



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

MONDAY, APRIL 11, 2016 AGENDA
2300 NORTH JOG ROAD
1ST FLOOR HEARING ROOM (VC-1W-47)
2:00 P.M. – 4:00 P.M.

A. CALL TO ORDER

1. Introductions
2. Additions, Substitutions, and Deletions
3. Motion to Adopt Agenda
4. Adoption of November 9, 2015 Meeting Summary - Public and Civic Uses (Exhibit A)

B. SUBCOMMITTEE RULES AND PROCEDURES

C. PROJECT OVERVIEW

D. TRANSPORTATION USES

1. Article 4, Use Regulations - Summary of Amendments (Exhibit B)
2. Discussion

E. STAFF COMMENTS

1. Commercial Communication Towers
2. Commercial Uses
3. Temporary Uses
4. Agricultural Uses
5. Other

F. ADJOURN

EXHIBIT A
PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
USE REGULATIONS PROJECT SUBCOMMITTEE
- PUBLIC AND CIVIC USES -
NOVEMBER 9, 2015 MEETING SUMMARY
Prepared by Scott Rodriguez, Site Planner II

On Monday, November 9, 2015, the Use Regulations Project Subcommittee held a meeting at the Vista Center, Room VC-1E-47 Conference Room at 2300 North Jog Road, West Palm Beach, Florida.

A. CALL TO ORDER

The meeting commenced at 2:05 p.m. and Mr. Jim Knight, Subcommittee Chair called the meeting to order.

1. Introductions

LDRAB Subcommittee Members: Jim Knight and Lori Vinikoor.

Interested Parties: None.

County Staff: County Attorney: Leonard Berger; Facilities Development and Operation (FDO): Eric McClellan; Parks and Recreation: Jean Matthews and Edwin Muller; Planning Division: Erin Fitzhugh-Sita; Zoning Division: Maryann Kwok, William Cross, Scott Rodriguez, and Monica Cantor.

2. Additions, Substitutions and Deletions

None.

3. Motion to Adopt Agenda

Motion to adopt agenda by Mr. Knight, seconded by Ms. Vinikoor (2 - 0).

4. Adoption of June 11, 2015 Meeting Summary (Exhibit A)

Ms. Vinikoor asked staff to clarify which Zoning district was discussed related to the Chipping and Mulching and Composting Facility uses. Staff clarified that the meeting summary needs to be corrected to reflect that AP means Agriculture Production Zoning district instead of Agriculture Preserve. Motion to adopt June 11, 2015 Meeting Summary by Ms. Vinikoor, seconded by Mr. Knight (2 - 0).

B. SUBCOMMITTEE RULES AND PROCEDURES

Mr. Knight recommended staff consider a simplified version of the presentation due to the limited number of participants. Staff agreed to present key points and solicit feedback page-by-page.

C. PROJECT OVERVIEW

Ms. Cantor presented a general overview of the Use Regulations Project including the timeline.

D. PUBLIC AND CIVIC USES

1. Article 4, Use Regulations (Exhibit B) and Discussion

Ms. Cantor and Mr. Rodriguez presented all Public and Civic Uses and clarified that Airports, Helipad and Landing Strip will be relocated to Transportation Uses; Day Camp will be relocated to Temporary Uses; and Crematory and Funeral Home were added to this classification from Commercial uses. Staff explained and discussed the uses as follows:

Animal Shelter

- No issues discussed.

Cemetery

- Pet Cemetery will be permitted as an accessory use to any Cemetery for human interment as long as the area provided for the Pet Cemetery is above the minimum acreage required for the Cemetery for humans.

College or University

- Options were provided to make the use approval subject to Administrative Review instead of Public Hearing when limited to 30,000 sf, when separated at least 150 feet from residential and located on Arterial or Collector streets.
- Dormitories to be allowed as part of the use as long as they are owned and operated by the College or University, otherwise they will be considered residential subject to density and residential regulations. Discussion included tentative consideration for dormitories to be counted towards the total building square footage. Staff to revisit this topic along with commercial uses.

Crematory

- On a question related to smoke associated with the crematory use, staff clarified that the Health Department addresses this issue.

Day Care

- The use was reorganized by intensity based on number of adults or children in the facility.
- Large Family Child Care Home (LFCCH) use approval was relocated to the Use Matrix from supplemental standards.
- Discussion took place on the LFCCH minimum two-year operation and licensing requirement. Staff clarified this provision is determined by State Statutes and the facility must operate as Family Day Care Home prior to operating as LFCCH.
- Relocate Family Day Care Home to Accessory Residential Use Standards as it is an accessory use to some residential uses.

