AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, TO ESTABLISH THE WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO), TO ALLOW FOR THE INDIAN TRAILS GROVE PLANNED UNIT DEVELOPMENT (PUD), AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS: ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PODs); PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, as amended from time to time; and

WHEREAS, the BCC has determined that the proposed amendments further a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. Adoption
The amendments set forth in Exhibit A listed below, attached hereto and made a part hereof, are hereby adopted.

Section 2. Interpretation of Captions
All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on interpretation.

Section 3. Repeal of Laws in Conflict
All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.
Section 4. Severability

If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item contained in this Ordinance is for any reason held by the Court to be unconstitutional, inoperable, void, or otherwise invalid, such holding shall not affect the remainder of this Ordinance.

Section 5. Savings Clause

All development orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the Board of County Commissioners, the Zoning Commission, the Development Review Officer, Enforcement Boards, all other County decision-making and advisory boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and procedures established prior to the effective date of this Ordinance shall remain in full force and effect.

Section 6. Inclusion in the Unified Land Development Code

The provisions of this Ordinance shall be codified in the Unified Land Development Code and may be reorganized, renumbered or re-lettered to effectuate the codification of this Ordinance.

Section 7. Providing for an Effective Date

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 23rd day of March, 2017.

SHARON R. BOCK, CLERK & COMPTROLLER

PAUL BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By: Paulette Burdiok, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 28th day of March, 2017
EXHIBIT A
WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO)
SUMMARY OF AMENDMENTS

ARTICLE 1, GENERAL PROVISIONS

Part 1. ULDC Art. 1.1.3, Abbreviations and Acronyms (page 119 of 119), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 3 Abbreviations and Acronyms

| WCR | Western Communities Residential |
| WCRO | Western Communities Residential Overlay |

Part 2. ULDC Art. 3.A.1.B.1, Overlays (page 15 of 232), is hereby amended as follows:

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER A GENERAL

Section 1 Districts

B. Overlays and Zoning Districts

1. Overlays

AGEO, Agricultural Enclave Overlay [Ord. 2011-016]
AZO, Airport Zone Overlay
COZ, Conditional Overlay Zone
GAO, Glades Area Overlay
IOZ, Indiantown Road Overlay
IRO, Infill Redevelopment Overlay [Ord. 2011-018]
LOSTO, Lake Okeechobee Scenic Trail Overlay
NEOZ, Northlake Boulevard Overlay Zone
NEO, Native Ecosystem Overlay
PBIAO, Palm Beach International Airport Overlay
RTO, Research and Technology Overlay
SCGFCO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay [Ord. 2004-040]
SR-80, Non-residential Overlay
TAPO, Turnpike Aquifer Protection Overlay
UARAO, Urban Redevelopment Area Overlay [Ord. 2011-018]
WCRAO, Westgate Community Redevelopment Agency Overlay
BRPO, Biocience Research Protection Overlay [Ord. 2016-042]
LCSO, Lion Country Safari Overlay [Ord. 2016-042]
WCRO, Western Communities Residential Overlay

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EXHIBIT A

WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO)
SUMMARY OF AMENDMENTS

Part 3. ULDC Table 3.A.3.C, FLU Designation and Corresponding Planned Development Districts (page 18 of 232), is hereby amended as follows:

<table>
<thead>
<tr>
<th>Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGR (2)</td>
</tr>
<tr>
<td>PUD</td>
</tr>
<tr>
<td>MHPD</td>
</tr>
<tr>
<td>MUPD</td>
</tr>
<tr>
<td>MIPD</td>
</tr>
<tr>
<td>RDC</td>
</tr>
</tbody>
</table>

Notes:
1. Check (✓) indicates the PDD corresponds to the FLU designations. Any application for a rezoning to a PDD shall be to a PDD that corresponds to a FLU designation. [Ord. 2008-037]
2. PDDs in the AGR Tier are limited to the 80/20 PUD or 60/40 PUD. [Ord. 2008-046]
3. MRPD shall be permitted when located at an intersection, as defined by the Plan, or when adjacent to a parcel with a CH FLU designation. [Ord. 2010-022]

Part 4. ULDC Art. 3.B, Overlays (118 of 232), is hereby amended as follows:

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER B OVERLAYS

Section 21 Western Communities Residential Overlay (WCRO)

A. General
See ULDC Art. 3.E.2.H, WCR PUD.

Part 5. New ULDC Art. 3.E.2.H, Western Communities Residential Development Overlay (WCRDO) PUD, is hereby adopted as follows:

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2 Planned Unit Development (PUD)

H. WCR PUD

1. Purpose and Intent
To enable the appropriate transition between rural, suburban, and other uses including existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through additional non-residential uses, and residential support for other nonresidential projects. This is accomplished through use of the Planned Unit Development (PUD) Zoning District, a site-specific WCR FLU amendment Conceptual Plan, hereafter referred to as “FLUA Conceptual Plan”, and the following additional standards.

