studies and size plan percentages for vehicle storage would minimize future traffic impacts.

Mr. Barlage asked about multiple ownership. Mr. MacGillis, Mrs. Kwok, and Mrs. Hernández answered it is a code requirement to mandate same ownership. Mr. Gulisano expressed doubt it would be enforceable. Mr. Knight said it is public record from Business Taxes.

Mr. Santos-Alborna interjected that determining ownership is relatively easier, while a formalized site plan would be enforcing it easier. Mr. Bulkeley added have agreed on being in violation in the Heritage Farms truck video. As a residential area, he was commercial taxes and impact fees.

Mr. Martin was still skeptical about eliminating receipts make Code Enforcement. Mr. Santos-Alborna disagreed, saying he never audited with receipts, and believes visuals are more effective.

a. Public Comments

Mrs. Michele Burns, Heritage Farms Resident, stated that road damage, loss of property values, and safety are major concerns as the neighborhood has become akin to an industrial parking lot. She suggested there be a requirement for large developments to build their own storage facilities for lawn services to eliminate the aforementioned issues, decrease traffic, and save time and money.

Mrs. Risa McCarraher, Heritage Farms Resident, expressed skepticism about Code verbiage being difficult to understand, and there might be a loophole in collocated uses. She also contended arguments from Landscape Services that there are no other places for them to go is false, because they do not want to pay for land for sale more appropriately zoned. Furthermore, commercial businesses operating in a residential neighborhood are conducting unfair businesses practices with no taxation and impact fees.

Mr. Bradley Miller, on behalf of the Landscape Services industry, gave a PowerPoint presentation showing ideas for site plan dimensions for Landscape Services in the Agricultural Reserve.

Richard "Chip" Carlson, on behalf of Carly Landco, presented satellite imagery of his client's property compared to others, and suggested tweaking the percentages.

b. Discussion

The Board came to a consensus that the major issues to focus on are traffic as it relates to access and egress, and the look of facilities as they relate to the residential neighborhoods which they operate in. Mr. Bulkeley stressed looking at the impacts, including to the areas and traffic, while protecting all stakeholders.

F. Staff Comments

1. Office of Resilience follow up to inquiry from February 27, 2019 meeting

Mrs. Kwok explained she went to a meeting in Delray Beach about sea level rise. The County is keeping up with any updates, which would first be reflected in the Comprehensive Plan. She concluded sea level rise is not as relevant an issue in the unincorporated area because of little coastal coverage.

2. LDRAB date correction: August 28, 2019

Mrs. Hernández noted the future meeting date of August 25, 2019 in the Agenda packet from the February meeting was incorrect. Mr. Blackman questioned if a meeting was needed, but Mrs. Hernández explained August is usually the beginning of the second Round of Amendments.

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 5:22 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) 233-5243.

EXHIBIT B

**ARTICLE 2 – PUBLIC HEARING PROCESSES
Development Order Abandonment**

**CR-2018-058
(Updated 05/10/2019)**

1 **Part 1. ULDC Art. 2.B.5.A Application Processes and Procedures, Public Hearing Processes,**
2 **Notification, Applicability Table 2.B.5.A Notification Applicability (pages 27 of 101,**
3 **Supplement 25), is hereby amended as follows:**

Reason for amendments: [Zoning]
1. Delete the requirement for Administrative Abandonments to be advertised in a newspaper, as the Administrative approval is not subject to the Public Notification requirements.

4 **CHAPTER B PUBLIC HEARING PROCESSES**

5

6 **Section 5 Notification**

7 **A. Applicability**

8 Applications subject to Public Hearing or Type 1 Variance processes, corrective resolutions, or
9 Administrative Inquiries, or any application that will result in the redevelopment of an existing
10 occupied mobile home park, shall require notification to the public, in accordance with the following
11 Table: [Ord. 2011-016] [Ord. 2015-031] [Ord. 2017-002] [Ord. 2017-025] [Ord. 2018-002]
12

Table 2.B.5.A – Notification Applicability

Requests	Newspaper Publication	Courtesy Notice	Signs
ABN (1)	Yes	N/A	N/A
Corrective Resolution	Yes	N/A	N/A
Type 1 Variance	N/A (2)	Yes	Yes
Type 2 Variance	Yes	Yes	Yes
PO Deviations	Yes	Yes	N/A
Other Public Hearing (Rezoning, Conditional Uses, DOA, Waiver)	Yes	Yes	Yes
Administrative Inquiry (3)	N/A	Yes	N/A
Redevelopment of Mobile Home Parks	N/A	N/A	Yes (4)

[Ord. 2015-031] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2018-002] [Ord. 2019-005]

Notes:

1. Applies to Public Hearing ~~and Administrative Abandonments~~, excluding: DOs advertised and abandoned simultaneously as part of a subsequent DO; and, DOs advertised and reviewed for revocation pursuant to Art. 2.E, Monitoring.
2. Notification shall be required in compliance with F.S. § 286.011.
3. Only applicable to an inquiry related to a specific development or parcel and not for general direction on a topic. [Ord. 2017-002]
4. In addition to any applicable signs required for the Public Hearing processes applications for the redevelopment of occupied mobile home parks shall be subject to additional posting requirements.

13 **B. Newspaper Publication**

14 Notice shall be published in a newspaper of general circulation in PBC in accordance with F.S. §
15 125.66. [Ord. 2011-016] [Ord. 2015-031] [Ord. 2018-002]
16

17

18
19
20 **Part 2. ULDC Art. 2.B.7.F Application Processes and Procedures, Public Hearing Processes,**
21 **Types of Applications, Development Order Abandonment (pages 38-39 of 105,**
22 **Supplement 24), is hereby amended as follows:**

Reason for amendments: [Zoning]
1. Codify PPM ZO-O-047 Development Order Abandonment.
2. Add to the Purpose and intent that the abandonment is for those DOs that were partially or fully implemented or have not been implemented.
3. Add Authority to clarify which approving body makes a decision on an abandonment of a Development Order (DO).
4. Delete language for Non-Implemented DO's language is modified to include standards for review of a request for abandonment. Add Applicability for which this Subsection applies. Provide for an exception to this section when resolutions are reviewed pursuant to Article 2.E Monitoring.
5. Establish a sequence of review for the abandonment, consistent with format of Type 2 Variances. These requests may be submitted Concurrent with a request for a new DO or Stand Alone without another DO request.
6. Delete language for Implemented DO, as the section is revised to create Standards for review and clarify the process for review of the abandonment
7. Delete language for unpaid status fees. As all fees are required to be paid at time of application and prior to the issuance of a DO.

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Notes:

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EXHIBIT B

ARTICLE 2 – PUBLIC HEARING PROCESSES Development Order Abandonment

CR-2018-058
(Updated 05/10/2019)

Reason for amendments: [Zoning]
8. Delete language for Additional Criteria, as it is incorporated into the Standards for abandonment.
9. Create Standards for Abandonments to the request will be compliant with the Plan, Code, Changed Circumstances, and Public Facilities.
10. Clarify the process for an abandonment may go directly to the ZC or BCC with only a resolution, or it may follow the process of a DOA or EAC.

Section 7 Types of Application

.... F. Development Order Abandonment (ABN)

1. Purpose

A DO for a Conditional Use or similar DO granted under Ordinance 1957-003, Ordinance 1973-002, Ord. No. 1992-002 or Ord. No. 2003-067, as amended, may be abandoned according to the procedures in this Section and pursuant to Art.2.B, Public Hearing Processes. DOs, that are partially or fully implemented, or have not been implemented may be abandoned subject to the requirements of this Section. [Ord. 2010-022] [Ord. 2018-002]

2. Authority

The same Authority that granted the original DO shall render a decision on a request for abandonment.

~~2. DOs Not Implemented~~

~~All DOs which were never implemented shall be either: [Ord. 2005-002] [Ord. 2018-002]~~

~~a. Public Hearing Abandonment~~

~~Abandoned simultaneously with issuance of a subsequent DO; or [Ord. 2018-002]~~

~~b. Revocation~~

~~Reviewed for revocation pursuant to Art. 2.E, Monitoring. [Ord. 2018-002]~~

3. Applicability

This Section shall apply to DOs granted by the BCC or ZC, and are requested to be abandoned by an Applicant. DOs granting approval for a rezoning may not be abandoned. A DO for a Rezoning with a Conditional Overlay Zone (COZ), may be processed for an abandonment of the COZ.

a. In determining the applicable process for an ABN application, the Applicant shall review the approved DO Resolution, including the Whereas Clauses, Conditions of Approval, and indicate in the application whether a new use will be requested concurrent with the abandonment. An application for an abandonment of a prior approval will be processed based on whether the DO has not been: partially or fully implemented, or has not been implemented.

b. Exception

DOs reviewed pursuant to the time requirements of Article 2, Monitoring, or for failure to comply with Conditions of a DO shall be reviewed under the requirements of Art. 2.E, Monitoring.

4. Sequence of Submittal

An application for an Abandonment may be submitted as follows:

a. Concurrent Abandonment

A Concurrent Abandonment may be submitted with a separate application requesting a new DO or a DOA as follows:

1) Abandon previous resolution granting the entire DO and submit concurrently a new DO subject to a Public Hearing approval process;

2) Abandon previous resolution granting the entire DO and submit concurrently with a new DO subject to an Administrative or Building Permit approval process.

3) Abandon a DO that was approved with multiple requests, and may include Rezoning and Conditional Uses in the same resolution.

a) The ABN application and the resolution shall clearly identify those Use(s) that are subject to the abandonment;

b) The DOA application shall delete those conditions that are tied to the abandoned Use(s); and,

c) If the multiple requests included a Rezoning and were approved under the same resolution, then the resolution shall remain in effect for the Zoning District of the subject property unless the Applicant is requesting a Rezoning of the property to a different Zoning district.

b. Standalone Abandonment

Reviewed for abandonment with no proposed use. Any future use would be subject to the requirements of the Code at time of approval.

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EXHIBIT B

ARTICLE 2 – PUBLIC HEARING PROCESSES Development Order Abandonment

CR-2018-058
(Updated 05/10/2019)

~~3. Implemented DOs~~

~~Certain implemented DOs, pursuant to Art. 2.C, Administrative Processes, qualify for administrative abandonment. Other implemented DOs require Public Hearing abandonment by the Board (BCC or ZC) that approved the DO. [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2018-002]~~

~~a. Public Hearing Abandonment~~

~~A DO, which was used, implemented or benefited from, may be abandoned simultaneously with the issuance of a subsequent development order by the BCC or ZC, as applicable. The property owner also has the option to request the BCC or the ZC to abandon the DO through expedited application review process, pursuant to Art. 2.B.7.C.3, Expedited Application Consideration (EAC). [Ord. 2009-040] [Ord. 2018-002]~~

~~b. Unpaid Status Fees~~

~~A DO shall not be abandoned, either administratively or by approval of a subsequent DO, until all unpaid status report fees imposed by action pursuant to Art. 2.E, Monitoring, have been paid. [Ord. 2018-002]~~

~~4. Additional Criteria~~

~~In determining whether a DO was used, implemented or benefited from, consideration shall be given to either one or both of the criteria: [Ord. 2018-002]~~

~~a. Whether any construction or additional construction authorized in the DO has commenced or [Ord. 2018-002]~~

~~b. Whether a physical or economic use of the DO has occurred, including physical or economic expansion. [Ord. 2018-002]~~

5. Application Requirements

In addition to the Submittal Requirements pursuant to Art.2.A.6,A Zoning Application Requirements, the Applicant shall provide the following:

a. Consent of all property owners of the subject property, if applicable; and,

b. Status of all Conditions of Approval, whether the Conditions are no longer applicable, implemented or pending implementation. The Applicant must confirm that there are no reliance of other interested parties on additional performance or activities related to the proposed ABN.

6. Standards

When considering an ABN application, the BCC and ZC shall consider the standards indicated below.

a. Consistency with the Plan

The proposed abandonment is consistent with the Plan.

b. Consistency with the Code

The proposed abandonment, is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code. The abandonment of a DO does not create any new non-conformities

c. Adequate Public Facilities

The proposed abandonment of the DO shall not impact the approved requirements of Art.2.F, Concurrency. When a non-implemented DO is abandoned, all concurrency affiliated with the DO is no longer valid. For implemented DOs, concurrency for the remainder of the non-affected area shall remain. Concurrency for any new uses on the subject property shall be subject to the requirements of Art. 2.F, Concurrency.

d. Changed Conditions or Circumstances

There are demonstrated changed site conditions or circumstances provided by the Applicant's Justification Statement that necessitate the abandonment. Abandonment of the resolution approving the DO will not impact other DOs approved on the same site. There is no reliance by other parties for additional performances, or tasks to be implemented, that were required in the original DO.