Funeral Home

- No issues discussed.

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**PALM BEACH COUNTY
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Government Services

- Homeless Resource Center (HRC) reference in the Government Services use definition will be deleted and addressed under existing provisions for HRC use.
- The Use Matrix to indicate Class A Conditional Use approval process to reflect the most restrictive approval for Jails and Correctional Facilities in the Public Ownership (PO) and Institutional and Public Facilities (IPF) Zoning Districts as currently exists in the use regulations. The supplementary standards will clarify that other Government Services uses will be Permitted by Right in the PO district and will be Development Review Office (DRO) approval in the IPF as identified in.
- FDO requested consideration of the use to be Permitted by Right in all zoning districts to eliminate duplicative BCC review for funding of the use and rezoning. Staff clarified that the regulations are also applicable to other government entities coming into the unincorporated County areas. Staff to revisit the approval Commercial and Residential standard zoning districts and present changes to the Land Development Regulation Advisory Board (LDRAB). Planning staff noted that Infill Redevelopment Overlay (IRO) and Urban Redevelopment Area Overlay (URAO) are Form Base Code and to change the DRO approval in those overlays will require further Planning staff discussion which will be done prior LDRAB.

Homeless Resource Center

- Staff explained rationale for separating HRC from Government Service is to treat private and public facilities equally. Facilities inquired about the approval missing in the PO Zoning District, as a result, staff noted that the Use Matrix will reflect Class A Conditional Use approval in PO and IPF Zoning Districts. Staff responded to Facilities that the PO Deviations would apply to development supporting government facilities in the PO Zoning District.

Hospital

- Discussion and clarification on the difference between Hospitals and other emergency related services on hours of service and location. Staff clarified that these differences will be reviewed during the analysis of the Commercial Use Classification.

Nonprofit Institutional Assembly

- Clarification was provided on the use approval from Permitted by Right to Special Permit (SP) approval process particularly located in the Redevelopment and Revitalization and Infill Overlay (RRIO) when less than 3,000 square feet. Staff responded that the change was necessary to be consistent with modifications in the approval process for Place of Worship, where Federal laws require the use to be treated equally or less restrictive than other places of assembly.

Nonprofit Membership Assembly

- No issues discussed.

Place of Worship

- Approval process to be changed from Class A Conditional Use to SP per County Attorney's office recommendation. It was noted that SP would assist tracking of uses. Staff noted new standards related to the allowable size of the use and location by type of street to address locations in residential.

School, Elementary or Secondary

- Staff revised Charter Schools to be considered Public Schools for compliance with State Statutes and the applicability of Public School provisions to Charter Schools.

Nursing Home

- In addition to the Public and Civic Uses mentioned, staff clarified that Nursing Home was relocated from the Residential Use Classification. No comments to the changes proposed.

Motion by Ms. Vinikoor to move staff's recommendations to LDRAB with the tentative changes discussed during the Subcommittee meeting. Mr. Knight seconded the motion (2 - 0).

E. STAFF COMMENTS

1. Transportation Uses

Ms. Cantor advised that staff is currently reviewing the amendments to uses in this classification and is expecting to present the proposed changes to the Subcommittee at the beginning of 2016.

2. Commercial Uses

Mr. Knight and Ms. Vinikoor agree to discuss any issues identified by staff on Commercial uses that need additional discussion prior to the amendments presentation.

3. Temporary Uses

Ms. Cantor clarified this use classification will be presented concurrently with Commercial Uses.

4. Agricultural Uses

Ms. Cantor stated that staff has not looked in detail any of the Agricultural Uses. Ms. Vinikoor questioned status of Plan amendments related to the Agricultural Reserve (AGR) Tier and she was referred to contact Planning staff.

F. ADJOURN

The meeting adjourned at 3:55 p.m.

EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/4/16)

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2 **Part 2. New ULDC Art. 4.B.8, Transportation Uses, is hereby established as follows:**

3 **CHAPTER B USE CLASSIFICATION**

4 **Section 4.B.8 Transportation Uses**

Reason for amendments: [Zoning] Transportation Uses is a newly proposed Use Classification. The new classification will include uses relocated from other Use Classifications, such as Airport, Heliport (formerly known as Helipad), Landing Strip, Seaplane Facility and Transportation Facility.

