



**CITY OF BOYNTON BEACH
PLANNING AND DEVELOPMENT BOARD
MEETING AGENDA**

DATE: Tuesday, January 28, 2020

TIME: 6:30 PM

PLACE: Intracoastal Park Clubhouse 2240 N. Federal Highway

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Agenda Approval**
- 4. Approval of Minutes**
 - 4.A. Review and approve P&D Board minutes from the 12/09/2019 meeting
- 5. Communications and Announcements: Report from Staff**
- 6. Old Business**
- 7. New Business**
 - 7.A. Approve proposed amendments to IPUD, Infill Planned Unit Development zoning district (CDRV 20-001) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration, Article II. Definitions and Article III. Relationship to Comprehensive Plan; and (2) Chapter 3. Zoning, Article I. Overview, Article III. Zoning Districts and Overlays, Article IV. Use Regulations and Article V. Supplemental Regulations, to establish IPUD as a zoning district corresponding to the High Density Residential (HDR) Future Land Use classification, and to eliminate R-4, Multi Family district from the list of residential zoning districts. Applicant: City-initiated.
 - 7.B. Participate in a Board Orientation/Development Review Process Presentation.
- 8. Other**
- 9. Comments by members**
- 10. Adjournment**

The Board may only conduct public business after a quorum has been established. If no quorum is established within twenty minutes of the noticed start time of the meeting the City Clerk or her designee will so note the failure to establish a quorum and the meeting shall be concluded. Board members may not participate further even when purportedly acting in an informal capacity.

NOTICE

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE PLANNING AND DEVELOPMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH

PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. (F. S. 286.0105) THE CITY SHALL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD AN INDIVIDUAL WITH A DISABILITY AN EQUAL OPPORTUNITY TO PARTICIPATE IN AND ENJOY THE BENEFITS OF A SERVICE, PROGRAM, OR ACTIVITY CONDUCTED BY THE CITY. PLEASE CONTACT THE CITY CLERK'S OFFICE, (561) 742-6060 AT LEAST TWENTY (24) HOURS PRIOR TO THE PROGRAM OR ACTIVITY IN ORDER FOR THE CITY TO REASONABLY ACCOMMODATE YOUR REQUEST.



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 1/28/2020

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD: Review and approve P&D Board minutes from the 12/09/2019 meeting

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
<input type="checkbox"/> Minutes	12-09-2019 Minutes



DRAFT
MINUTES
PLANNING AND DEVELOPMENT BOARD
COMMISSION CHAMBERS, CITY HALL
INTRACOASTAL PARK CLUBHOUSE, BOYNTON BEACH, FLORIDA
MONDAY, DECEMBER 9, 2019, 6:30 P.M.

PRESENT:

Trevor Rosecrans, Acting Chair
Butch Buoni
Dr. James DeVoursney
Tim Litsch
Susan Oyer
Jay Sobel, Alternate

STAFF:

Ed Breese, Principal & Zoning Administrator
Ian Singer, City Attorney
Hanna Matras, Planner
Amanda Bassiely, Planner II
Lisa Tayar, Prototype, Inc.

ABSENT:

Darren Allen
Chris Simon
Lyman Phillips, Alternate

Acting Chair Rosecrans called the meeting to order at 6:32 p.m.

1. Pledge of Allegiance

2. Roll Call

Roll was called, and it was determined a quorum was present.

3. Agenda Approval

Upon motion duly made and seconded, the amended agenda was approved.

Mr. Rosecrans and Ms. Oyer recognized Chair Katz for his years of service, having never seen better-run meetings and institutional knowledge by someone with the City's best interests truly at heart.

Motion was made by Ms. Oyer and seconded by Mr. Buoni to add the election of the Chair and Vice Chair to the Agenda. In a voice vote, the motion passed unanimously (6-0).

4. Approval of Minutes – September 24, 2019

Motion was made by Ms. Oyer and seconded by Mr. Litsch to accept the September 24, 2019, minutes. In a voice vote, the motion passed unanimously (6-0).

5. Communications and Announcements: Report from Staff

Mr. Breese gave an update on the items from the September meeting: City Commission approved the OFC office building as well as the Bird Land Use and Rezoning request. Mr. Breese introduced

the new Board Members, Dr. DeVoursney, Mr. Allen, Ms. Oyer, with Mr. Phillips and Mr. Sobel as alternates. Mr. Singer noted that as long as there is consensus from the Board to elect the Chair and Vice Chair at this meeting, the City Attorney's Office has no objection.