7. Scheduling of a Hearing

Once an ABN application has been certified by the DRO, the DRO shall schedule a public hearing in accordance with the dates established in the Annual Zoning Calendar. The scheduling of the application for public hearing shall ensure the public notice requirements are satisfied.

a. An application for abandonment processed under Art. 2.B.7.F.4.a.2) Concurrent Abandonment or Art. 2.B.7.F.4.b, Standalone Abandonment only need to be reviewed by the Board making the final decision, and a Staff report would not need to be prepared. The Findings of Fact for compliance with the Standards will be contained within the Abandonment DO.

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EXHIBIT B

ARTICLE 2 – PUBLIC HEARING PROCESSES
Development Order Abandonment

CR-2018-058
(Updated 05/10/2019)

b. An application for abandonment processed under Art. 2.B.7.F.4.a.3) Concurrent Abandonment, may be processed as an EAC, provided it meets the criteria pursuant to 2.B.7.C.3.a. Criteria.

Part 4. ULDC Art. 2.C.5.G. Application Processes and Procedures, Administrative Processes, Types of Applications, Development Order Abandonment (pages 38-39 of 105, Supplement 24), is hereby amended as follows:

Table with 8 rows detailing reasons for amendments to zoning regulations, such as 'Codify PPM ZO-O-047 Development Order Abandonment' and 'Delete language for Non-Implemented DO's language'.

CHAPTER C ADMINISTRATIVE PROCESSES

Section 5. Types of Application

G. Development Order Abandonment (ABN)

1. General

An Administrative DO granted under a prior Ordinance, may be abandoned according to the procedures in this Chapter. DOs, that are partially or fully implemented, or have not been implemented may be abandoned subject to the requirements of this Section. [Ord. 2018-002]

2. Authority

The same Authority that granted the original DO shall render a decision on a request for abandonment.

2. DOs Not Implemented

All DOs which were never implemented shall be either: [Ord. 2005-002] [Ord. 2018-002]

a. Administrative Abandonment

Administratively abandoned upon demonstration to the DRO that the DO was not implemented; or [Ord. 2018-002]

b. Revocation

Reviewed for revocation pursuant to Art. 2.E, Monitoring. [Ord. 2018-002]

3. Applicability

This Section shall apply to all DO for Uses approved by the DRO, or similar DO granted by the DRO, and requested by the Applicant. DOs reviewed pursuant to Art. 2.E Monitoring for time requirements identified in Table 2.E.3.B Time Limitations of Development Order for each phase, or for failure to comply with Conditions of a DO shall be reviewed under the requirements of 2.E, Monitoring.

4. Sequence of Submittal

An application for an Abandonment may be submitted as follows:

a. Concurrent Abandonment

A Concurrent Abandonment may be submitted with a separate application requesting a new DO as follows:

- 1) Abandon previous DO approved by the DRO, for the entire DO and submit concurrently with a new DO through an Administrative approval process; or,
2) Abandon previous DO approved by the DRO, for the entire DO and submit concurrently with a new DO through a Building Permit approval process.

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EXHIBIT B

ARTICLE 2 – PUBLIC HEARING PROCESSES Development Order Abandonment

CR-2018-058
(Updated 05/10/2019)

1 b. Standalone Abandonment

2 Reviewed for abandonment with no proposed use. Any future use would be subject to the
3 requirements of the Code at time of approval

4 ~~3. Implemented DOs~~

5 ~~Certain implemented DOs, pursuant to Art. 2.C, Administrative Processes, qualify for~~
6 ~~administrative abandonment. **[Ord. 2009-040]** **[Ord. 2010-022]** **[Ord. 2011-001]** **[Ord. 2018-**~~
7 ~~**002]**~~

8 ~~a. Administrative Abandonment~~

9 ~~A DO, which was used, implemented or benefited from, may be administratively~~
10 ~~abandoned by filing an application with the DRO demonstrating that the following criteria~~
11 ~~are met; **[Ord. 2018-002]**~~

12 ~~1) All Conditions of Approval have been met; **[Ord. 2018-002]**~~

13 ~~2) There is no reliance by other parties on additional performance; and, **[Ord. 2018-002]**~~

14 ~~3) Consent of all property owners has been received. **[Ord. 2018-002]**~~

15 ~~b. Unpaid Status Fees~~

16 ~~A DO shall not be abandoned, either administratively or by approval of a subsequent DO,~~
17 ~~until all unpaid status report fees imposed by action pursuant to Art. 2.E, Monitoring, have~~
18 ~~been paid. **[Ord. 2018-002]**~~

19 ~~4. Additional Criteria~~

20 ~~In determining whether a DO was used, implemented or benefited from, consideration shall be~~
21 ~~given to either one or both of the criteria: **[Ord. 2018-002]**~~

22 ~~a. Whether any construction or additional construction authorized in the DO has commenced;~~
23 ~~or **[Ord. 2018-002]**~~

24 ~~b. Whether a physical or economic use of the DO has occurred, including physical or~~
25 ~~economic expansion. **[Ord. 2018-002]** **[Relocated to Article 2.C.7.G.5]**~~

26 5. Application Requirements

27 When considering an ABN application, DRO shall utilize the standards indicated below. A
28 request for an ABN which fails to meet any of these Standards shall be deemed adverse to the
29 public and shall not be approved. An application for a DO abandonment to a Temporary Use
30 shall demonstrate compliance with only Art. 2.C.5.G.5.d Changed Conditions or
31 Circumstances.

32 a. Consistency with the Plan

33 The proposed abandonment is consistent with the Plan.

34 b. Consistency with the Code

35 The proposed abandonment, is not in conflict with any portion of this Code, and is
36 consistent with the stated purpose and intent of this Code. The abandonment of a DO
37 does not create any new non-conformities

38 c. Adequate Public Facilities

39 The proposed abandonment of the DO shall not impact the approved requirements of
40 Art.2.F, Concurrency. When a non-implemented DO is abandoned, all concurrency
41 affiliated with the DO is no longer valid. For implemented DOs, concurrency for the
42 remainder of the non-affected area shall remain. Concurrency for any new uses on the
43 subject property shall be subject to the requirements of Art. 2.F, Concurrency.

44 d. Changed Conditions or Circumstances

45 There are demonstrated changed site conditions or circumstances provided by the
46 Applicant's Justification Statement that necessitate the abandonment. Abandonment of the
47 resolution approving the DO will not impact other DOs approved on the same site. There
48 is no reliance by other parties for additional performances, or tasks to be implemented, that
49 were required in the original DO.

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EXHIBIT C

ARTICLE 4, USE REGULATIONS, ELECTRIC VEHICLE CHARGING STATION, ACCESSORY USE

CR-2019-008
(Updated 05/10/2019)

1 Part 1. ULDC Art. 4.B.2.C.10.d Use Regulations, Use Classification, Commercial Uses,
2 Definitions and Supplementary Use Standards for Specific Uses, Electric Vehicle
3 Charging Station, Accessory Use (page 38-39 of 198, Supplement 25), is hereby
4 amended as follows:

Reason for amendments: [Zoning]
1. To clarify the definition for Electric Vehicle Charging Station Facility is a commercial use that sells the supply of electric energy for electric vehicles to customers for a fee.
2. Remove requirements for Accessory EVCS from residential uses. These standards are created to address non-residential developments in which EVCS may generate additional traffic or nuisances to sites while in residential should be an accessory feature associated with the residents vehicle. By deleting this reference it removes undue hardship for residents to amend site plans.

5 CHAPTER B USE CLASSIFICATION

6 Section 2 Commercial Uses

7 C. Definitions and Supplementary Use Standards for Specific Uses

8 ... 9 10. Electric Vehicle Charging Station Facility

10 a. Definitions

11 A facility that provides infrastructure that supplies electric energy for the charging of electric
12 vehicles ~~for a fee~~. Electric vehicles shall include, but not limited to: Battery-powered electric
13 vehicles, Plug-in hybrid electric vehicles, Electric motorcycles, and Fuel cell vehicles. The
14 service is provided to the public and the facility can be manned or unmanned. [Ord. 2018-
15 018]

16 b. Location Criteria for Principal Use

- 17 1) An EVCS facility shall comply with Art. 5.E.2, Location Criteria. [Ord. 2018-018]
- 18 2) An EVCS facility with a CL FLU designation shall comply with Art. 5.E.1, Major
19 Intersection Criteria. [Ord. 2018-018]

20 3) I-95 or Turnpike Interchanges

21 A parcel with a Commercial High (CH) future land use designation within 0.50 miles of
22 an I-95 or Turnpike interchange shall be exempt from the location criteria listed above.
23 [Ord. 2018-018]

24 c. Design and Construction Standards for Stations for Principal or Accessory Use

- 25 1) The location of the EVCS (charger and/or charging space(s)) shall not be located in the
26 following areas: [Ord. 2018-018]
 - 27 a) required loading areas; [Ord. 2018-018]
 - 28 b) required landscape buffers, islands, or medians; and, [Ord. 2018-018]
 - 29 c) Any other areas that will impede vehicular or pedestrian traffic circulation or
30 visibility. [Ord. 2018-018]
- 31 2) All EV parking spaces shall be a minimum of nine feet in width by 18.5 feet in length.
32 The charging unit may be installed in front of the space or on the side. An optional
33 pedestrian access aisle (between 18 inches to 2 feet) may be provided between the
34 unit and the vehicle. Two adjacent EVCS spaces may utilize the same access aisle;
35 [Ord. 2018-018]
- 36 3) EV spaces shall be painted green, or shall be marked by green painted lines or curbs;
37 [Ord. 2018-018]
- 38 4) A canopy, if provided, shall not exceed 15 feet in height over the charging unit; [Ord.
39 2018-018]
- 40 5) Each EV space shall be marked by a sign designating the parking space as an electric
41 vehicle parking space, in accordance with Art. 8.B.2, Small Signs and the Manual on
42 Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration. Each
43 sign shall include the following information [Ord. 2018-018]
 - 44 a) Voltage and amperage levels; [Ord. 2018-018]
 - 45 b) Any applicable usage fees; [Ord. 2018-018]
 - 46 c) Safety information; and [Ord. 2018-018]
 - 47 d) Contact information for the owner of the charging station, to allow a consumer to
48 report issues relating to the charging station. [Ord. 2018-018]
- 49 6) A generator, if provided, shall comply with Art. 5.B.1.A.19, Permanent Generators.
50 [Ord. 2018-018]

51 d. Accessory Use

52 EVCS shall be permitted as an accessory use to ~~residential or~~ nonresidential uses when a
53 parking space(s), equipped with EVCS infrastructure, is provided within the parking lot or

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EXHIBIT C

ARTICLE 4, USE REGULATIONS, ELECTRIC VEHICLE CHARGING STATION, ACCESSORY USE

CR-2019-008
(Updated 05/10/2019)

1 vehicular service area of a principal use for public or private use. An accessory EVCS may
2 be, Permitted by Right when located in any Zoning ~~De~~istrict subject to ~~DRO approval~~ the
3 following: [Ord. 2018-018]

1) Accessory to Nonresidential Uses

4 Shall not exceed a maximum of 20 spaces or ten percent of the total required parking
5 spaces for the use or, whichever is less. [Ord. 2018-018]

2) ~~Accessory Residential~~

6 a) ~~EVCS that is accessory to a home (SF, ZLL or TH) is permitted and exempt from~~
7 ~~the regulations in this Section. [Ord. 2018-018]~~

8 b) ~~An EVCS located within a common parking area shall comply with the provisions~~
9 ~~for Accessory to Non-Residential uses listed above. [Ord. 2018-018]~~

10 Part 2. ULDC Art. 6.A.1.D Parking, Parking, General, Off-Street Parking (page 38-39 of 198,
11 Supplement 25), is hereby amended as follows:
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Reason for amendments: [Zoning]

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39 | 1. To establish criteria in Article 6.A.1.D.1 for required parking spaces that have an associated electric energy for the charging of electric vehicles. These spaces are allowed in association with F.S.366.94 and F.S.718.113. T |
|--|---|

CHAPTER A PARKING

Section 1 General

....

D. Off-Street Parking

1. Computing Parking Standards

....

20. Electric Vehicle Charging Parking Space (EVCPS)

A parking space that provides infrastructure that supplies electric energy for the charging of electric vehicles, without a fee, is associated with the principal use, and is part of the required number of parking spaces, shall be considered an EVCPS.

a. Nonresidential Uses

Shall not exceed a maximum of 20 spaces or ten percent of the total required parking spaces for the use or uses in the development, whichever is less.

b. Residential Uses

An EVCPS is permitted by right.

c. Design and Construction Standards

1) Each EV space shall be marked by a sign designating the parking space as an electric vehicle parking space, in accordance with Art. 8.B.2, Small Signs and the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration. Each sign shall include the following information. Vehicles that are not capable of using the Electrical Vehicle Charging Station are prohibited from parking in this space; and,

2) EV spaces shall be painted green, or shall be marked by green painted lines or curbs.