Air Transportation Related Uses

Regulations related to air transportation uses are addressed in the ULDC, under Article 3 through the Airport Overlay Zone (AZO) and Palm Beach International Airport Overlay (PBAO), Article 4, for private airports, helipads and landing strips, and Article 16, Airport Regulations for uses surrounding publicly owned airports within Palm Beach County. The proposed amendment will focus on private air transportation uses only.

Airport, helipad and landing strip were relocated from the Public and Civic Use Classification, while Seaplane Facility was relocated from Article 5, Supplementary Standards to be consolidated under the Transportation Use Classification. Since 2003 (Ord. 2003-067), Airport, Landing Strip and Helipad definition and Supplemental Use Standards have been consolidated but shown approval as three separate uses in the Use Matrix. The amendment will separate and address the uses individually in the Supplemental Use Standards consistent with the Use Matrix as further specified below. The amendment will also clarify where and how Helipad, Landing Strip and Seaplane Facility are considered accessory uses.

Transportation Facility

A new use Transportation Facility was added as a result of the analysis made to the existing Transportation Facility use under the Industrial Use Classification review. Since 1992, Transportation Facility has regulated the movement of people and goods in certain zoning districts in the ULDC. During the Industrial Use Classification review in 2013, staff separated Transportation Facility into two uses: Transportation Facility and Distribution Facility. The separation clarified the distinction between the movement of people and goods. Research and analysis concluded that the movement of people and goods is not similar in terms of overall operation and impact. The movement of people is consistent with transportation uses (bus stops, train station) while goods are consistent with an industrial use (railroad depots, truck terminals). As a result, Distribution Facility has been established as an Industrial use.

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6 **A. Transportation Use Matrix**

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8 **Use Matrix has been provided as a separate handout for ease of use.**

Reason for amendments: [Zoning] The following section will address General Transportation standards related to Private airports, Heliports, Landing Strips and Seaplane Facilities which will be subject to separate local, state and federal regulations. Public airports and collocated uses continue regulated by the applicable overlays in Article 3 and the airport regulations in Article 16. Standards were relocated from Airport to this general section as they mostly apply to air transportation, uses. The relocation of the language clarifies the following:

- Setback requirements related to landing area, navigation aid or structure;
- Increasing structure height would not require increase in setbacks if preempted by State or Federal regulation;
- Hangars may be allowed as principal structures related to airports only. Hangars, as accessory structures, are prohibited in the front yard for Heliports, Landing Strips and Seaplane Facilities. The relocation also addresses lot size limitations for hangars, accessory to Agriculturally Classified uses, as established by State Statutes; and,
- Additional Federal (Federal Aviation Administration - FAA) and State regulations (Florida Department of Transportation - FDOT) may apply to private Airports, Heliports, Landing Strips and Seaplane Facilities. Florida Statutes prohibit counties from requiring the applicant to obtain any State or Federal permit unless said permit has already been denied.

9 **B. General Transportation Standards**

10 *All private Airports, Heliports, Landing Strips and Seaplane Facilities not owned and operated by*
11 *the State of Florida, PBC, or a hospital shall comply with the following standards: [Relocated*
12 *from Art. 4.B.8.C.1. Airport, below]*

13 **1. Setbacks**

14 *a. No structure or navigation aid shall be located within 50 feet of any property line.*
15 *[Relocated from Art. 4.B.8.C.1.h, Setback, below]*

16 *b. There shall be a 100-foot setback between the edge of the landing area, as defined by*
17 *the FDOT, and the property line. [Relocated from Art. 4.B.8.C.1.h, Setback, below]*

18 **2. Structure Height**

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/4/16)

A variance shall not be required for a structure to exceed the height limit for the district in which the use is located, if the additional height is required by Federal law or F.S. [Relocated from Art. 4.B.8.C.1.i, Building Height, below]

3. Hangars

Storage buildings for aircraft shall be allowed as principal structures. Hangars accessory to an Agriculturally Classified Use as established by State Statutes shall be located on parcels containing a minimum of 20 acres [Relocated from Art. 4.B.8.C.1.g, Hangars, below]

4. FAA and FDOT Requirements

Applications for DRO and Class A Conditional Use approvals as related to FAA and FDOT requirements shall be in accordance with F.S. 125.022 (4), Development Permits.