6. Old Business – None

7. New Business

- 7.A. Approve request for Boynton Beach Mall Rezoning from C-3, Community Commercial to SMU, Suburban Mixed Use. – Applicant: Bonnie Miskel, Esq., of Dunay, Miskel and Bachman, LLP

Ms. Miskel gave a combined presentation for the rezoning and master plan. The PowerPoint presentation (attached) included an aerial view of the adjacent properties and the principal uses. Over the years, the retail market has declined to a 30% vacancy in the mall. A rezoning to Suburban Mixed Use (SMU) is proposed in accordance with the Mixed Use Low approved earlier in the year. The Master Plan recommended is as follows:

- Multi-family residential, a maximum of 1,420 units.
- One or two hotels, maximum 400 rooms.
- Shopping Center uses, plus or minus 628,622 square feet.
- Existing church, 122,730 square feet.
- Existing fitness center, 19,883 square feet.
- High turn-over restaurants, mostly additional.
- Fast food restaurant.
- General Office.
- Medical Office.
- Existing movie theater.
- Open space increased to 23.27 acres total, increased by 6.7 acres.

As mentioned on April 16, 2019, the City Commission approved Ordinance 19-004 amending the mall's future land use designation from an expired DRI category to the Mixed Use Low category to allow vibrant redevelopment of the property. The City acknowledged in the Map Amendment Staff Report that the proposed SMU category is the sole zoning district appropriate for the Mixed Use Low category. Next discussed was the vehicular and pedestrian access which allows for a main street in the new grid property layout. There will be a better distribution of traffic throughout the site. The presentation closed with a proposed phasing plan and planned color palette and landscaping.

Vice Chair Rosecrans opened the floor to public comment; hearing none, the floor was closed to public comment.

Mr. Sobel asked if the parking spaces would be decreased by virtue of this project. Ms. Miskel was not sure if there will be a decreased, but it will be related to the specific uses in the Master Plan. Of concern was a lost of spaces related to the movie theater; the intent of the plan is that there will be both surface and structured parking garages throughout the site; parking requirements

for individual proposed projects will be med. Current theater parking will not be removed until there is other parking available.

Dr. DeVoursney wondered about future height restrictions in Phase 2. The overall height meets the standards of SMU, ranging depending on the phase from 55 feet to 75 feet. As to Phase 2, that is up to 75 feet. Future variations were briefly discussed.

Mr. Buoni asked, with the projected build out of the dwelling units, what impact there would be on the schools. Ms. Miskel said the process requires review by the school board, which is evaluated through concurrency application program. In some instances there will be some mitigation requirements, but preliminary analysis does not indicate a problem. Also, the City Staff will require that the developers meet radii and other standards for school bus traffic.

Mr. Litsch had questions about the proposed pedestrian circulation. Ms. Miskel said there will be traditional sidewalks along with grassy areas; in some instances they will be oversized.

Ms. Oyer had several questions on the following, answered by Ms. Miskel:

- Dog park. There are a number of open spaces where it could be incorporated; residential elements can plan their own. As to specific future users, acreage can be provided for amenities options. A brief discussion on setting examples during the first phase followed.
- Green spaces on west side, current nearby residents will appreciate the buffer, parks, or passive green space. There will be a preserve on the northwest corner; open spaces are flexible; and the goal is to create for the most flexibility.
- Green code changes, pushing canopy trees over palm trees, and keeping royal poincianas. The royal poincianas will be supplemented. Ms. Oyer suggested wrapping the palm trees with lights at the entrance to draw attention. Ms. Miskel said there will be canopy trees throughout the site.
- Solar or climate mitigation. Nothing has been decided at that level of planning.

Mr. Rosecrans also had several questions on:

- Traffic concurrency. Ms. Miskel replied that this has been submitted for Palm Beach County sign-off on the Master Plan, still awaiting response. It is realized that comments from the public will most likely be about traffic.
- Clean up of pine woods in the northwest corner, possibly cleaned up and used as active open space. Ms. Miskel thought probably not as active open space as it has long been a preserve. Ms. Oyer thought it should be left in as natural a state as possible as so little is left in the City, especially to attract and accommodate nesting bald eagles.
- Impervious area decrease applauded. Are there any plans for any of the lakes? Ms. Miskel said this can be taken into consideration when that phase comes.