Notes:

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EXHIBIT D

ARTICLE 6, PARKING [RELATED TO OFF-STREET AND ON-STREET PARKING]

CR-2018-020
(Updated 05/02/2019)

Part 1. ULDC Art. 6.A.1.D.19.a.2), Parking, Off-Street Parking, General Prohibition (page 32-33 of 40, Supplement 25), is hereby amended as follows:

Table with 1 column: Reason for amendments: [Zoning]
1. Clarify that the parking of vehicles in a residential district shall be required on a driveway or other approved surface, excluding emergency repairs as described in Exemptions.

CHAPTER A PARKING

Section 1 General

D. Off-Street Parking

19. Parking of Equipment, Vehicles, or Marine Vessels and Trailers in Residential Districts

The following standards shall apply to the parking of equipment, (including construction equipment), vehicles, recreational vehicles, sports vehicles, or marine vessels and trailers on residential parcels or adjacent streets in residential districts. For the purposes of this Section, legally established, nonresidential uses in the AR district in lands designated Rural Residential in the Plan shall not be considered a residential district. [Ord. 2007-013] [Ord. 2019-005]

a. General Prohibition

1) On-Street

No person shall park, store, or keep equipment, a commercial vehicle, recreational vehicle, marine vessel, trailer, sports vehicle such as dune buggy, jet skis, racing vehicle, off-road vehicle, air boat, canoe or paddleboat, on any public street, or other thoroughfare or any R-O-W within a residential district for a period exceeding one hour in any 24 hour period, each such period commencing at the time of first stopping or parking. [Ord. 2007-013] [Ord. 2019-005]

2) Off-Street

a) It shall be unlawful for any owner of land in any residential district to park on, cause to be parked on, or allow to be parked on residentially zoned land any unlicensed or unregistered vehicle, or equipment commercial vehicle, sports vehicle, recreational vehicle, marine vessel or trailer for a period exceeding one hour in any 24 hour period, each such period commencing at the time of first stopping or parking. [Ord. 2007-013] [Ord. 2019-005]

b) Vehicles shall only be parked on an improved surface in the Urban Suburban Tier.

....

Part 2. ULDC Art. 6.A.1.D. Parking, Related to On-Street (page 33 of 40, Supplement 25), is hereby amended as follows:

Table with 1 column: Reason for amendments: [Zoning]
1. To allow the the applicant to provide on-street parking spaces that are in excess of the required parking pursuant to Land Development approval.
2. Consolidate all applicable overlays and zoning districts where the Code currently allows on-street parking.

Section 1 General

D. Off-Street Parking

E. On-Street Parking
On-street parking is prohibited unless stated below.

1. Residential
On-street parking may be allowed as determined by Land Development in subdivisions located in standard residential zoning districts or residential pods of a PDD when the following requirements are met:

- a. parking spaces are located on an internal private street;
b. approved by the County Engineer per Art. 11.B.6.C;
c. parking spaces shall not reduce the minimum fire department access width of 20 feet, pursuant to the Florida Fire Prevention Code NFPA 1;
d. shall not be used to satisfy required parking; and
e. not required to be shown on an approved Zoning Site Plan.

2. Developments located in the WCRAO, IRO, URAO or TDD Zoning Districts in accordance with the specific provisions in Art. 3 that allow on-street parking.

U:\Zoning\CODEREV\Code Amendments\2019\2 - LDRAB\05-22-19\7- LDRAB-LDRC Packet\Exhibit D CR-2018-020 Off-Street and On-street parking combined-Final.docx

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS, OUTDOOR LIGHTING

CR-2019-064
(Updated 04/29/19)

1 **Part 1. ULDC Art. 3.B.4.F .E.4.E, Overlays and Zoning Districts, Overlays, GAO, Glades Area**
2 **Overlay Table 3.B.4.F- Type 1 Waivers for Industrial Pods (pages 63-64 of 106,**
3 **Supplement 25), is hereby amended as follows:**

Reason for amendments: [Zoning]
1. To update Table 3.B.4.F – Type 1 Waivers for Industrial Pods to provide correct reference for the Illumination Levels.

4 **CHAPTER B OVERLAYS**

5

6 **Section 4 GAO, Glades Area Overlay**

7

8 **F. Planned Industrial Park Development (PIPD)**

9
10 **2. Type 1 Waivers for Industrial Pods**

11 An applicant may apply for waivers for development standards within an Industrial Pod in
12 accordance with Art. 2.C.5.E, Type 1 Waiver. Applications for Type 1 Waivers shall be
13 expressly limited to the requirements listed below: **[Ord. 2014-025]**
14

Table 3.B.4.F. – Type 1 Waivers for Industrial Pods

Article/Table Reference and Title	Maximum Waiver	Criteria
....		▪
Table 5.E.4.DE, Illumination Levels	Increased illumination levels in outdoor work areas of up to 25 percent may be allowed when all adjacent parcels are within an Industrial pod, as follows:	<ul style="list-style-type: none"> ▪ Demonstration in writing and with supporting documentation that increased illumination levels will not adversely impact other uses within or abutting the PIPD; ▪ Demonstration that the need for additional lighting is for employee safety or site security; ▪ Provided the illumination level complies with the Table at the perimeter property line adjacent to a public ROW or to residentially zoned property.
Table 5.E.4.DE, Maximum Permitted Luminaire Height	Luminaire heights may be increased by 25 percent.	▪ When all adjacent parcels are within an Industrial pod.

15
16
17 **Part 2. ULDC Art. 5.E.4.E, Supplementary Standards, Performance Standards, Nuisances,**
18 **Outdoor Lighting (pages 62-63 of 106, Supplement 25), is hereby amended as follows:**

Reason for amendments: [Zoning]
1. To update Table 5.E.4.E– Illumination Levels and Table 5.E.4.E – Maximum Permitted Luminaire Height.
2. To clarify exemption for residential from the submittal and standards requirements, but not from lighting that is prohibited. This changed is to address Code Enforcement issues related to lights directly oriented towards streets or neighbors.
3. The add an exemption for lighting of parking lots for temporary uses provided it complies with criteria for security, hours of use for the parking and the requirements of Art. 4.B.11, Temporary Uses, which includes Liability and Insurance reference.

19 **CHAPTER E PERFORMANCE STANDARDS**

20
21 **Section 4 Nuisances**

22
23 **E. Outdoor Lighting**

24 **1. Purpose and Intent**

25 It is the intent of this Section to preserve, protect, and enhance the lawful nighttime use and
26 enjoyment of any and all property through the use of appropriate lighting practices and systems.
27 Such individual fixtures, luminaries and lighting systems are designed, constructed, and
28 installed to: control glare and light trespass, minimize obtrusive light, eliminate the increase of
29 lighting levels on competing sites, provide safe roadways for motorist, cyclists and pedestrians,
30 conserve energy and resources while maintaining safety, security and productivity, and curtail
31 the degradation of the nighttime visual environment. **[Ord. 2005-041]**

32 **2. Applicability**

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS, OUTDOOR LIGHTING

CR-2019-064
(Updated 04/29/19)

1 All outdoor lighting shall be subject to the requirements of Table 5.E.4.~~DE-45~~, Illumination
2 Levels, and Table 5.E.4.~~DE-46~~, Maximum Permitted Luminaire Height, unless exempted or
3 permitted to deviate as described herein. Lighting not specifically listed may be classified by
4 the Executive Director of PZB pursuant to Art. 1.B, Interpretation of the Code. In Addition to the
5 standards in this Section, outdoor lighting shall be consistent with Art. 14, Environmental
6 Standards. [Ord. 2005-041] [Ord. 2011-016]

7 **a. Conflict**

8 In the case of a conflict between this Section other provisions of this Code, or other
9 applicable codes, the more strict regulation shall apply. [Ord. 2005-041]

10 **b. Non-conforming Lighting**

11 All luminaries that do not comply with the standards of this Section shall be subject to the
12 limitations on expansion, maintenance, relocation, damage repair and renovations
13 pursuant to Art. 1.F, Non-conformities. [Ord. 2005-041]

14 **c. Exemptions**

15 The following ~~uses~~ shall be exempt to the extent listed below: [Ord. 2005-041]

16 **1) Residential**

17 Single-family, townhouses; and, multifamily ~~dwelling~~ up to with a maximum of two
18 units shall not be subject to the requirements of ~~this Section Art. 5.E.4.E.3, Submittal~~
19 Requirements and Art. E.4.E.4. Standards. All permitted outdoor lighting shall be
20 oriented and directed away from adjacent residential uses or adjacent streets that are
21 internal or external to the subject property. [Ord. 2005-041]

22 **2) Street Lights**

23 Street lights in any public ROW that meet the requirements of the appropriate public
24 utility. [Ord. 2005-041]

25 **3) Temporary Lighting**

26 The temporary use of low wattage or low voltage lighting for public festivals,
27 celebrations, and the observance of holidays are exempt from regulation except where
28 they create a hazard or nuisance from glare. [Ord. 2005-041]

29 **4) Landscape and Accent Lighting**

30 Landscape and Accent Lighting fixtures that comply with the Florida Building Code,
31 Chapter 13 Section 13-415.1ABC.2.1 efficacy requirements shall be exempt. All
32 exempt Landscape and Accent Lighting fixtures must have a locking mechanism and
33 a glare shield so that light is aimed, and remains aimed at the surface intended. [Ord.
34 2008-037]

35 **5) Public Park and Recreation Facilities**

36 Government owned or operated public parks and recreation facilities that are only open
37 between dawn and dusk, shall not be subject to the requirements of this Section. [Ord.
38 2018-018]

39 **6) Temporary Uses pursuant to Art. 4.B.11**

40
41 **d. Prohibited Outdoor Lighting**

42 The following types of outdoor lighting are prohibited in unincorporated PBC: [Ord. 2005-
43 041]

44 1) Any light that creates glare observable within the normal range of vision onto a street
45 or creates a safety hazard; [Ord. 2005-041]

46 2) Any light that resembles an authorized traffic sign, signal, or device, or that interferes
47 with, misleads, or confuses vehicular traffic as determined by the Zoning Director or
48 Traffic Director; [Ord. 2005-041]

49 3) Beacon or searchlights, except for temporary grand openings and special events, as
50 limited by State of Florida or Federal law; [Ord. 2005-041]

51 4) Any drop lens fixture or fixture that does not meet the IESNA Full-Cutoff classification
52 of 0% of lumens above 90 degrees from nadir. This includes, but is not limited to,
53 parking lot fixtures, building façade fixtures, and other non-landscape lighting fixtures.
54 [Ord. 2008-037]

55 5) Animated lighting, unless authorized under Art.8, Signage. [Ord. 2005-041]

56 The maximum illumination at the property line of an adjoining residential parcel or
57 public ROW is 0.33 horizontal and vertical foot-candles measured at six feet above
58 grade level. Said illumination likewise measured at the property line of an adjoining
59 non-residential parcel, shall not exceed 3.0 horizontal and vertical foot-candles
60 measured at six feet above grade level. [Ord. 2005-041]

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS, OUTDOOR LIGHTING

CR-2019-064
(Updated 04/29/19)

1 **Part 3. ULDC Art. 5.E.4.E, Supplementary Standards, Performance Standards, Nuisances, Outdoor**
2 **Lighting (pages 65 of 106, Supplement 25), is hereby amended as follows:**

Reason for amendments: [Zoning]
1. Modify Table 5.E.4.E- Illumination Levels to add “Uses” to All Others for clarification of the type of Parking Lot
2. Modify Table 5.E.4.E- Maximum Permitted Luminaire Height, to add the location of the Glades Tier as it was inadvertently left out from ordinance ORD 2005-004. Reference to the heights of lighting within the Glades Tier was described in the Background and Summary for ORD 2005-004

3 **4. Standards**

4

Table 5.E.4.E - Illumination Levels

Outdoor Lighting	Maximum Illumination (1)	Minimum Illumination (1)	Max to Min Ratio	Average to Min Ratio
Buildings and Accessory Structures				
a. Pathway Lighting (2)	5.0 (5)	-	-	-
b. Canopies, Drive-thru and Overhangs	30.0	3.0	10:1	2.5:1
Parking Lots				
a. Multi-family Residential	3.0	0.3	10:1	-
b. All Others Uses	12.0	1.0	12:1	3:1
Parking Structures				
a. Parking Area	10.0	1.0	10:1	4:1
b. Ramps – Day	20.0	2.0	10:1	-
c. Ramps – Night	10.0	1.0	10:1	-
d. Entrance Area – Day	50.0	5.0	10:1	-
e. Entrance Area – Night	10.0	1.0	10:1	-
f. Stairways	-	10.0	-	-
Property Boundary Refer to Light Trespass				
Specialty Lighting (4)				
a. Golf Courses	Per IESNA Lighting Handbook			
b. Outdoor Entertainment				
c. Parks				
Other Lighting Types				
a. Outdoor Display and Storage for vehicle sales and rental.	15 (3)	1.0	15:1	4:1
b. Other Outdoor Display and Storage Areas.	20	1.0	15:1	4:1
c. Outdoor Work Areas	20	1.0	15:1	4:1
[Ord. 2005-041] [Ord. 2008-037] [Ord. 2010-005]				
Notes:				
1. Measured in foot-candles.				
2. Building or accessory mounted luminaires used to light parking lots shall comply with Parking Lot illumination levels.				
3. May be increased to 20 foot-candles for the first row of display parking located adjacent, but not more than 100' from a ROW.				
4. Applicable to outdoor recreation areas only, excluding areas such as parking lots, drive isles, pathways, building and landscape lighting.				
5. Fully shielded bollards not greater than 42 inches in height may be permitted up to 20 foot-candles.				