C. Definitions and Supplementary Use Standards for Specific Uses

1. Airport, ~~Landing Strip or Helipad~~

HISTORY: The Airport use definition and Supplementary Standards were first referenced in the 1957 Land Use Code as an Airplane Landing Field and in the 1973 Code as Airports, Landing Strips and Heliports with use specific supplemental standards. The definition and supplemental standards were amended by the 1992 Code rewrite (Ord. 1992-020), 1993-004, 1995-008, 1999-037, 2000-015, 2001-001, 2001-029, 2001-062, 2001-100, 2003 Code rewrite (Ord. 2003-067), 2005-002, 2006-036, 2009-040, 2010-005, and 2013-018.

Reason for amendments: [Zoning] Revise the definition:

- To relocate "All private airports, landing strips, and helipads not owned and operated by the State of Florida, PBC, or a hospital shall comply with the following standards" to the new General Transportation Uses standard. General standards are established to consolidate regulations for air transportation uses into one location.
- To clarify that a standalone use such as landing strip or heliport shall not be deemed an airport.

a. Definition

Any public or privately owned or operated facility designed to accommodate landing or take-off operations of aircraft. ~~All private airports, landing strips, and helipads not owned and operated by the State of Florida, PBC, or a hospital shall comply with the following standards:~~ [Relocated to Art. 4.B.8.B, General Transportation Standards, above]

Reason for amendments: [Zoning] Partially relocate the Accessory Landing Strip standard. The Use will be defined and the language will be relocated and clarified in its own section. The purpose is to ensure that Landing Strip is not misunderstood to be an Airport.

a. Accessory Landing Strip

~~Defined as any private ground facility designed to accommodate landing and take-off operations of aircraft used by individual property owners, farm operators, or commercial operations.~~ [Partially relocated to Art. 4.B.8.C.3, Landing Strip, below]

Reason for amendments: [Zoning] Partially relocate the Agricultural Reserve (AGR) and Agricultural Residential (AR) reference. A new Supplementary Standard will be established to address accessory Heliports and Landing Strips to Agriculturally Classified Uses as established by State Statutes in certain zoning districts.

b. AGR and AR Tiers

~~Only landing strips, hangars and helipads accessory to a bona fide agricultural use shall be permitted.~~ [Partially relocated to Art. 4.B.8.C.2 Heliport, Art. 4.B.8.C.3 Landing Strip below, and Art. 4.B.8.B, General Transportation Standards, above]

Reason for amendments: [Zoning] Delete provision related to location of the use in the Rural Residential (RR) Future Land Use (FLU) designation associated with the Commercial Recreation (CRE) Zoning District as this zoning district is not consistent with that FLU designation.

c. CRE District

~~An airport, landing strip, or helipad shall not be located in an RR FLU designation.~~

Reason for amendments: [Zoning]

- Delete the FAA and FDOT requirements for Airspace Analysis and Landing Area. Additional State and Federal regulations will apply for private Airports, Heliports, Landing Strips and Seaplane Facilities. Florida Statutes prohibit counties from requiring the applicant to obtain any State or Federal permit unless said permit has already been denied.
- Relocate the following supplemental standards to the General Transportation Standards:
 - Lot Size related to accessory hangars; and,

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/4/16)

- Hangars, Setback and Building Height.

General Transportation standards will address common regulations for air transportation uses.

d. Airspace Analysis

~~A helipad shall demonstrate that the FAA has conducted an airspace analysis and a preliminary Airport License Report has been prepared by the FDOT. Any alteration in ground facilities, or the addition of navigation aids designed to facilitate an instrument approach capability, shall require a new application if the original approval was granted for Visual Flying Rules (VFR).~~

e. Landing Area

~~Private airports, landing strips, and helipads shall comply with the minimum dimensions required by FDOT. Helipads shall comply with Heliport Design Guide as required by the FAA.~~

Reason for amendments: [Zoning] Lot Size - relocate and consolidate reference to accessory Helipads with the Heliport standards below. Same principle is applied to accessory Landing Strip.