Motion made by Ms. Oyer, seconded by Mr. Buoni, to approve request for Boynton Beach Mall Rezoning from C-3, Community Commercial to SMU, Suburban Mixed Use. In a voice vote, the motion passed unanimously (6-0).

- 7.B. Approval of the Master Plan Modification (MPMD 19-004) for the Boynton Beach Mall allowing for the phased conversion to a mixed use or lifestyle center with the reconfiguration of retail space, and the addition of residential, hotel and office uses to the existing movie theater, fitness center and church uses.

Motion made by Ms. Oyer, seconded by Mr. Buoni, to approve the Master Plan Modification (MPMD 19-004) for the Boynton Beach Mall allowing for the phased conversion to a mixed use or lifestyle center with the reconfiguration of retail space, and the addition of residential, hotel and office uses to the existing movie theater, fitness center and church uses. In a voice vote, the motion passed unanimously (6-0).

- 7.C. Approve revisions to the Workforce Housing Program (CDRV 19-008) - Amending the LAND DEVELOPMENT REGULATIONS, Chapter 1. General Administration, Article II. Definitions, and Article V. Housing Initiatives, Section 2. Workforce Housing Program. Applicant: City initiated.

Ms. Oyer stated she had a conflict of interest on this item and asked to be recused. Mr. Singer stated Ms. Oyer's conflict paperwork will be submitted to the City Clerk and made a part of the public record for the meeting.

Ms. Matras gave a presentation on the first set of revisions to the Workforce Housing ordinance. The current version was approved in September 2017 when the mandatory inclusion zoning ordinance was changed. Ms. Matras explained how this process has been handled to date. There has been limited interest in the program for a variety of reasons, mostly the workforce housing being limited to the downtown TOD district. Therefore it was decided to geographically expand it to other mixed use designations throughout the City. Other minor revisions include changing the source of income data, developer fees, number of units, median income and earnings. The last study was in 2006; now considered are 2019 second quarter sales and new construction data from 2016. In addition, the rental market reflecting the average rent in 2019 along with the vacancy rate, cost-burdened renters, and affordable unit shortages are being figured in. Proposed changes are extension of the program citywide; increase of fee in lieu; switch to HUD AMI to ACS data for eligibility.

Dr. DeVoursney asked if the City currently builds affordable housing for qualified renters based on household median income. Ms. Matras said the CRA has been active in this and there have been a couple of projects approved, i.e., Ocean Breeze East and Ocean Breeze West. Dr. DeVoursney's concern is that the change of criteria to the AMI may affect folks from the Heart of Boynton workforce housing may not be able to afford it. Ms. Matras said that under HUD, household income is between \$45,000-\$90,000. Under Boynton Beach American Community Survey, current qualifying income goes to \$60,000, rather than \$90,000. The Board can recommend that these numbers be reviewed to address problems utilizing numbers from different programs.

Mr. Sobel asked if the expectation is to increase the availability of affordable housing in Boynton Beach. Ms. Matras says this is a difficult question as developers are more likely to pay rather than

build. But passing this item will make affordable housing more available. Mr. Sobel also asked what the impact of this will be on the school system as to capacity. Ms. Matras said there is not enough concurrency for schools; rather, there is something called school capacity viability determination. It is difficult to determine the relationship of income and the number of children. A brief discussion on the taxable real estate base followed as related to apartment value does not have as much impact on tax revenue. Ms. Bassiely added that as projects are approved, they will still need to go through site plan and will require school approval; capacity will then be addressed on a project by project basis. There is an impact fee if it is determined the school has low capacity.

Mr. Buoni ascertained that this item will not affect existing structures greatly. Also, to Mr. Singer, Mr. Buoni asked if should abstain voting as he is on the board of directors of a condominium building in the middle of the CRA. Mr. Singer gave reasoning that Mr. Buoni should abstain; also a conflict form should be filed with the City Clerk as part of the record.