5 **e. Luminaire Heights**

6 Table 5.E.4.E, Maximum Permitted Luminaire Height, identifies the maximum height for
7 any freestanding or structure mounted luminaires.
8

Table 5.E.4.E - Maximum Permitted Luminaire Height

Location	Maximum Height	
	U/S Tier	Rural, Exurban, Glades , and AGR Tiers
Buildings and Accessory Structures		
a. Buildings	25 feet or eave overhang, whichever is lower (unless required by the Florida Building Code)	
b. Accessory Structures	10 feet	8 feet
Parking Lot		
a. Residential	20 feet	15 feet
b. Industrial	40 feet	-
c. Commercial, Civic and Institutional	30 feet, or equal to the height of the building up to a maximum of 40 feet	25 feet
Parking Structures		
a. Luminaires on top parking level.	20 feet or 25 feet (4)	15 feet
Property Boundary		
a. Luminaires within 100 feet of residential (2)	20 feet	15 feet
Specialty Lighting (3)		
a. Golf Courses	Per IESNA Lighting Handbook	
b. Outdoor Entertainment		

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS, OUTDOOR LIGHTING

CR-2019-064
(Updated 04/29/19)

c.	Parks
[Ord. 2005-041]	
Notes:	
1.	For the purposes of this table, residential parcel shall include any residential use, or any vacant parcel with a residential FLU designation.
2.	The height of any lighting luminaire within 100 feet of a parcel with a residential use or FLU designation shall be limited in accordance with the height limitations for Property Boundary, Residential.
3.	Applicable to outdoor recreation areas only, excluding areas such as parking lots, drive isles, pathways, building and landscape lighting.
4.	Minimum setback shall be 45 feet from exterior edge of wall for all luminaries, except luminaries mounted to interior face of perimeter wall, which do not exceed the height of the perimeter wall.

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f. Measurement

- 1) Illumination levels shall be measured in foot-candles with a direct-reading, calibrated, portable light meter. The light meter shall be placed not more than six inches above grade level. **[Ord. 2005-041]**
- 2) For the purpose of measuring light trespass, the light meter shall be placed at the property line of the subject parcel six feet above the grade level. **[Ord. 2005-041]**

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

1
2 **Part 1. ULDC Art. 3.B.4, Overlays & Zoning Districts, Overlays, GAO, Glades Area Overlay (page**
3 **25-26 of 211, Supplement 25), is hereby amended as follows:**
4

Reason for amendments: [Zoning]	
1.	Glades Area Overlay only - Allow those uses that are subject to the Conditional Use approval in both residential and non-residential zoning districts be approved administratively, provided the proposed requests are in compliance with the applicable Standards listed under the Conditional Uses.

5 **CHAPTER B OVERLAYS**

6 ...

7 **Section 4 GAO, Glades Area Overlay**

8 **A. Purpose and Intent**

9 The GAO is established to promote economic diversification in the Glades Area and facilitate
10 development or redevelopment opportunities emanating from the U.S. Department of Housing and
11 Urban Development Community Challenge Planning Grant Glades Region Master Plan (GRMP).
12 The GAO provides flexibility or streamlined procedures for obtaining development approvals, critical
13 to ensuring a timely response to development or redevelopment opportunities that may increase job
14 opportunities and improve the economic vitality of the area. In addition, the GAO may include
15 regulations that recognize the character of the area. [Ord. 2014-025] [Ord. 2016-016]
16

17 **D. Approval Process**

18 **1. DRO and BCC Thresholds**

19 The density, intensity and acreage thresholds of Table 4.A.9.A, Thresholds for Projects Requiring
20 DRO Approval, and Table 4.A.9.B, Thresholds for Projects Requiring BCC Approval, shall be
21 multiplied by two within the GAO. [Ord. 2016-016] [Ord. 2018-002]

22 **2. Administrative Approvals**

23 **a. General**

24 Uses shown in a Use Matrix as Permitted by Right (P), or Development Review Officer (DRO)
25 shall remain subject to the same approval process shown in the Use Matrix. [Ord. 2014-
26 025]

27 **b. Conditional Uses**

28 Uses allowed as Conditional Uses in a non-residential Zoning district and Cottage Homes
29 may be approved by the DRO after compliance with Art. 2.B.7.B.2, Standards. [Ord. 2016-
30 016] [Ord. 2018-002]
31
32

33 **Part 2. ULDC Art. 3.D.1.B, Overlays & Zoning Districts, Property Development Regulations**
34 **(PDRs), PDRs for Standard Zoning Districts, General Exceptions, Single Family Housing**
35 **Type in Multifamily Districts (page 120 of 212, Supplement 23), is hereby amended as**
36 **follows:**
37

Reason for amendments: [Zoning]	
1.	Correct the Heading to read RM Zoning district instead of Multifamily.

38 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

39 **Section 1 PDRs for Standard Zoning Districts**

40 **A. PDRs**

41 The minimum lot dimensions, minimum and maximum density, maximum FAR, maximum building
42 coverage, and minimum setbacks in each standard zoning district are indicated in Table 3.D.1.A,
43 Property Development Regulations unless otherwise stated. Front, side, side street and rear
44 setbacks shall be applied in accordance with the lot orientation as defined by lot frontage. [Ord. 2005-
45 041]
46

47 **B. General Exceptions**

48 **1. Single Family Housing Type in Multifamily RM Districts**

49 The property development regulations for single family housing type in the RM district shall be in
50 accordance with the RS district PDRs in Table 3.D.1.A, Property Development Regulations.
51

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

1
2 **Part 3. ULDC Art. 3.D.1.D.2, Overlays & Zoning Districts, Property Development Regulations**
3 **(PDRs), PDRs for Standard Zoning Districts, Setbacks, Multifamily Separation related to**
4 **Setbacks (page 123 of 211, Supplement 25), is hereby amended as follows:**
5

Reason for amendments: [Zoning]	
1.	In Round 2018-01, property development regulations were established for the new housing type, Cottage Homes. This type of housing was originally intended to be allowed in a PUD only, but the adopted Code allows both in the PUD and in Standard Districts. Allowing in the Standard Residential Districts allows the smaller lots to be developed in infill redevelopment sites. The current proposed amendment will also expand to allow Cottage Homes in most residential zoning districts, and some commercial districts that has a residential component such as Multiple Use Planned Development and Mixed Used Planned Development.
2.	A Cottage Home can be developed as a detached housing type on a single lot or can be developed with multiple Cottage Homes on a single lot (shared lot). Therefore under the Setback requirements, the proposed is to clarify the unit separation can be applied to both scenarios.

6
7 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

8 **Section 1 PDRs for Standard Zoning Districts**

9

10 **D. Setbacks**

11 **2. Multifamily Separations**

12 The minimum separation for multifamily and Cottage Home structures in the RM district shall
13 correspond to the setback regulations in Table 3.D.1.A, Property Development Regulations, and
14 Table 3.D.2.E, Property Development Regulations for Cottage Homes respectively.

15 **a. Cottage Homes**

16 The minimum separation for Cottage Homes ~~that are located in a MF Pod of a PUD~~ may be
17 reduced from 15 feet to ten feet subject to the approval by the Fire Department and the
18 Building Division. **[Ord. 2018-018]**

19
20
21 **Part 4. ULDC Table 3.D.2.E – Overlays & Zoning Districts, Property Development Regulations**
22 **(PDRs), PDRs for Specific Hosuing Types, Cottage Homes (page 135 of 211, Supplement**
23 **25), is hereby amended as follows:**
24

Reason for amendments: [Zoning]	
1.	House keeping types of amendments, removing reference of footnote (3) when there is no footnote 3 in Table 3.D.2.E, Property Development Regulations for Cottage Homes.
2.	The current Code references Property Development Regulations (PDRs) of Multifamily Residential (RM) Zoning Districts (Table 3.D.1.A) for those Cottage Homes that are in a shared lot/pod. This amendment is to consolidate the PDRs of Cottage Homes under the same table, which is Table 3.D.2.E.
3.	Clarify that if Cottage Homes are developed in a shared lot that is co-owned by the Homeowners' Association, the design layout of these homes shall be limited to rear side garage with a commonly owned open space that serves as both a shared amenity a building separation from the front side of each unit.

25
26 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

27 **Section 2 PDRs for Specific Housing Types**

28

29 **E. Cottage Homes**

30 Cottage Homes are detached housing types that may be developed with one unit or multiple units in
31 a single lot.

32 Cottage Homes shall comply with the following PDRs:
33

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

Table 3.D.2.E – Cottage Home Property Development Regulations (1)(2)

Lot Dimensions			Height	Building Coverage	Setbacks			
Size	Width and Frontage	Depth			Front	Side (3)	Side Street	Rear
Single Unit in a Single Lot (2)								
1,000 sf to 2,500 sf (max)	20 ft. 30 ft. – (max) 30 ft. – side street home (max).	50 ft.	35 ft. (max)	40% (max)	20 ft.	5 ft.	10 ft.	5 ft.
Multiple Units in a Single Lot (Shared)								
(3)	65 ft.	75 ft.	35 ft. (max)	NA	25 ft. (4)	15 ft. (4)	25 ft. (4)	15 ft. (4)
[Ord. 2018-018]								
Notes:								
1. Minimum Property Development Regulations except where it stated as maximum.								
2. For Cottage Homes that are located in a MF pod, apply the RM PDRs pursuant to Table 3.D.1.A, Property Development Regulations. Apply to a Cottage Home that is located in a single lot. This may apply to either a subdivided lot of a Pod in a PDD or in a Standard Zoning district.								
3. The minimum lot size of the Zoning district of which multiple Cottage Homes are located shall apply.								
4. Setbacks shall be measured from the lot. The front setback shall be measured from the property line or base building line, whichever is applicable, where the lot frontage is located.								

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4 **Part 5. ULDC Table 3.E.2.D, Overlays & Zoning Districts, Planned Development Districts (PDDs),**
5 **Planned Unit Development (PUD), Property Development Regulations (PDRs) (page 147 of**
6 **211, Supplement 25), is hereby amended as follows:**
7

Reason for amendments: [Zoning]
1. Split Cottage Homes from Single Family Residential.

8 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)**

9

10 **Section 2 Planned Unit Development (PUD)**

11

- 12 **D. Property Development Regulations (PDRs)**
13 The minimum lot dimensions, density, maximum FAR, maximum building coverage, and minimum
14 setbacks in each pod are indicated in Table 3.E.2.D, PUD Property Development Regulations, unless
15 otherwise stated.
16 **1. Setbacks**
17 For residential development, building setbacks shall be measured from the inside edge of the
18 perimeter landscape buffers. For non-residential development, building setbacks shall be
19 measured from the property line. Rear or side setbacks may be reduced pursuant to Art.
20 3.D.1.D,4, Setback Reductions.
21

Table 3.E.2.D - PUD Property Development Regulations

POD	Lot Dimensions			Density		FAR (2)	Building Coverage	Setbacks			
	Size	Width and Frontage	Depth	Min.	Max.			Front	Side	Side Street	Rear
Residential											
SF and Cottage Homes	Apply the RS district regulations in Table 3.D.1.A, Property Development Regulations. Refer to Art. 3.D.2.E, Cottage Home Property Development Regulations. [PARTIALLY RELOCATED TO Table 3.E.2.D PUD Property Development Regulations]										
<i>Cottage Home</i>	Refer to Art. 3.D.2.E, <i>Cottage Home Property Development Regulations.</i> [PARTIALLY RELOCATED FROM Table 3.E.2.D PUD Property Development Regulations]										
ZLL	Refer to Art. 3.D.2.B, Zero Lot Line (ZLL).										
TH	Refer to Art. 3.D.2.A, Townhouse.										
MF	Apply the RM district regulations in Table 3.D.1.A, Property Development Regulations.										
....											
[Ord. 2005-002] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2016-042] [Ord. 2018-018]											

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

1
2
3 Part 6. ULDC Art. 4.B.1.C.4, Use Regulations, Use Classification, Residential Uses, Definitions
4 and Supplementary Use Standards for Specific Uses related to Single Family (page 17 of
5 198, Supplement 25), is hereby amended as follows:
6

Reason for amendments: [Zoning]	
1.	In Round 2018-01, property development regulations were established for the new housing type, Cottage Homes. This type of housing was originally intended to be allowed in a PUD only, but the adopted Code allows both in the PUD and in Standard Districts. Allowing in the Standard Residential Districts allows the smaller lots to be developed in infill redevelopment sites. The current proposed amendment will also expand to allow Cottage Homes in most residential zoning districts, and some commercial districts that has a residential component such as Multiple Use Planned Development and Mixed Used Planned Development.
2.	Proposed to split Cottage Homes from Single Family Homes in the Supplementary Use Standards in Article 4.B since they have different requirements.