f. Lot Size

~~Helipads accessory to a farm residence shall be located on parcels containing a minimum of ten acres. Landing strips and hangars accessory to agricultural uses shall be located on parcels containing a minimum of 20 acres.~~ [Partially relocated to Art. 4.B.8.C.2 Heliport, Art. 4.B.8.C.3 Landing Strip below, below and Art. 4.B.8.B, General Transportation Standards, above]

g. Hangars

~~Storage buildings for aircraft shall be allowed as principal structures.~~ [Relocated to Art. 4.B.8.B, General Transportation Standards, above]

h. Setback

~~No structure or navigation aid shall be located within 50 feet of any property line. In addition, there shall be a 100-foot setback between the edge of the landing area, as defined by the FDOT, and the property line.~~ [Relocated to Art. 4.B.8.B, General Transportation Standards, above]

i. Building Height

~~A variance shall not be required for a structure to exceed the height limit for the district in which the use is located, if the additional height is required by Federal law or F.S.~~ [Partially relocated to Art. 4.B.8.B, General Transportation Standards, above]

Reason for amendments in the Matrix: [Zoning] No change to the approval process is being proposed.

2. Heliport

HISTORY: The Helipad and Landing Strip use definition and supplemental standards were first referenced in the 1992 Code rewrite (Ord. 1992-020). The definition and supplemental standards were amended by Ord. 1993-004, 1995-008, 1999-037, 2000-015, 2001-001, 2001-029, 2001-062, 2001-100, 2003 Code rewrite (Ord. 2003-067), 2005-002, 2006-036, 2009-040, 2010-005, and 2013-018.

The amendment will rename and separate the uses in the Supplemental Use Standards consistent with the Use Matrix as further specified below.

Reason for amendments: [Zoning] Establish use definition for Heliport consistent with US Department of Transportation, FAA, and Title 14 of the Code of Federal Regulations (14 CFR) definition. Research suggested the need to change the use name from Helipad to Heliport as that is the appropriate name used by industry and contained in applicable regulations.

a. Definition

A privately owned or operated facility designed to accommodate helicopter operations, including facilities and structures, needed for heliport business to function.

b. Accessory Use

A Heliport may be allowed as an accessory use, as follows:

Reason for amendments: [Zoning] Clarify that accessory heliport shall not include principal facilities or structures (i.e., repair and maintenance or commercial fueling stations) and is limited to landing and takeoff.

- 1) Limited to landing and takeoff of helicopters, tilt rotors or rotorcraft and does not include principal facilities or structures.

Reason for amendments: [Zoning] Consolidates removal of existing provisions and to clarify type of

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SUMMARY OF AMENDMENTS
(Updated 4/4/16)

approval the use is subject to when accessory. The provisions are:

- Use approval removed from Agricultural Production (AP), AGR, AR and Residential Estate (RE) in Use Matrix;
- Supplementary use standard related to AGR and "AR" Tier limiting the use accessory to bona fide agricultural use (use to be amended to term "Farm"); and,
- Prior minimum ten-acre lot size for Farm Residence (which by definition is accessory to a bona fide agricultural use).

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2) Accessory to an Agriculturally Classified Use as established by State Statutes, in the AGR, AR, AP and RE Zoning Districts, located on parcels containing a minimum of ten acres, shall be Permitted by Right. [Partially relocated from Art. 4.B.8.C.1.f, Lot Size, above]

Reason for amendments: [Zoning] Clarify no minimum acreage, as such would be addressed commensurate with scope of use (e.g. how often they fly, how close to other residences, other setback requirements, etc.).

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3) Accessory to Single Family in the AR, RE and RM Zoning Districts, subject to Class A Conditional Use approval.

Reason for amendments: [Zoning] Clarify use can be utilized by aviation based communities or neighborhoods or emergency situations.

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4) Accessory to Residential subdivision, as a Neighborhood Recreation Facility, or within the Recreation or Civic Pod of a PDD or TDD subject to approval as a Class A Conditional Use.

Reason for amendments: [Zoning/Parks and Recreation] Allow accessory heliport to public parks as a transportation option and clarify approval process based on activity or location.

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5) Accessory to Public Park in the PO and IPF Zoning Districts, subject to Class A Conditional Use Approval unless:
a) Use not within one mile of a residential use, zoning district or FLU designation shall be subject to DRO Approval; or,
b) Use limited to emergency purposes only shall be Permitted by Right.

Reason for amendments: [Zoning]

- Clarify limited landing or takeoff of helicopters accessory to uses such as Data and Information Processing or Government Services is allowed as a Class A Conditional Use as these are uses that are very likely to require air transportation of people.
- Clarify landing or takeoff of helicopters accessory to hospitals in the event of medical emergency situations

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6) Accessory to Data and Information Processing, Government Services, Research and Development may be allowed subject to Class A Conditional Use. Similar uses may be considered subject to Class A Conditional Use.
7) Accessory to a Hospital may be Permitted by Right subject to the setback, height and FAA/ FDOT Transportation General Standards for emergency purposes only.