Motion made by Mr. Litsch, seconded by Dr. DeVoursney, to approve revisions to the Workforce Housing Program (CDRV 19-008) - Amending the LAND DEVELOPMENT REGULATIONS, Chapter 1. General Administration, Article II. Definitions, and Article V. Housing Initiatives, Section 2. Workforce Housing Program. In a voice vote, the motion passed unanimously (4-0) with Ms. Oyer and Mr. Buoni abstaining.

Discussion:

Dr. DeVoursney asked for additional information on people whose current household median income qualifies now for workforce housing as opposed to the county median income to qualify for workforce housing. Ms. Matras said the impact is difficult to calculate, but the Board may suggest to the Commission that the ordinance stay within the City of Boynton Beach income so eligibility starts at \$30,000 rather than \$45,000.

Mr. Litsch asked if the existing program has ever been used, and doing nothing would be the same as what is being done now. Ms. Bassiely said that this language is specific to the Boynton Beach Program and that a lot of the programs in the CRA are State and Federal funded; programs can still be done through the State and start at a lower, 100% affordable product. This change would just be for incentives provided by the City and does not affect availability of other programs. Mr. Rosecrans stated this would be to change the qualifications a bit and cast a wider net, geographically, to see if other areas can take advantage of this program.

8. Other – Election of Chair

Motion was made by Ms. Oyer to nominate Trevor Rosecrans as he has board seniority and institutional knowledge; nomination was seconded by Mr. Litsch. Mr. Rosecrans declined as he would prefer to remain the Vice Chair. Mr. Buoni offered a friendly amendment for Jim DeVoursney for Chair; Mr. Sobel seconded the motion. Ms. Oyer felt that institutional knowledge and experience should be a prerequisite for the position of Chair. Ms. Oyer withdrew the nomination.

Motion was made by Mr. Buoni to nominate James DeVoursney for Chair and Trevor Rosecrans for Vice Chair; nominations were seconded by Ms. Oyer. In a voice vote, the motion passed unanimously (6-0).

9. Comments by Members – None

The next meeting will be the regularly scheduled January meeting, not the end of December.

Mr. Buoni noted that David Katz did a fantastic job as Chair and has helped everyone on this Board and the City immensely.

10. Adjournment

Motion to adjourn was duly made and seconded. The meeting was adjourned at 7:40 p.m.

Attachments: PowerPoint presentation Boynton Beach Mall Rezoning
PowerPoint presentation on Workforce Housing Amendment
Conflict of Interest forms from Susan Oyer and Butch Buoni

[Minutes prepared by M. Moore, Prototype, Inc.]

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>BUONI BONI MORIMIO</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>PED BOARD, GBIF</i>
MAILING ADDRESS <i>450 MARIEBORG E #304</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>BOYNTON BEACH</i> COUNTY <i>PRO</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>9 DEC 19</i>	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, BONNIE WOOD, hereby disclose that on 9 DEC, 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 _____, 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:

BOS MEMBER OPSV

Date Filed

[Signature]
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Oyer, Susan Eve</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Planning & Development</i>	
MAILING ADDRESS <i>PO Box 57</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Boynton Beach, PBC</i>	COUNTY	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>12-9-19</i>		NAME OF POLITICAL SUBDIVISION: <i>City of Boynton Beach</i>	
		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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Susan E. Coyer, hereby disclose that on 12-9, 2019 :

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

- ☒ 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, brother & sister ;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

7C Workforce Housing Program - revisions

I co-own property, with my siblings, in the DODD area that will have its value impacted by the approval of this revision. Properties are located on Ocean Avenue.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12-9-19
Date Filed

[Signature]
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.



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 1/28/2020

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:

Approve proposed amendments to IPUD, Infill Planned Unit Development zoning district (CDRV 20-001) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration, Article II. Definitions and Article III. Relationship to Comprehensive Plan; and (2) Chapter 3. Zoning, Article I. Overview, Article III. Zoning Districts and Overlays, Article IV. Use Regulations and Article V. Supplemental Regulations, to establish IPUD as a zoning district corresponding to the High Density Residential (HDR) Future Land Use classification, and to eliminate R-4, Multi Family district from the list of residential zoning districts. Applicant: City-initiated.