7

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

1 Part 7. ULDC Art. 4.B.1.C.4, Use Regulations, Use Classification, Residential Uses, Definitions
2 and Supplementary Use Standards for Specific Uses related to Multifamily (page 17 of
3 198, Supplement 25) is hereby amended as follows:
4

Reason for amendments: [Zoning]	
1.	In 2018-01, staff erroneously included Cottage Homes under the Attached Housing Type: Multifamily. Cottage Home is a detached housing type; therefore, the proposed amendment will correct this oversight.

5 **CHAPTER B USE CLASSIFICATION**

6 **Section 1 Residential Uses**

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

8 **3. Multifamily**

9 **d. Zoning District**

10

11 ~~3) Cottage Homes in MF Pod~~

12 ~~A maximum of 1,000 square feet per unit. [Ord. 2018-018]~~

13

16 Part 8. ULDC Art. 4.B.1.C.7, Use Regulations, Use Classification, Residential Uses, Definitions
17 and Supplementary Use Standards for Specific Uses related to Cottage Home (page 17
18 of 198, Supplement 25) is hereby amended as follows:
19

Reason for amendments: [Zoning]	
1.	Proposed to spilt Cottage Homes from Single Family Homes in the Supplementary Use Standards in Article 4.B since they have different requirements.

20 **CHAPTER B USE CLASSIFICATION**

21 **Section 1 Residential Uses**

22

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

24

25 **4. Single Family ~~and Cottage Homes~~**

26 **a. Definition for Single Family [Ord. 2018-018]**

27 The use of a lot or a structure for one detached dwelling unit.

28 ~~**b. Definition for Cottage Home**~~

29 ~~The use of a lot or a structure for one detached dwelling unit with reduced property~~
30 ~~development regulations than a typical Single Family lot and unit. [Ord. 2018-018]~~

31 [Relocated to Art.4.B.1.C.7.a, Cottage Home as it related to Definition]

32 ~~**c. Cottage Homes in SF Pod**~~

33 ~~A maximum of 1,000 square feet per unit. [Relocated to Art.4.B.1.C.7, Cottage Home]~~

34

37 Part 9. ULDC Art. 4.B.1.C.7, Use Regulations, Use Classification, Residential Uses, Definitions
38 and Supplementary Use Standards for Specific Uses related to Cottage Home (page 17
39 of 198, Supplement 25) is hereby amended as follows:
40

Reason for amendments: [Zoning]	
1.	Proposed to spilt Cottage Homes from Single Family Homes in the Supplementary Use Standards in Article 4.B since they have different requirements.

41 **CHAPTER B USE CLASSIFICATION**

42 **Section 1 Residential Uses**

43 ...

44 **7. Cottage Home**

45 **a. Definition for Cottage Home**

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

The use of a lot or a structure for one detached dwelling unit with reduced property development regulations. [Ord. 2018-018] [Relocated from Art.4.B.1.C.4.b, Single Family]

b. Cottage Home Size

A maximum of 1,000 square feet per unit. [Relocated from Art.4.B.1.C.4.c, Cottage Home as it related to Cottage Homes in SF Pod]

c. Cottage Homes in RS Zoning District

May be allowed in the RS Zoning district with an MR-5 or higher FLU designation, subject to Full DRO approval.

d. Cottage Homes in MF Pod or Lot

If Cottage Homes are developed in a MF Pod or Lot, they shall be developed in a cluster with open space that are commonly shared by the individual tenants or owners, subject to the following:

1. Rear Garage

May have garage and driveways located in the rear of each unit.

2. Open Space

The units shall front on a commonly owned open space with a minimum width of 75 feet, measuring from the front façade of each unit or front porch, whichever is applicable.

3. Access Driveways

~~Access driveway shall provide primary access to residential garages or individual driveway to the Cottage Home. A continuous network of alleys may serve as the primary means of vehicular access to individual parcels. Alleys shall conform to the design standards in Table 3.F.2.A – TDD Alley Design Standards.~~

Part 10. ULDC Table 5.B.1.A Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures, Table 5.B.1.A - Pool/Spa Setbacks (page 23 of 106, Supplement 25) is hereby amended as follows:

Reason for amendments: [Zoning]	
1.	Add note to clarify that the setback is for a Cottage Home in a single lot and not for those Cottage Homes that are located in a shared lot.

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

Table 5.B.1.A - Pool/Spa Setbacks

Setbacks	Front	Side	Side Street	Rear
Single Family	28 feet	10.5 feet	18 feet	10.5 feet
Cottage Home (1)	20 feet	5 feet	12 feet	5 feet
ZLL	13 feet	ZLL: 3 feet Non-ZLL: 5 feet	13 feet	5 feet
Townhouse	Parking Tract: 13 feet Street: 28 feet	3 feet	18 feet	5 feet
Multi-Family	28 feet	18 feet	28 feet	15 feet
Neighborhood Recreation Facility less than 1 acre	25 foot setback or separation to the nearest residential lot line			
Neighborhood Recreation Facility 1 acre or more	50 foot setback or separation to the nearest residential lot line			
[Ord. 2013-001]				
Note:				
1. <u>Shall apply only to a Cottage Home that is in a single lot.</u>				

Part 11. ULDC Table 5.B.1.A – Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures, Table 5.B.1.A-Screen Enclosure Setbacks (page 26 of 106 Supplement 25) is hereby amended as follows:

Reason for amendments: [Zoning]	
1.	Add note to clarify that the setback is for a Cottage Home in a single lot and not for those Cottage Homes that are located in a shared lot.

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

11. Screen Enclosures

a. General

Screen enclosures may be covered with a screened or solid roof, as follows:

b. Setbacks for Screen Enclosures with Screened Roofs

Setbacks for screen enclosures with screen roofs shall be measured as specified in the table below:

Table 5.B.1.A - Screen Enclosure Setbacks

Setback	Front	Side Interior	Side Street	Rear
Single family	25 feet	7.5 feet	15 feet	7.5 feet
Cottage Home (1)	20 feet	2 feet	10 feet	2 feet
Multi-family	25 feet	15 feet	25 feet	12 feet
ZLL				
Interior lot	Parking Tract: 10 feet	Non-ZLL: 2 feet ZLL: 0 feet	N/A	2 feet
Corner lot		0 feet	10 feet	
Side street home	R-O-W: 25 feet	2 feet	10 feet	
Townhouse	Front (Setback)	Side (Setback/ Separation)	Side Street (Setback)	Rear (Setback/Separation)
Property line	Parking Tract: 10 feet	0 feet	Property line: 3 feet Street - 15 feet	0 feet
From Inside edge of landscape buffer or PUD-or tract boundary		R-O-W: 25 feet	15 feet	15 feet
Separation between groups	25 feet	15 feet	N/A	15 feet
Recreation Parcels	Front	Side	Side Street	Rear
Property Line	25 feet	20 feet	20 feet	20 feet
[Ord. 2013-001] [Ord. 2018-018]				
Note:				
1	Shall apply only to a Cottage Home that is in a single lot.			

Part 12. ULDC Table 6.A.1.B –Parking, Parking, General, Off-Street Parking, Table 6.A.1.B- Minimum Off-Street Parking and Loading Requirements (page 3 of 40, Supplement 25) is hereby amended as follows:

Reason for amendments: [Zoning]
1. Add guest parking for Cottage Homes to provide guest parking, and avoid parking on the street.

CHAPTER A PARKING

Section 1 General

B. Applicability

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

	Parking	Loading (1)
Use Classification: Residential		
Congregate Living Facility, Type 1, Type 2, Type 3	0.6 spaces per unit or .25 per resident/bed whichever is greater; plus 1 space per 250 sq. ft. of office space	(12)

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

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

Multifamily	1 space per efficiency unit; 2 spaces per unit (one bedroom or more); plus 1 guest parking space per 4 units with common parking areas.	N/A
Single Family, Cottage Home, Zero Lot Line Home, Townhouse, Farm Residence, or Mobile Home Dwelling	2 spaces per unit <u>plus 1 guest parking space per 4 units with common parking areas for Cottage Homes.</u>	N/A
Accessory Quarters, Caretaker Quarters, Grooms Quarters, Guest Cottage	1 space per unit	N/A
Farm Worker Quarters	1 space per 4 units	N/A
Kennel, Type 1	1 space per 500 sq. ft. of cage or kennel area.	N/A
[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2018-018] [Ord. 2019-005]		
Loading Key:		
Standard "A"	One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA	
Standard "B"	One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA	
Standard "C"	One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA	
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.	
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.	

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Part 13. ULDC Art. 7.C.2.B.2 Landscaping, Landscape Buffer and Interior Landscaping Requirements, Types of Landscape Buffer, Compatibility Buffer, Exemptions related to Compatibility Buffer (page 15 of 54, Supplement 25) is hereby amended as follows:

Reason for amendments: [Zoning]	
1.	Clarify that Compatibility buffer is exempt when Cottage Homes are adjacent to another pods with the same housing type.

7
8

CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

....

9

Section 2 Types of Landscape Buffer

10

....

11

B. Compatibility Buffer

12

A Compatibility Buffer shall consist of Canopy trees and rows of shrubs. Palms or pines may be used as a substitute for Canopy trees. [Ord. 2018-002]

13

....

14

2. Exemption

15

Compatibility Buffers shall not be required for the following: [Ord. 2018-002]

16

a. Single Family residential subdivisions or pods adjacent to Single Family residential subdivisions or pods. Cottage Home pods adjacent to Cottage Home pods; [Ord. 2018-002]

17

....

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19

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23

Part 14. ULDC Art. 7.C.2.A Landscaping, Landscape Buffer and Interior Landscaping Requirements, Types of Landscape Buffer, R-O-W Buffer and Incompatibility Buffer, Types of Landscape Buffer (page 17-18 of 54, Supplement 25) is hereby amended as follows:

24

25

26

27

Reason for amendments: [Zoning]	
1.	Clarify that a Cottage Home in a single lot is exempt from the R-O-W buffer requirement.
2.	Proposed to delete Incompatibility buffer requirements for residential uses that have similar housing types.