Reason for amendments in the Matrix: [Zoning]

- Remove the use from the following zoning districts: AGR, AP, Agricultural Residential/ Rural Service Area (AR/RSA) and Agricultural Residential/ Urban Service Area (AR/USA), RE, and Multifamily Residential (RM) as a principal use. The supplemental standards will clarify where an accessory Heliport may be located and how the use shall be approved.
- Delete the use from the following zoning districts: Commercial High Office (CHO) standard zoning district and Infill Redevelopment Overlay (IRO) with a Commercial Low (CL), Commercial Low Office (CLO), and CHO FLU designation. A Heliport use is not suitable for lower intense zoning districts.
- Change the approval process in Commercial General (CG) from Class B Conditional Use and CRE from Development Review Officer (DRO) Approval to Class A Conditional Use. The change would address potential adverse impacts that may arise from the use and provides an opportunity for the public to speak before the Board of County Commissioners (BCC).
- Add the use to the Commercial Pod of a Planned Industrial Park Development (PIPD), Lifestyle Commercial Center Development (LCC) with a Commercial High (CH) FLU designation, and Traditional Marketplace Development (TMD) in the Urban/Suburban, Exurban, and Rural Tiers, and the Development area of the AGR Tier as a Class A Conditional Use Approval. The additions are for consistency with the approval of the use in similar commercial standard zoning districts.

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3. Landing Strip

HISTORY: The Helipad and Landing Strip use definition and Supplementary Standards were first referenced in the 1992 Code rewrite (Ord. 1992-020). The definition and supplemental standards were

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amended by Ord. 1993-004, 1995-008, 1999-037, 2000-015, 2001-001, 2001-029, 2001-062, 2001-100, 2003 Code rewrite (Ord. 2003-067), 2005-002, 2006-036, 2009-040, 2010-005, and 2013-018.

Reason for amendments: [Zoning] Establish use definition for Heliport consistent with US Department of Transportation, FAA, and Title 14 of the Code of Federal Regulations (14 CFR) definition. Research suggested the need to change the use name from Helipad to Heliport as that is the appropriate name used by industry and contained in applicable regulations.

a. Definitions

A private ground facility designed to accommodate landing and take-off operations of aircraft used by individual property owners, farm or commercial operations.

Reason for amendments: [Zoning] Consolidates removal from AP, AGR, AR/RSA in Use Matrix and prior minimum twenty acre lot size requirement for Farm Residence (which by definition is accessory to a bona fide agricultural use).

b. Accessory Uses

A Landing Strip may be allowed as an accessory use, as follows:

1) Accessory to an Agriculturally Classified Use as established by State Statutes, in the AGR, AP, and AR/RSA Zoning Districts, located on parcels containing a minimum of twenty acres, shall be Permitted by Right. [Partially relocated from Art. 4.B.8.C.1.f, Lot Size, above]

Reason for amendments: [Zoning] Clarify use can be utilized by aviation based communities or neighborhoods or emergency situations.

2) Accessory to Residential subdivision, as a Neighborhood Recreation Facility, or within the Recreation or Civic Pod of a PDD or TDD, subject to approval as a Class A Conditional Use.

Reason for amendments: [Zoning] Clarify use can be utilized by public entities such as South Florida Water Management District (SFWMD) to support services or the operation provided by the government agency.

3) Accessory to Government Services subject to Class A Conditional Use.

Reason for amendments in the Matrix: [Zoning]

- Remove the use from the following zoning districts: AGR, AP, and AR/RSA as a principal use. The supplemental standards will clarify where an accessory Landing Strip may be located and how the use shall be approved.
- Change the approval process in CRE, General Industrial (IG) and Institutional and Public Facilities (IPF) Zoning Districts from Class B Conditional Use to Class A Conditional Use. The change would address potential adverse impacts that may arise from the use and provides an opportunity for the public to speak before the Board of County Commissioners.
- Add the use to the Public Ownership (PO) Zoning District as a Class A Conditional Use Approval.