EXPLANATION OF REQUEST:

The 2016 Boynton Beach CRA Community Redevelopment Plan defined 6 (six) CRA planning districts, with district-specific design standards, and introduced a number of changes to the structure of the future land use (FLU) classifications and corresponding zoning districts.

One of the modifications to the structure of the future land use (FLU) classifications was the establishment of a new "High Density Residential" (HDR) category with a maximum density of 15 dwelling units per acre (du/ac), along with a new corresponding zoning district, R-4, Multi-family Residential. The intention was to bridge the large density gap between the existing classifications of Medium Density Residential, (MDR, 11 du/acre) and Special High Density Residential (SHDR, 20 du/acre).

Currently, the two residential FLU classifications with the highest densities are the aforementioned HDR and SHDR categories. Both can be used with the Planned Unit Development district (PUD) zoning citywide as appropriate. The HDR classification is also applicable citywide with its corresponding R-4 district, while SHDR with the corresponding Infill Planned Unit Development (IPUD) district is limited to areas east of Interstate 95.

Staff proposes to:

- Eliminate the R-4 designation, and
- Add IPUD as a zoning district under the High Density Residential FLU.

If the proposed amendment is approved, the HDR/IPUD combination would only be available—similarly to SHDR/IPUD—east of I-95. The IPUD zoning district is intended to meet infill redevelopment needs in areas east of I-95. Since the requirement of a 3-acre minimum project area was eliminated in 2019, the IPUD designation has been available for much smaller redevelopment sites, often adjacent to low density residential neighborhoods. The proposed amendment allows IPUD to be used with HDR, a land use classification with a maximum density of 15 du/acre significantly lower than the 20 du/acre of the SHDR, the only FLU category that can now be paired with IPUD. Moreover, IPUD would replace R-4; unlike R-4, which is a conventional district governed by simple numerical parameters, IPUD includes design standards that go beyond the basics in terms of site design, architecture and landscape and thus can provide a better transition to adjacent developments, more effectively minimizing projects' adverse impacts while providing for an improved project design.

Please note that the CRA Plan includes site-specific FLU recommendations, including those for HDR classification, for its entire area. However, no property has been reclassified to HDR category since its inception. Elimination of the R-4 district will have therefore no impact on the properties on the ground, since none are currently zoned R-4.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

No impact on City programs or services

FISCAL IMPACT: None

ALTERNATIVES: No alternatives recommended

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION: N/A

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Exhibit	Exhibit A. Proposed LDR Amendments



**DEPARTMENT OF DEVELOPMENT
PLANNING AND ZONING
Memorandum PZ 20-037**

TO: Chair and Members
Planning & Development Board

FROM: Hanna Matras
Senior Planner

THROUGH: Ed Breese
Planning and Zoning Administrator

DATE: January 21, 2020

RE: Approve proposed code language implementing revisions to IPUD, the Infill Planned Unit Development zoning district (CDRV 20-001) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration, Article II. Definitions and Article III. Relationship to Comprehensive Plan; and (2) Chapter 3. Zoning, Article I. Overview, Article III. Zoning Districts and Overlays, Article IV. Use Regulations and Article V. Supplemental Regulations, to establish IPUD as a zoning district corresponding to the High Density Residential (HDR) Future Land Use classification, and to eliminate R-4, Multi Family district from the list of the City's residential zoning districts. Applicant: City-initiated.

EXPLANATION

Background

The 2016 Boynton Beach CRA Community Redevelopment Plan defined 6 (six) CRA districts, with district-specific design standards, and introduced a number of changes to the structure of the future land use (FLU) classifications and corresponding zoning districts. The new vision necessitated Comprehensive Plan amendments, which were adopted in 2017. Subsequently, staff embarked on extensive revisions of the Land Development Regulations (LDRs). Since a significant number of the LDRs chapters were affected, revisions have been processed incrementally.

One of the modifications to the structure of the future land use (FLU) classifications was the establishment of a new "High Density Residential" (HDR) category with a maximum density of 15 dwelling units per acre (du/ac), along with a new corresponding zoning district, R-4, Multi-family Residential. The intention was to bridge the large density gap between the existing classifications of Medium Density Residential, (MDR, 11 du/acre) and Special High Density Residential (SHDR, 20 du/acre).

Building, site development standards and uses were established for the new R-4 zoning district. They mostly matched those of the R-3 district, corresponding to the Medium Density Residential FLU classification.