28

29

CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

30

Section 2 Types of Landscape Buffer

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EXHIBIT F
ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES
SUMMARY OF AMENDMENTS

CR-2018-049
(Updated 05/01/19)

1 There are three types of landscape buffers: Right-of-Way (R-O-W), Compatibility and Incompatibility
2 Buffers. Landscape requirements for each type of buffer shall be provided in accordance with the following
3 standards, unless stated otherwise herein. **[Ord. 2018-002]**

4
5

6
7 **A. R-O-W Buffer**

8 A R-O-W Buffer shall consist of Canopy trees; palms or pines; rows of shrubs, and groundcover.
9 Palms or pines may be used as a substitute for Canopy trees. Clustering of plant materials and
10 opening of tree planting are allowed to provide visibility for a wall sign or an architectural feature of
11 the building; or to accommodate a walkway or an amenity. **[Ord. 2018-002]**

12 **1. Applicability**

13 R-O-W Buffers shall be provided along all public street R-O-W. This shall apply to those lots
14 that are separated by a canal, lake, open space or a combination thereof. **[Ord. 2016-042]**
15 **[Ord. 2018-002]**

16 **2. Exemptions**

17 R-O-W Buffers are not required for the following: **[Ord. 2018-002]**

18 a. Where the R-O-W is an alley; **[Ord. 2018-002]**

19 b. A lot with a Single Family, ZLL or townhouse unit; ~~and~~ **[Ord. 2018-002]**

20 ~~c.~~ A single lot with a single Cottage Home; and,

21 ~~e-d.~~ Private streets internal to a PDD, TDD, a subdivision or a lot. If trees are installed within
22 the street R-O-W, installation of the trees shall be subject to the approval by the
23 Engineering Department. **[Ord. 2018-002]**

24

25
26 **C. Incompatibility Buffer**

27 An Incompatibility Buffer shall consist of Canopy trees, palms or pines, and rows of shrubs. Palms
28 or pines may be used as a substitute for trees. In addition, an Incompatibility Buffer shall consist of
29 a continuous, opaque Landscape Barrier. **[Ord. 2009-040] [Ord. 2016-016] [Ord. 2018-002]**

30 **1. Applicability**

31 Incompatibility Buffers shall be provided between all incompatible uses or incompatible pods
32 in a PDD. **[Ord. 2018-002]**

33 **a. Type 1 Waiver for Landscaping**

34 An Incompatibility Buffer may not be required for residential pods of a PDD; or tracts within
35 a residential subdivision subject to a Type 1 Waiver for Landscaping. **[Ord. 2018-002]**

36 **2. Types and Width of Incompatibility Buffers**

37 There are three types of Incompatibility Buffers, Types 1, 2 and 3, and shall be applied in
38 accordance with Table 7.C.2.C, Incompatibility Buffer Types. The type of Incompatibility Buffer
39 required shall be the most restrictive buffer type based on the use difference between adjacent
40 uses. Where required between pods in a PDD, only one Incompatibility Buffer shall be required.
41 **[Ord. 2016-016] [Ord. 2018-002]**

Table 7.C.2.C - Incompatibility Buffer Types

Difference Between Adjacent Uses (1)			
Use Classification	Abutting	Use Classification	Required Buffer Type
Residential, Single Family and ZLL	↔	Residential, Cottage Homes	Type 1
Residential, Detached	↔	Residential, Attached (3)	Type 1
Residential, Detached	↔	Type 3 CLF	Type 2
Residential	↔	Commercial	Type 2
Residential	↔	Recreational	Type 2
Residential	↔	Institutional, Public and Civic	Type 2
Residential	↔	Agricultural	Type 3
Residential	↔	Industrial	Type 3
Residential	↔	Utility (2)	Type 3
[Ord. 2008-003] [Ord. 2016-016] [Ord. 2018-002]			
Notes:			
1. Determination of use classification shall be consistent with Art. 4, Use Regulations. Where proposed development abuts vacant parcels, use classification shall be based upon Future Land Use (FLU) designation. [Ord. 2018-002]			
2. Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. [Ord. 2017-007] [Ord. 2018-002]			
3. Shall also apply to a Type 2 CLF.			
[Ord. 2018-002]			

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EXHIBIT G

ARTICLE 4 LANDSCAPE SERVICES-

CR-2017-007
(Updated 05/10/2019)

1 Part 1. ULDC Art. 4.B.2.C.21, Use Regulations, Use Classification, Commercial Uses,
2 Definitions and Supplementary Use Standards for Specific Uses (page 43 and 44 of 208,
3 Supplement 24), is hereby amended as follows:
4

Reason for amendments: [Zoning]
1. As part of the Use Regulations Project, Landscape Service was proposed for modification. At the February 23, 2017 hearing, the proposed changes were modified back to the current adopted language with the direction that Staff needed more time to meet with industry, primarily in the AGR Tier to accommodate this use with farming operation for the nursery industry. PZB and Engineering Staff have met through multiple meetings with industry and Staff's recommendation for the AGR district and other districts is stated below in Parts 2 and 3.
2. Modify the current definition of Landscape Service. Create, modify and relocate typical on-site uses and off-site services relating to Landscape Service consistent with the template for the Use Regulations project adopted under ORD 2017-02.
3. Include a description for Operations Area. The Operations Area description is utilized for the Collocation of Landscape Service with a Nursery. This area is describing improvements on a site that are shared between the two uses. When a structure is solely for the use of Landscape Service then it is not include within the Operations area.
4. Nursery Growing Area description is added to define the area for the calculation of Landscape Service when it is in Colloated with a Nursery in the Residential Zoning Districts.

5 CHAPTER B USE CLASSIFICATION

6 Section 2 Commercial Uses

7 C. Definitions and Supplementary Use Standards for Specific Uses

8 ... 9 21. Landscape Service

10 a. Definition

11 An establishment engaged in the ~~provision of landscape~~ maintenance or installation of
12 ~~landscaping services, such as lawn mowing, tree, shrub or hedge trimming, leaf blowing,~~
13 ~~landscape design, and landscape installation.~~ [Partially relocated to 4.B.2.C.21.c,
14 **Typical Off-site Services**]

15 b. Typical On-site Activities

16 Includes administrative office; customer and employee parking; and storage or parking of
17 landscape vehicles; chemicals, fertilizers, landscape materials and equipment.

18 c. Typical Off-site Services

19 May include, but is not limited to: lawn mowing; trimming of vegetation including trees,
20 shrubs, or hedges; irrigation; fertilizer application; leaf blowing; landscaping design;
21 maintenance or installation. [Partially relocated from 4.B.2.C.21.a]

22 d. Operations Area

23 An area that includes, but is not limited to: site improvements; drive aisles; drainage; street
24 or canal right-of-way easements; and, structures that are commonly shared between the
25 Nursery and the Landscape Service.

26 e. Nursery Growing Area

27 Consists of an area(s) used solely for the propagation, cultivation, growing, storage, and
28 staging of plants.

31 Part 2. ULDC Art. 4.B.2.C.21, Use Regulations, Use Classification, Commercial Uses, Definitions
32 and Supplementary Use Standards for Specific Uses (page 43 and 44 of 208, Supplement 24), is
33 hereby amended as follows:

Reason for amendments: [Zoning]
1. AR/RSA language remains generally the same with minor modifications to the format and clarification that a in the AR/RSA the use can be primary, or subject to Home Occupation regulations, or the Collocated Use regulations.

34 **da. AR District in RSA**

35 Shall be permitted subject to additional, applicable requirements of a Home Occupation
36 pursuant to Art. 4.B.1.E.10; Collocated Use Art. 4.B.2.C.21.e, or the following:
37 Landscape Service as a principal use

38 1) Shall be located on a Collector or Arterial street;

39 2) Shall be on a minimum of three acres;

40 3) May be allowed as a principal use subject to a Class A Conditional Use.

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EXHIBIT G

ARTICLE 4 LANDSCAPE SERVICES-

CR-2017-007
(Updated 05/10/2019)

1
2 Part 3. ULDC Art. 4.B.2.C.21, Use Regulations, Use Classification, Commercial Uses, Definitions
3 and Supplementary Use Standards for Specific Uses (page 43 and 44 of 208, Supplement 24), is
4 hereby amended as follows:

Reason for amendments: [Zoning]
1. Modified language for Landscape Service within the AGR Zoning District, and consolidated with modifications Landscape Service as an Accessory Use in AP, CN, CRE and PO Zoning Districts, based on the size of the lot. Staff proposes threshold of a minimum of 60% of the lot area be Nursery, with maximum 25% of the lot area or one acre whichever is less be allocated for Landscape Service, and a maximum of 15% of the lot area for Operations Area, subject to an Administrative (DRO) approval process. If an Applicant wanted to have a larger area for Landscape Services they can seek BCC approval through the Class A Conditional Use Application for a minimum of 50% Nursery, a maximum of 30% or two acres whichever is less be allocated for Landscape Service, and maximum 20% Operations Area.
2. Modified language for Landscape Service as an accessory use within the CC and CG Zoning District to be a Collocated Use, based on the lot size. Staff proposes threshold of a minimum of 60% of the lot area be Nursery, with maximum 25% of the lot area or 1 acre whichever is less be allocated for Landscape Service, and a maximum of 15% of the lot area for Operations Area, subject to an Administrative (DRO) approval process. Landscape Service is allowed as a Principal use, subject to a Class B (CB) Conditional Use. If an Applicant wanted more than the percentages allowed administratively, then they can seek a CB approval.
3. Clarified that Landscape Service within the IL, IG and the IND/L, COM or IND/G Pods of a PIPD are may be Collocated with a Nursery, permitted by right.
4. Establish thresholds for the approval for Landscape Service that is in conjunction with a Nursery, within the residential or mixed use Zoning Districts (AR/RSA, AR/USA, RE, RT, RM, RS, UC, UI, CH-MUPD, CH-MXPD, NC-TND, TMD within the US, Rural or Exurban Tiers) where Nurseries are allowed. Establish a minimum size of Nursery and max size of Landscape Service based on the growing area of a nursery, up to a maximum of 1 area and subject to Class A Conditional Use.

5
6 **e. Collocated Use**

7 Shall be allowed only in conjunction with a Retail or Wholesale Nursery, and both uses
8 shall be operated under the same ownership, subject to the following:

9 **1) ~~b~~-AGR, AP, CN, CRE, and PO Zoning Districts**

10 ~~Shall be permitted subject to DRO approval as an accessory use only in conjunction~~
11 ~~with a retail or wholesale nursery, excluding those that meet the limitations of a home~~
12 ~~occupation.~~

13 **a) Approval Process-Full DRO**

- 14 (1) A minimum of 60 percent of the lot area shall be Retail or Wholesale Nursery;
15 (2) The areas designated for Landscape Service (On-site Activities) shall be a
16 maximum of 25 percent of the lot area or one-acre whichever is less; and,
17 (3) The areas designated for Operations Area shall be a maximum of 15 percent
18 of the lot area.

19 **b) Approval Process- Public Hearing Class A Conditional Use**

- 20 (1) A minimum of 50 percent of the lot area shall be Retail or Wholesale Nursery;
21 (2) The areas designated for Landscape Service (On-site Activities) shall be a
22 maximum of 30 percent of the lot area or 2 acres whichever is less; and,
23 (3) The areas designated for Operations Area shall be a maximum of 20 percent
24 of the lot area.

25 **2) CC or CG Zoning Districts**

26 **a) Approval Process- Administrative Full DRO**

- 27 (1) A minimum of 60 percent of the lot area shall be Retail and/or Wholesale
28 Nursery;
29 (2) The areas designated for Landscape Service (On-site uses) shall be a
30 maximum of 25 percent of the lot area or 1 acre whichever is less; and,
31 (3) The areas designated for Operations Area shall be a maximum of 15 percent
32 of the lot area.

33 **3) IL, IG, and IND/L, COM, or IND/G Pods of a PIPD Zoning Districts**

- 34 (1) A Landscape Service use may be Permitted by Right when collocated with
35 Wholesale or Retail Nursery.

36 **4) AR/RSA, AR/USA, RE, RT, RM, RS, UC, UI, CH-MUPD, CH-MXPD, NC-TND, and**
37 **TMD within the US, Rural or Exurban Tiers:**

- 38 a) Shall be on a minimum of three acres;

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b) Approval Process- Public Hearing Class A Conditional Use

(1) The area(s) designated for Landscape Service (On-site Activities) shall be a maximum of 30 percent of the Growing Area or 1 acre whichever is less.

Part 4. ULDC Art. 4.B.2.C.21, Use Regulations, Use Classification, Commercial Uses, Definitions and Supplementary Use Standards for Specific Uses (page 43 and 44 of 208, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Add standard for hours of operation for Landscape Service to prohibit operation on Sundays within the Agricultural Residential (AR) Zoning District, as requested by Code Enforcement.
2. Modify the landscape requirement to provide for relief from the Compatibility buffer if the Landscape Service use is adjacent to an existing Bona Fide Agricultural Use. When collocated with a Nursery, in the AGR or AP Zoning Districts, Incapability and Right-of-Way buffers will revert to the requirements under the Nursery approval
3. Delete the requirements for outdoor storage to defer to the requirements of Article 5.B.1.A.3, Outdoor Storage.
4. Delete Accessory Use as it is modified to the requirements of Collocated Use. Accessory Use did not have an approval process, and was subject to the requirements of no more than 30% business receipts of the Nursery. Based on discussion with industry and interested parties, it was determined that the use of business receipts for nurseries with landscape service is impractical.

f. Hours of Operation

Landscape Service shall be prohibited to operate on Sundays within the Agricultural Residential (AR) Zoning District.

ge. Landscape Buffer

~~An Incompatibility-Compatibility~~ Buffer shall not be required if the use is adjacent to a property with an existing farm worker quarters or mobile home accessory to a Bona Fide Agriculture use. [Ord. 2018-2018]

1) AGR and AP Zoning District

R-O-W and Incompatibility Buffers shall be required in accordance with the requirements for the Wholesale or Retail Nursery.

~~d. Storage~~

~~Outdoor storage of debris shall be prohibited.~~

~~e. Accessory Use~~

~~May be allowed as an accessory use to a retail or wholesale nursery on a minimum of three acres.~~

hf. Yard Waste Storage

Landscape service with storage of yard waste shall front on a collector or arterial street, and shall comply with the following requirements:

1) Setbacks

Loading and service areas shall be located a minimum of 50 feet from all property lines and 100 feet from adjacent property with residential use or FLU designation.