4. Seaplane Facility

HISTORY:

A seaplane use was first referenced as a principal use in the 1973 Code rewrite (Ord. 1973-002). In the 1992 Code rewrite (Ord. 1992-020), the supplemental standards were relocated to the accessory use section. The supplemental standards remained there during the 2003 Code rewrite (Ord. 2003-067).

Relocate Seaplane Use from Article 5.B.1.A.15 to Article 4.B.1.C.2, Seaplane Facility to consolidate with other transportation uses. A seaplane use was a principal use in the 1973 Code. The proposed amendment establishes Seaplane Facility as a Transportation Use with newly created approval process and supplemental standards.

Reason for amendments: [Zoning] Establish use definition for Heliport consistent with US Department of Transportation, FAA, and Title 14 of the Code of Federal Regulations (14 CFR) definition. Research suggested the need to change the use name from Helipad to Heliport as that is the appropriate name used by industry and contained in applicable regulations.

a. Definitions

A privately owned or operated facility, on land or water, designed to accommodate the landing and takeoff of seaplanes, water taxiing, anchoring, ramp service and onshore facilities.

b. Separation Distance - Residential Zoning District

1) If the seaplane facility use is limited to the adjacent property owners who jointly own and maintain the aircraft facility, it may be located in a residential zoning district provided the facility is not commercial or within 400 feet of a residential use.

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/4/16)

2) If the facility is a commercial venture, it shall not be located within 1,000 feet of a residential zoning district. [Relocated from Art. 5.B.1.A.15.a, Location]

c. Minimum Land Area

The minimum required land area for any type of seaplane operation shall be two acres. [Relocated from Art. 5.B.1.A.15.b, Minimum Land Area]

d. Water Area

All seaplane operations shall comply with the following minimum standards for water landing area: [Relocated from Art. 5.B.1.A.15.c, Water Area]

Table 5.B.1.A - Seaplane Landing Area Standards

Length	3,500 feet
Width	300 feet
Depth	4 feet

e. Airport Approach

No seaplane operation shall be considered unless the airport approach to the water landing area is at a slope of 40:1 or flatter for a distance of at least two miles from both ends of the water landing area and is clear of any building structure or portion thereof that extends through and above the airport approach plane. [Relocated from Art. 5.B.1.A.15.d, Airport Approach]

f. Setbacks

All buildings, structures, and aircraft parked on shore shall be located a minimum distance from all property lines of at least 50 feet. [Relocated from Art. 5.B.1.A.15.e, Setbacks]

g. Landing Operations

All aircraft landings shall be performed under Visual Flying Rules (VFR) and shall not be conducted during the hours between sunset and sunrise. [Relocated from Art. 5.B.1.A.15.f, Landing Operations]

h. Parking

Shore facilities shall provide one automobile parking space for each 2,000 square feet of hangar or tie-down area, or one space per craft, whichever is greater. All shore facilities shall provide a minimum of five parking spaces. [Relocated from Art. 5.B.1.A.15.g, Parking]

Reason for amendments in the Matrix: [Zoning] Add the use to the CRE, IG, PO, and IPF Zoning Districts; MUPD with a CR and IND FLU designation; and IND/L & IND/G Pods of a PIPD as a Class A Conditional Use Approval (A).

5. Transportation Facility

HISTORY: The Transportation Facility use definition and supplemental standards were first referenced by Ord. 1981-024. The definition and supplemental standards were amended by the 1992 Code rewrite (Ord. 1992-020), 2003 Code rewrite (Ord. 2003-067), 2010-022, and 2011-016.

Since 1992, Transportation Facility has regulated the movement of people and goods in certain zoning districts in the ULDC. During the Industrial Use Classification review in 2013, staff separated Transportation Facility into two uses: Transportation Facility and Distribution Facility. The separation clarified the distinction between the movement of people and goods. Research and analysis concluded that the movement of people and goods are not similar in terms of overall operation and impact. The movement of people is consistent with transportation uses (bus stops, train station) while goods are consistent with an industrial use (railroad depots, truck terminals). Distribution Facility has been established as an Industrial use.

The proposed amendment establishes Transportation Facility as a Transportation Use with newly created approval process and Supplementary Standards.