Proposed Changes

Currently, the two residential FLU classifications with the highest densities are the aforementioned HDR and SHDR categories. Both can be used with the Planned Unit Development district (PUD) zoning citywide as appropriate. The HDR classification is also applicable citywide with its corresponding R-4 district, while SHDR with the corresponding Infill Planned Unit Development (IPUD) district is limited to areas east of Interstate 95.

Staff proposes to:

- Eliminate the R-4 designation, and
- Add IPUD as a zoning district under the High Density Residential FLU.

If the proposed amendment is approved, the HDR/IPUD configuration would only be available—similarly to SHDR/IPUD—east of I-95.

The IPUD zoning district is intended to meet infill redevelopment needs in areas east of I-95. Since the requirement of a 3-acre minimum project area was eliminated in 2019, the IPUD designation has been available for much smaller redevelopment sites, often adjacent to low density residential neighborhoods. The proposed amendment allows IPUD to be used with HDR, a land use classification with a maximum density of 15 du/acre significantly lower than the 20 du/acre of the SHDR, the only FLU category that can now be paired with IPUD. Moreover, IPUD would replace R-4; unlike R-4, which is a conventional district governed by simple numerical parameters, IPUD includes design standards that go beyond the basics in terms of site design, architecture and landscape and thus can provide a better transition to adjacent developments, more effectively minimizing projects' adverse impacts while providing for an improved project design.

Please note that the CRA Plan includes site-specific FLU recommendations, including those for HDR classification, for its entire area. However, no property has been reclassified to HDR category since its inception. Elimination of the R-4 district will have therefore no impact on the properties on the ground, since none are currently zoned R-4.

CONCLUSION/RECOMMENDATION

Staff proposes these code amendments to continue implementing the CRA Community Redevelopment Plan and revising LDRs to support quality redevelopment and economic growth in the CRA and city-wide.

Attachments

PART III. LAND DEVELOPMENT REGULATIONS

CHAPTER 1. GENERAL ADMINISTRATION

ARTICLE II. DEFINITIONS

RESIDENTIAL ZONING DISTRICT - Whenever the words "residential district" or "residential zoning district" are used, they are construed to include any or all of the following zoning districts: R-1-AAB single-family residential; R-1-AA single-family residential; R-1-A single-family residential; R-1 single-family residential; R-2 single and two-family residential; R-3 multi-family residential; ~~R-4 multi-family residential~~; IPUD infill planned unit development; PUD planned unit development; or MHPD mobile home planned development.

ARTICLE III. RELATIONSHIP TO COMPREHENSIVE PLAN

Sec. 5. Future Land Use Map (FLUM).

A. *Adoption.* The designation boundaries hereinafter set forth and delineated on the future land use map, including all explanatory matter thereon, is hereby adopted. The future land use map shall be maintained as a digital format GIS document. The most recent version of the land use map shall be kept on file, in printed form, in the office of the City Clerk.

B. *FLUM Classifications and Corresponding Zoning Districts (Table 1-1).* The following table shows the future land use map classifications and their corresponding zoning districts:

Zoning Districts	LDR (7.5)	MeDR (11)	HDR (15)	SHDR (20)	OC	LRC	GC	MXL (20)	MXM (50)	MXH (80)	I	R	PPGI	DRI
R-1-AAB	. 5.5													
R-1-AA	. 5.5													
R-1-A	. 6													
R-1	. 7.5													
R-2		. ≤ 10												
R-3		. 11												
R-4			. 15											
IPUD			. -	.										
PUD										
MHPD	.													
C-1					.									
C-2						.								
C-3						.								
C-4							.							
CBD									.	.				
PCD					.	.	.							
SMU								.						
MU-1								.						
MU-2									.					
MU-3									.					
MU-4										.				
MU-C										.				
M-1											.			
PID											.			.
REC												.		
PU													.	

Future Land Use Map Classifications:

LDR: Low Density Residential

MeDR: Medium Density Residential

HDR: High Density Residential

SHDR: Special High Density Residential

OC: Office Commercial

LRC: Local Retail Commercial

GC: General Commercial

MXL: Mixed Use Low

MXM: Mixed Use Medium

MXH: Mixed Use High

I: Industrial

R: Recreation

PPGI: Public & Private Government/Institutional

DRI: Development of Regional Impact

CHAPTER 3. ZONING

ARTICLE I. OVERVIEW

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Sec. 4. Official Zoning Map.