2) Standards

- Only one yard waste storage area shall be permitted on site;
- Shall not exceed 30 by 40 feet;
- Yard waste shall be screened on three sides by a wall with a maximum height of 12 feet. The open end of the wall shall not face any property with residential use or FLU designation;
- Yard waste piles shall not exceed the height of the wall;
- Surface of the storage area shall be paved with concrete and have positive drainage; and,
- Yard waste that is not generated by the landscape service shall be prohibited on site.

ig. Home Occupation

A limited Landscape Service, not including yard waste or landscape installation services, may be allowed as a Home Occupation subject to the requirements of Art. 4.B.1.E.10, Home Occupation. [Ord. 2018-018]

1) Exception – AR/RSA Zoning District

A limited Landscape Service on a lot three acres or more may be allowed as follows: [Ord. 2018-018]

- Subject to DRO approval through the ZAR process prior to issuance of a Business Tax Receipt; [Ord. 2018-018]
- A maximum of three persons living outside of the home may be employed under the DRO approval. [Ord. 2018-018]

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- 1 c) Outdoor Storage shall be limited to equipment such as lawnmowers, hedgers,
2 weed eaters, and a small trailer. Storage shall not include heavy equipment such
3 as bobcats, loaders, dump trucks, or heavy equipment trailers. [Ord. 2018-018]
4 d) Storage areas shall be screened from view from any R-O-W or parcel of land with
5 a Residential FLU designation or use through the use of opaque fences, walls or
6 existing or newly planted native vegetation. [Ord. 2018-018]
7 e) Parking spaces shall be provided for every employee in addition to the spaces
8 required for a Single Family. All vehicle parking or storage areas shall utilize
9 improved surfaces such as asphalt, pavement or shell rock. [Ord. 2018-018]
10 2) Home Occupation having Landscape Service shall be exempt from the incompatibility
11 buffer requirements. [Ord. 2018-018]
12
13

14 **Part 5. ULDC Art. 4.B.6.C.13, Use Regulations, Use Classification, Agricultural Uses, Definitions**
15 **and Supplementary Use Standards for Specific Uses (page 100-101 of 200, Supplement 25), is**
16 **hereby amended as follows:**

Reason for amendments: [Zoning]
1. Relocate language to be consistent with the order of Buffer types described in Article 7.
2. Revise the requirements for a Compatibility Buffer to allow for an exemption when the growing area is adjacent to another Bona fide Agricultural use.
3. Delete and revise the language for Incompatibility and Right of Way buffers to allow for an alternative buffer where there is a growing area adjacent to the perimeter of the lot.

17 CHAPTER B USE CLASSIFICATION

18 Section 6 Agricultural Uses

19 C. Definitions and Supplementary Use Standards for Specific Uses

20 13. Nursery, Retail

21 a. Definition

22 The retail sale of horticultural specialties such as flowers, shrubs, sod, trees, mulch and
23 accessory hardscape materials such as decorative stones intended for ornamental or
24 landscaping purposes.

25 b. Frontage

26 Shall front on and access from a Collector or Arterial Street.

27 c. Lot Size

28 A minimum of one acre is required in a residential zoning district.

29 d. Setbacks

30 All structures and outdoor storage areas shall be setback a minimum of 50 feet from the
31 property line. Shade houses shall be subject to the requirements pursuant to Art. 4.B.
32 6.C.17, Shade House.

33 e. Loading

34 All loading and unloading of trucks shall occur on the site.

35 f. Accessory Uses

36 An office is permitted as an accessory use, provided it is not a Mobile Home.

37 g. Landscaping

38 A buffer, pursuant to Article 7, shall be provided along all property lines ~~that are not~~
39 ~~screened by plant material except when the Growing Area is located adjacent to the~~
40 ~~property line of the site, as follows:-~~

41 1) R-O-W and Incompatibility Buffer

42 ~~A Type 3 incompatibility buffer shall be required adjacent to all retail, office, parking,~~
43 ~~loading and other non-growing areas within 50 feet of a property line. The buffer~~
44 ~~requirements may be satisfied by plant material for sale provided that the plant material~~
45 ~~is grown in the ground, ten feet on center, six feet high, and the growing area is at least~~
46 ~~20 feet wide. The width of the buffer may be reduced to ten feet if the buffer contains~~
47 ~~permanent landscaping only and not for sale plant inventory. May be modified when~~
48 ~~the Growing Area is 50 feet or more in width, subject to the provision of Art.~~
49 ~~4.B.6.13.g.3. Alternative Buffer.~~

50 2) Compatibility Buffer

51 ~~A compatibility buffer shall be provided around all growing areas less than 50 feet in~~
52 ~~width. The buffer requirements may be satisfied by plant material for sale provided that~~
53 ~~the plant material is grown in the ground, ten feet on center, six feet high and the~~
54 ~~growing area is a minimum of five feet wide. Is exempt where the growing area is~~
55 ~~adjacent to a parcel of land that has an existing Bona Fide Agriculture use.~~

56 3) R-O-W Buffer Alternative Buffer

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~~A R-O-W buffer shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within 50 feet of a R-O-W. A R-O-W buffer shall be required adjacent to all growing areas unless the growing area is at least 50 feet in width, and contains plant materials providing a six-foot high visual buffer equivalent in opacity to a R-O-W buffer. Existing native vegetation within the R-O-W buffer shall be preserved.~~

a) A six-foot high Landscape Barrier shall be installed within a buffer with a minimum width of ten feet;

b) The Landscape Barrier shall be satisfied by plant material for sale provided that the plant material is grown in the ground, and spaced at least five feet on center. Plants in container may be used in lieu of the in-ground planting. Any removed container plants shall be replaced, and shall be maintained to ensure there is a continuous visual screen being provided at all times.

4) Barbed Wire

The use of barbed wire shall be prohibited.

h. Storage

Mulch, rock, soil, or similar material shall comply with the outdoor storage standards in Art. 5.B, Accessory Uses and Structures. In residential zoning districts, outdoor bulk storage shall be setback a minimum of fifty feet or the zoning district setback, whichever is greater.

i. Site Plan

Relocation of structures on a ZC or BCC approved site plan due to SFWMD or ERM requirements may exceed DRO threshold limitations.

j. Hours of Operation

Operation of commercial vehicles over one ton rated capacity or gross vehicle weight of 10,000 pounds, including load, from 5:00 p.m. to 8:00 a.m. is prohibited.

k. Compatibility

The use shall assure that there is no incompatibility with surrounding land uses. When an incompatibility exists, the property owner shall satisfactorily mitigate the incompatibility prior to receiving Conditional Use or DRO approval.

l. Spraying

No aerial application of any pesticides, fungicides, fertilizers or any other chemical shall be allowed.

Part 6. ULDC Art. 4.B.6.C.14, Use Regulations, Use Classification, Agricultural Uses, Definitions and Supplementary Use Standards for Specific Uses (page 101-102 of 200, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Relocate language to be consistent with the order of Buffer types described in Article 7.
2. Revise the requirements for a Compatibility Buffer to allow for an exemption when the growing area is adjacent to another Bona fide Agricultural use.
3. Delete and revise the language for Incompatibility and Right of Way buffers to allow for an alternative buffer where there is a growing area adjacent to the perimeter of the lot.

CHAPTER B USE CLASSIFICATION

Section 6 Agricultural Uses

C. Definitions and Supplementary Use Standards for Specific Uses

14. Nursery, Wholesale

a. Definition

The wholesale of horticultural specialties such as flowers, shrubs, sod, and trees, mulch and accessory hardscape materials such as decorative stones intended for ornamental or landscaping purposes.

b. Approval Process

Table 4.B.6.C – Residential Districts in the USA

ZAR (1)	Five acres or less.
DRO	More than five but less than 20 acres.
Class B Conditional Use	20 or more acres.
[Ord. 2018-002]	
Notes:	
1.	If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.

Table 4.B.6.C. – AR District in RSA

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Permitted	Ten acres or less.
ZAR (1)	More than ten but less than 40 acres.
DRO	40 or more acres.
[Ord. 2018-002]	
Notes:	
1.	If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.

1
2
3 **1) All Other Districts**
4 Permitted.

5 **c. Tier**

6 In addition to the above standards, a Wholesale Nursery in the U/S Tier shall comply with the following standards:

7 **1) Lot Size**

8 A minimum of one acre.

9 **2) Setbacks**

10 All structures and outdoor storage areas shall be setback a minimum of 50 feet from the property line. Shade houses shall be subject to the requirements pursuant to Art. 4.B.6.C.17, Shade House.

11 **3) Compatibility**

12 The use shall assure that there is no incompatibility with surrounding land uses. When an incompatibility exists, the property owner shall satisfactorily mitigate the incompatibility prior to receiving a DO. **[Ord. 2018-002]**

13 **4) Spraying**

14 No aerial application of any pesticides, fungicides, fertilizers or any other chemical shall be allowed.

15 **d. Zoning District – AR**

16 May be operated in conjunction with a residence.

17 **e. Accessory Use**

- 18 1) A retail nursery may be permitted as an accessory use to a wholesale nursery in the AGR Tier.
- 19 2) An office is permitted as an accessory use, provided it is not a mobile home.

20 **f. Parking and Loading**

21 All parking and loading shall occur on site.

22 **g. Landscaping**

23 A buffer, pursuant to Article 7, shall be provided along all property lines ~~that are not screened by plant material~~ except when the growing area is located adjacent to the property line of the site, as follows:-

24 **1) R-O-W and Incompatibility Buffer**

25 ~~A Type 3 incompatibility buffer shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within 50 feet of a property line. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high, and the growing area is at least 20 feet wide. The width of the buffer may be reduced to ten feet if the buffer contains permanent landscaping only and not for sale plant inventory. May be modified when the Growing Area is 50 feet or more in width, subject to the provision of Art. 4.B.6.14.g.3. Alternative Buffer.~~

26 **2) Compatibility Buffer**

27 ~~A compatibility buffer shall be provided around all growing areas less than 50 feet in width. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high and the growing area is a minimum of five feet wide. Is exempt where the growing area is adjacent to a parcel of land that has an existing Bona Fide Agriculture use.~~

28 **3) R-O-W Buffer Alternative Buffer**

29 ~~A R-O-W buffer shall be required adjacent to all office, parking, loading, internal roads, and other non-growing areas within 50 feet of a R-O-W. A R-O-W buffer shall be required adjacent to all growing areas unless the growing area is at least 50 feet in width and contains plant materials providing a six-foot high visual buffer equivalent in opacity to a R-O-W buffer. Existing native vegetation within the R-O-W buffer shall be preserved.~~

30 ~~a) A six-foot high Landscape Barrier shall be installed within a buffer with a minimum width of ten feet;~~

31 ~~b) The Landscape Barrier shall be satisfied by plant material for sale provided that the plant material is grown in the ground, and spaced at least five feet on center. Plants in container may be used in lieu of the in-ground planting. Any removed~~

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container plants shall be replaced, and shall be maintained to ensure there is a continuous visual screen being provided at all times.

4) Barbed Wire

The use of barbed wire shall be prohibited.

h. Storage

Outdoor bulk storage of mulch, rock, soil or similar material shall comply with the outdoor storage standards contained in Art. 5.B, Accessory Uses and Structures. Outdoor bulk storage in residential zoning districts shall be setback a minimum of 50 feet or the district setback, whichever is greater.

i. Hours of Operation

Operation of commercial vehicles over one ton rated capacity or gross vehicle weight of 10,000 pounds, including load, from 7:00 p.m. to 6:00 a.m. is prohibited.

j. Limitations of Sales

Sales from a wholesale nursery are limited to exporters, distributors, landscape contractors, retailers, or other businesses.

k. Site Plan

Relocation of structures on a ZC or BCC approved site plan due to SFWMD or ERM requirements may exceed the DRO limitations contained in Art. 2.G.4.G, Development Review Officer (DRO).

Part 7. ULDC Art. 5.B.1.A, Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures (page 18-20, of 110, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modify the language to include vehicles and trailers used in the operation of a business is part of outdoor storage for a business, and edit the graphic.
2. Add reference to Article 6 for the type of surface business related vehicles are to be parked on.