Reason for amendments: [Zoning]

1. Establish a Definition for new use Transportation Facility. The definition will focus on multi-model means of moving people from one destination to another but will exclude airports and aviation related uses.
2. Identify typical uses that may be covered by the Transportation Facility.
3. Limit potential adverse impacts by:
 - Establishing a Location standard to clarify that bus and railroad establishments shall front and have access from a major street; and,
 - Establishing a Separation Distance standard to ensure residential uses are protected from potential adverse impacts. The measurement of distance will be consistent with Article 1.C, Rules of Construction and Measurement.
4. Establish minimum circulation requirements to ensure pedestrian and vehicular areas are clearly

EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
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indicated on the site design and provide for pedestrian safety.

a. Definition

An establishment used as a transfer point for the loading and unloading of passengers from one mode of transportation to another, excluding airports and aviation related uses.

b. Typical Uses

A Transportation Facility use may include, but not be limited to: bus depots, ferryboat or cruise ship terminals, and commuter railroad depots.

c. Location

Bus or railroad depots shall have frontage on and access from a collector or arterial street, unless located within a PDD or TDD.

d. Separation Distance- Residential

Shall not be located within 500 feet of a parcel with a Residential FLU designation or use.

e. Vehicular and Pedestrian Circulation

The site design shall include the following elements:

- 1) Stopping and stacking spaces for buses or taxis which shall not encumber on-site circulation traffic nor present a safety hazard for vehicles or pedestrians.
- 2) Designated bus and passenger drop off/pick up areas.
- 3) A minimum four foot wide sidewalk running in front of or adjacent to the drop-off spaces and connecting to the entrance.

Reason for amendments in the Matrix: [Zoning] Allow a Transportation Facility use in the CG, Urban Center District 1 (UC1), Urban Center District 2 (UC2), Urban Infill District 1 (UI1), PO and IPF Zoning Districts and Multiple Unit Planned Development (MUPD) with a CH, Economic Development Center (EDC) and Institutional and Public Facilities (INST) FLU designation. As stated in the historical section above, the movement of goods and people, components of the original use, was separated by definitions, supplemental standards and approval process. Prior to the separation of the use, the use was allowed in several zoning districts (e.g., commercial and industrial districts) regardless of intensity. The separation recognized the difference in intensity and was revised accordingly (i.e., Distribution Facility primarily in industrial districts). This amendment completes the use separation and allows a new Transportation Facility use in lower intense zoning districts.

Part 3. ULDC Art. 4, Use Regulations [Related to Seaplanes] is hereby deleted from Article 5 to relocate in Art. 4:

HISTORY: See 4.B.8.C.4, Seaplane Facility History above.

Reason for amendments: [Zoning] Use to be relocated to Art. 4.B.8.C.4, Seaplane Facility.

15. Seaplanes

a. Location

~~If the seaplane facility use is limited to the adjacent property owners who jointly own and maintain the aircraft facility, it may be located in a residential district and not be of a commercial nature, provided that the facility is not within 400 feet of a residential use. If the facility is a commercial venture, it shall not be located within 1,000 feet of a residential district.~~ [Relocated to Art. 4.B.8.C.4.b, Separation Distance – Residential Zoning District]

b. Minimum Land Area

~~The minimum required land area for any type of seaplane operation shall be two acres.~~ [Relocated to 4.B.8.C.4.c., Minimum Land Area]

c. Water Area

~~All seaplane operations shall comply with the following minimum standards for water landing area:~~ [Relocated to Art. 4.B.8.C.4.d, Water Area]

Table 5.B.1.A – Seaplane Landing Area Standards

Length	3,500 feet
Width	300 feet
Depth	4 feet

d. Airport Approach

~~No seaplane operation shall be considered unless the airport approach to the water landing area is at a slope of 40:1 or flatter for a distance of at least two miles from both ends of the water landing area and is clear of any building structure or portion thereof that extends through and above the airport approach plane.~~ [Relocated to Art. 4.B.8.C.4.e, Airport Approach]

e. Setbacks

~~All buildings, structures, and aircraft parked on shore shall be located a minimum distance from all property lines of at least 50 feet.~~ [Relocated to Art. 4.B.8.C.4.f, Setbacks]

f. Landing operations

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~~All aircraft landings shall be performed under Visual Flying Rules (VFR) and shall not be conducted during the hours between sunset and sunrise.~~ [Relocated to Art. 4.B.8.C.4.g, Landing Operations]
g. Parking
~~Shore facilities shall provide one automobile parking space for each 2,000 square feet of hangar or tie-down area, or one space per craft, whichever is greater. All shore facilities shall provide a minimum of five parking spaces.~~ [Relocated to Art. 4.B.8.C.4.h, Parking]

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