2. Applicability
The provisions of the WCRO shall apply properties within a Planning Conceptual Plan for a WCR FLU designation.

3. Development Review Procedures
Any application for a Development Order shall be consistent with the FLUA Conceptual Plan.

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WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO)

SUMMARY OF AMENDMENTS

1. Rezoning
All land areas included within the FLUA Conceptual Plan shall be rezoned to a single PUD.

2. FLUA Conceptual Plan Interpretation
Any interpretation of the FLUA Conceptual Plan shall be made by the Planning Director, or by the Zoning Director in consultation with the Planning Director.

3. Commercial Pod(s) – BCC Preliminary Site Plan Approval
The BCC shall approve a Preliminary Site Plan for each Commercial Pod within a WCR PUD, with Commercial Pods developed in accordance with the standards for a Traditional Marketplace Development (TMD).

4. Planned Unit Development (PUD) Exceptions

a. Contiguity
For the purposes of contiguity, any land area included within the FLUA Conceptual Plan, shall be considered contiguous in accordance with FLUE Policy 1.12-g.

b. Minimum Acreage
As indicated on the FLUA Conceptual Plan.

c. PUD Land Use Mix
The following deviations shall be permitted from Table 3.E.2.C, PUD Land Mix, where specified otherwise on the FLUA Conceptual Plan.

1) Minimum Residential
The minimum required residential may be increased.

2) Maximum Commercial
The maximum required commercial may be increased.

3) Open Space
Minimum or maximum required open space area shall be in accordance with the FLUA Conceptual Plan.

d. TMD Requirements for Commercial Pods
Commercial Pods shall be located in accordance with the FLUA Conceptual Plan, developed in accordance with the standards for a TMD as specified in Art. 3.F, Traditional Development Districts, and exempt from the PUD Commercial Pod requirements for Use Regulations, Location, Design, and PDRs.

e. Standards for Open Space
The following exceptions to Landscape Buffer requirements may be allowed:

1) Rural Parkways
Landscape Buffers shall not be required adjacent to Rural Parkways approved as part of the FLUA Conceptual Plan. The Planning Division shall establish Conditions of Approval on the Rezoning for all planting and pathway requirements.

2) Contiguous Open Space
Landscape Buffers shall not be required around the boundary of the required large contiguous Open Space land area (33.33% of the overall site) approved on the FLUA Conceptual Plan.

3) Optional Agriculture Use Compatibility Buffer
Landscape Buffers required between Residential and Agricultural uses located within a WCR PUD, shall only be required to be a minimum five-foot wide Compatibility Buffer, provided the residential lots and Agricultural use(s) are separated by a minimum of 50 feet of dedicated open space.

4) Section Line Easements within the WCRP
Within the WCRP, WCR PUDs may be encumbered by ingress, egress, maintenance, drainage and irrigation easements. Collectively, when specified in the Development Order for a WCR PUD Rezoning, these easements are hereinafter referred to as "Section Line Easements." The following may apply to Section Line Easements, which are encumbered by any other easements, including those designated to Palm Beach County, the Indian Trail Improvement District, a POA, or other similar:

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WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO)
SUMMARY OF AMENDMENTS

(a) When road right of way dedication to Palm Beach County is required, Palm Beach
County will accept these rights of way encumbered with only ingress, egress,
irrigation, maintenance, and drainage easements, provided the dedicator/grantor,
on behalf of itself and its successors and assigns, agrees to rectify to the
reasonable satisfaction of the County Engineer any impacts resulting from later
construction of improvements within such right of way which are made by
easement beneficiaries done without the consent of the County that materially and
adversely impact the use or functionality of then existing or future County
improvements within the right of way. Other types of easements shall be released
prior to dedication of rights of way to Palm Beach County. The limit of the right of
way conveyance shall establish the WCR PUD Base Building Line.

(c) Overlap or encroachment of Landscape Buffer Easements or Tracts shall be
prohibited in the Section Line Easements;

(e) A minimum five foot wide Compatibility Buffer may be allowed in lieu of a R-O-W
Buffer, where adjacent to a Section Line Easement for ingress or egress, subject
to the following:
(1) The Section Line Easement is not used for ingress or egress purposes, and

(2) There is a minimum 50 foot wide dedicated open space between the
development area and adjacent uses.

(3) Adjacent uses within the development area of the WCR PUD are designated
for agriculture, water management, residential or conservation uses, or
external parcels support residential, agricultural or conservation uses, or have
a residential or conservation FLU designation.

(d) Required Landscape Buffer material may be relocated into the Section Line
Easements;

(e) Improvements such as, but not limited to landscaping, undulating berms,
pedestrian pathways, equestrian trails, signage, drainage, utilities, and irrigation
may be allowed within Section Line Easements; and

(f) The WCR PUD property line shall establish the Base Building Line.

5. Traditional Marketplace Development (TMD) Exceptions

a. Minimum Square Footage
As designated on the FLUA Conceptual Plan

b. Permitted Locations
As designated on the FLUA Conceptual Plan

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