CHAPTER B ACCESSORY USES AND STRUCTURES

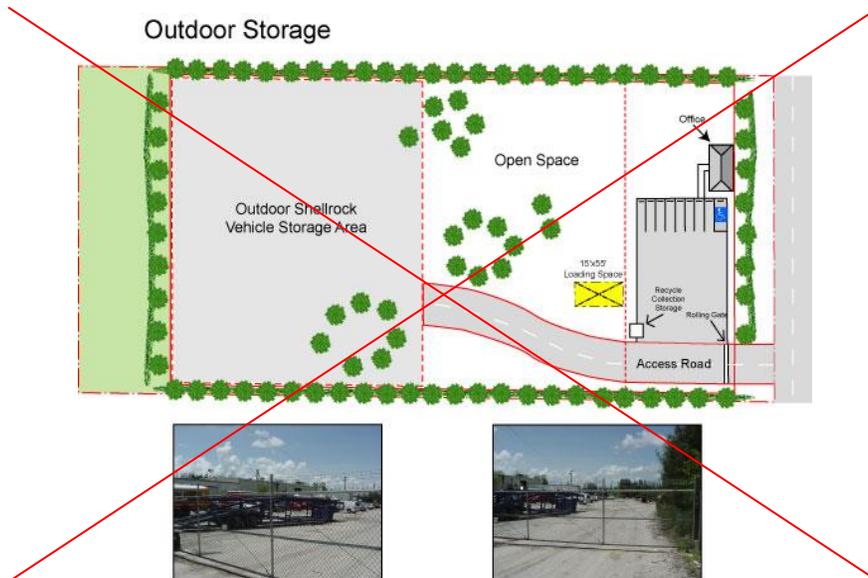
Section 1 Supplementary Regulations

A. Accessory Uses and Structures

3. Outdoor Storage and Activities

Outdoor storage of merchandise, inventory, vehicles and trailers used in operation of a business, equipment, refuse, or similar materials, and outdoor activities associated with a use operation in all zoning districts shall be subject to the following standards, unless stated otherwise: [Ord. 2017-007]

Figure 5.B.1.A - Outdoor Storage



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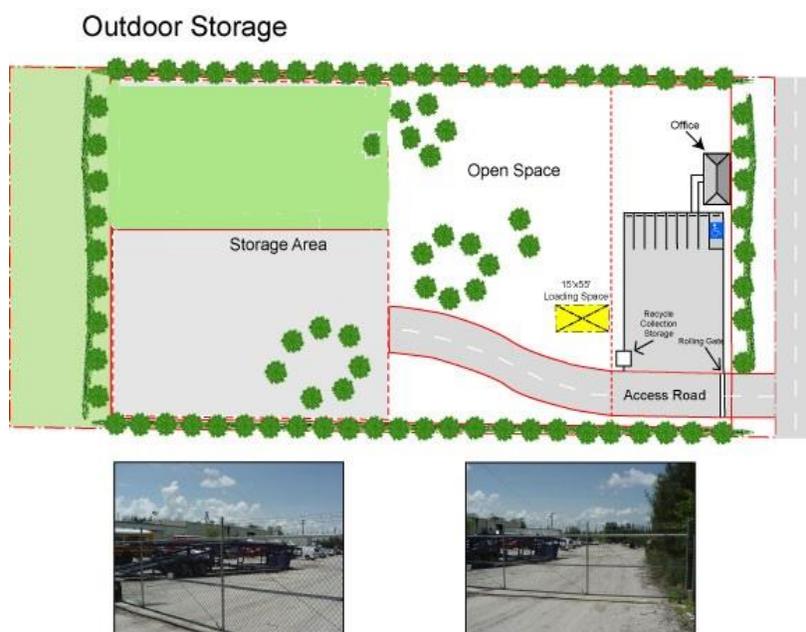
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- a. **General**
Outdoor Storage and Activities may only be allowed when incidental to the use located on the premises. [Ord. 2017-007]
- b. **Location**
Outdoor Storage and Activity areas shall not be located in any of the required setbacks. Bollards or other acceptable barricade to the Zoning Division shall be provided to delineate pile locations. [Ord. 2017-007]
- c. **Height**
Outdoor Storage material shall not exceed 15 feet in height or the height of the screening, whichever is less. The height could be less if required by the F.A.C 62-709, as amended. [Ord. 2017-007]
- d. **Screening**
Outdoor Storage and Activity areas shall be completely screened from all property lines by landscaping, fences, walls, or buildings. [Ord. 2017-007]
- e. **Industrial FLU Designation, Zoning Districts or Uses**
 - 1) Outdoor Storage and Activity areas adjacent to parcels of land with Industrial FLU designation or use and not visible from any street shall be exempted from the screening requirements. [Ord. 2017-007]
 - 2) Outdoor Activity areas in industrial uses shall have a Type 3 incompatibility buffer along property lines adjacent to parcels with a Civic, Conservation, Commercial, Recreational or residential FLU designation, or use, or where visible from a public R-O-W. The incompatibility buffer shall be a minimum of 25 feet in width. [Ord. 2017-007]
 - 3) Outdoor Activities such as chipping, crushing, grinding, manufacturing or processing shall be restricted to uses in the IG Zoning District and Industrial General pod of PIPD unless approved as a Class A Conditional Use. [Ord. 2017-007]
- f. **Exceptions**
The following uses or material are exempt from this Section:
 - 1) Storage and sales of landscape plant material.
 - 2) Temporary storage of material used for road construction on a lot directly adjacent to the roadway under construction. [Ord. 2017-007]
- g. **Parking/Storage**
The parking and storage of vehicles and trailers, used in operation of a business, shall be on an improved surface as described in Article 6.A.1.D.14.B.3) Paving and Drainage or 4), Maintenance.

Part 8. ULDC Art. 6.A.1 Parking, Parking, General, Applicability, Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements (page 5 of 40, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modification of the parking to ensure parking is provided for office consistent with changes in ORD 2019-05, and to ensure parking is provided for employees. Modifying the calculation of use parking as the currently requirement does not cover the amount used by employees. There is no standards

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Reason for amendments: [Zoning]
for parking calculations for this use in the ITE standards book. Utilizing the size of the outdoor storage area to have a calucations for employee parking. Calcuation based on per 1000 sq.ft. Larger the area more business related vehicles can be parked. Business vehicles can have 3-6 employees. Industry states that employees come to the site 3:1 or 4:1 ratio, employees in 1 employee car.
2. Deleting and relocating language relating to nursery parking lot materials exceptions to Article 6.A.B.1.14.

1 **CHAPTER A PARKING**

2 **Section 1 General**

3 **B. Applicability**

Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements - Cont'd

	Parking	Loading (1)
Use Classification: Commercial		
....		
Landscape Service	<u>1 space per 250 sq. ft. of office; 4 space per 500 sq. ft.; plus 1 space per 1,000 2,500</u> sq. ft. of outdoor storage area <u>for employee parking</u>	A
[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005]		
Loading Key:		
Standard "A"	One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.	
Standard "B"	One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.	
Standard "C"	One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.	
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.	
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.	

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7 **3. Use of Required Off-Street Parking**

8 Off-street parking spaces shall be provided for the use of residents, customers, patrons and
9 employees. Required parking spaces shall not be used for the storage, sale or display of goods
10 or materials or for the sale, repair, or servicing of vehicles. All vehicles parked within off-street
11 parking areas shall be registered and capable of moving under their own power. Required off-
12 street parking spaces shall be free from building encroachments.

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

	Parking	Loading (1)
....		
[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005]		
Loading Standard Key:		
Standard "A"	One space for the first 5,000 square feet of GFA, plus one space for each additional 30,000 square feet of GFA.	
Standard "B"	One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000 square feet of GFA.	
Standard "C"	One space for the first 10,000 square feet of GFA, plus one space for each additional 100,000 square feet of GFA.	
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.	
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.	
(1)	A Special Event shall provide on-site parking unless off-site parking is approved.	
Notes:		
1.	In addition to the parking requirements of Table 6.B.1.B, Minimum Off-Street Parking and Loading Requirements, uses with company vehicles shall provide 1 space per company vehicle.	
2.	Government services may request alternative calculation methods for off-street parking pursuant to Art. 6.A.1.D.1.h, Government Services and Government Facilities. [Ord. 2019-005]	
3.	Nurseries requiring fewer than 20 parking spaces may construct surface parking lots with shellrock or other similar materials subject to, or grassed subject to Art. 6.A.1.D.12, Grass Parking, except for the required handicapped parking space(s).	
4.	Nurseries requiring 20 or more parking spaces may construct surface parking lots with 50 percent of the required spaces as shellrock or other similar materials subject to Art. 6.A.1.D.14.b.4.a, Shellrock, or grassed subject to Art. 6.A.1.D.12, Grass Parking. [Ord. 2007-010] [Relocated to 6.A.1.D.14, Design and Construction]	
5.	Nonprofit Assembly Institutional uses in the Redevelopment and Revitalization Overlay may calculate parking at a rate of one space per employee.	
6.	Limited access Self Service Storage facilities must provide a minimum of two off-street loading spaces at each entry into the building, excluding office access not utilized by customers for accessing storage units. [Ord. 2005-041] [Ord. 2017-007]	
7.	Golf cart parking may be used pursuant to Art. 6.A.1.D.7, Golf Cart Parking [Ord. 2007-001] [Ord. 2013-001]	

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EXHIBIT G

ARTICLE 4 LANDSCAPE SERVICES-

CR-2017-007
(Updated 05/10/2019)

8.	The loading zone may be waived for a Type 2 or 3 Commercial Kennel operated as an accessory use to general retail sales. [Ord. 2006-036]
9.	Each walk-up Freestanding ATM shall require a minimum of one (1) parking space for persons with disabilities. [Ord. 2013-021]
10.	Parking may not be required for a Community Vegetable Garden subject to submittal of parking demand study and approval of a Type 1 Waiver. [Ord. 2015-031]
11.	Freestanding Unmanned Retail Structures shall require a minimum of one (1) parking space for persons with disabilities.
12.	A Type 3 CLF with more than 20 beds or a Nursing Home or Convalescent Facility with more than 20 beds shall provide at least one loading space per building unless approved as a Type 1 Waiver. [Ord. 2017-025]

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2
3 **Part 9. ULDC Art. 6.A.1.D.14.b.3.), Supplementary Standards, Accessory Uses and Structures,**
4 **Supplementary Regulations, Accessory Uses and Structures (page 18-20, of 110, Supplement 24),**
5 **is hereby amended as follows:**

Reason for amendments: [Zoning]
1. Modifying the authority from County Engineer to the DRO, on the approval of shellrock parking spaces, because Land Development does not review the materials for parking lots.
2. Add allowance for Landscape Service collocated with a nursery to use shell rock for required parking.
3. Add relocated language from Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements, which allows parking for nurseries to be shell rock as a footnote, to the location that describes uses that can have shellrock parking.
4. Add an allowance for shellrock for outdoor storage of vehicles for the operation of the business.

6 CHAPTER A PARKING

7 Section 1 General

8 B. Applicability

9 14. Design and Construction Standards

10 b. Construction

11 ...

12 3) Paving and Drainage

13 a) Review and Approval by County Engineer

14 The drainage design for all parking areas shall be reviewed and approved by the
15 County Engineer pursuant to Art. 11, Subdivision, Platting, and Required
16 Improvements, prior to the issue of a development permit.

17 b) Materials

18 Unless otherwise provided in this Article, all parking lots shall be improved with
19 either: (a) a minimum of a six inch shellrock or limerock base with a one inch
20 hotplant mix asphaltic concrete surface; or (b) a base and surface material of
21 equivalent durability, as certified by an engineer.

22 c) Impervious Surface

23 All surface parking areas, grassed or otherwise, shall be considered an impervious
24 paved surface for the purpose of determining tertiary drainage system flow
25 capacity and secondary stormwater management system runoff treatment/control
26 requirements.

27 d) Runoff

28 Runoff from vehicular use areas shall be controlled and treated in accordance with
29 all applicable agency standards in effect at the time an application is submitted.

30 4) Maintenance

31 All parking lots shall be maintained in good condition to prevent any hazards, such as
32 cracked asphalt or potholes.

33 a) Shell Rock

34 The uses listed below may construct surface parking lots with shellrock or similar
35 material approved by the ~~County Engineer~~ DRO, *except for the required*
36 *handicapped parking space(s)*. Parking areas connected to a public street, shall
37 be paved.

38 (1) Agricultural uses requiring less than 20 spaces.

39 (2) Communication towers.

40 (3) Accessory uses to a bona fide agricultural use, such as farm workers quarters.

41 (4) Wholesale Nursery, Retail Nursery, Nurseries or Landscape Service
42 Collocated with a Nursery requiring less than 20 parking spaces, and the
43 Outdoor storage area of vehicles for the operation of the business.

44 (a) Wholesale Nursery, Retail Nursery, or Landscape Service Collocatedd
45 with a Nursery requiring 20 or more parking spaces may construct surface
46 parking lots with 50 percent of the required spaces as shellrock or other
47 similar materials subject to Art. 6.A.1.D.14.b.4.a, Shellrock, or grassed
48

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subject to Art. 6.A.1.D.12, Grass Parking. [Ord. 2007-010]. [Relocated from Art. 6.A.1. Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements]

- (5) Driveways in the RSA serving residential uses on unpaved roads.
- (6) Uses in the C-51 Catch Basin when approved by the DRO.

b) Wheelstops and Curbing

Wheel stops or continuous curbing shall be placed two and one half feet back from walls, poles, structures, pedestrian walkways and landscaped areas.

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