This set of regulations together with the official zoning map with explanatory matter thereon, shall be known, used and may be cited as the "Official Zoning Regulations of the City of Boynton Beach, Florida."

A. *Adoption.* The district boundaries hereinafter set forth and delineated on the official zoning map, including all explanatory matter thereon, are hereby adopted. The official zoning map shall be maintained as a digital format GIS document. The most recent version of the official zoning map shall be kept on file, in printed form, in the office of the City Clerk.

B. *Updates.* The City Commission may amend the official zoning map from time to time by ordinance. The official zoning map shall be notated to list all revision dates and ordinance numbers.

C. *Establishment of Zoning Districts.* The City of Boynton Beach is hereby divided into zoning districts as follows and as delineated on the official zoning map which, together with all explanatory matter thereon, is hereby declared a part of the official zoning regulations:

R-1-AAB	Single-family residential district
R-1-AA	Single-family residential district
R-1-A	Single-family residential district
R-1	Single-family residential district
R-2	Single- and two-family residential district
R-3	Multi-family residential district
R-4	Multi-family residential district
IPUD	Infill planned unit development district
PUD	Planned unit development district
MHPD	Mobile home planned development district
C-1	Office and professional commercial district
C-2	Neighborhood commercial district
C-3	Community commercial district
C-4	General commercial district
CBD	Central business district
PCD	Planned commercial development district
SMU	Suburban mixed use district

MU-1	Mixed use 1 district
MU-2	Mixed use 2 district
MU-3	Mixed use 3 district
MU-4	Mixed use 4
MU-C	Mixed use Core district
M-1	Industrial district
PID	Planned industrial development district
PU	Public usage district
REC	Recreation district

CHAPTER 3. ZONING

ARTICLE III. ZONING DISTRICTS AND OVERLAYS

Sec. 1. Overview.

A. *General.* Pursuant to Chapter 1, Article III, Section 5.B., any given parcel of land in the city shall have a zoning district that corresponds with the Future Land Use Map (FLUM) classification of the Comprehensive Plan.

B. *Residential Building and Site Regulations (Table 3-1).*

RESIDENTIAL	R-1 AA B	R-1 AA	R-1 A	R-1	R-2 Duplex	R-3 Multi	R-4 Multi	IPUD	PUD	MHPD
Density (dwelling units per acre):	5	5.5	6	7.5	10	11	15	Flexible ¹ ₀	Flexible ¹ ₀	Flexible ¹ ₀
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5+	10+
Lot Area per unit, Minimum (square feet):	9,000	8,000 ⁸	7,500	6,000	4,500	4,000 ¹ ₂	4,000¹₂	Flexible	Flexible	4,200
Lot Frontage, Minimum (feet):	90	75	60	60	75	100	100	Flexible	Flexible	N/A
Living Area, Minimum A/C (square feet):	1,800	1,600	1,400	1,200	750	750	650	Flexible	Flexible	N/A
Lot Coverage, Maximum:	45%	45%	45%	50%	40%	40%	50%	50%	N/A	N/A
Floor-Area-Ratio (FAR) for Non-Residential, Maximum:	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Structure Height, Maximum (feet):	30	30	30	30	25	45 ⁶	45	45 ⁷	45 ⁶	30
Building Setbacks, Minimum (feet):										
Front:	25	25	25	25	25	40	20	Flexible ⁵	Flexible ⁵	20
Interior side:	10	10 ⁸	7.5	7.5	10	20	20	Flexible ⁵	Flexible ⁵	5
Corner side:	25 ⁴	25 ⁴	25 ⁴	25 ⁴	25 ⁴	40	20	Flexible ⁵	Flexible ⁵	10 ¹¹
Rear:	20 ⁴	20 ⁴	20 ⁴	20 ⁴	25 ⁴	40	40	Flexible ⁵	Flexible ⁵	10 ¹¹
Special rear yard setback reductions for 1-story building additions abutting:	Maximum Percentage of Reduction:									
I-95 or railroad tracks:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Intracoastal Waterway (ICWW):	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Lake:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Golf course:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal wider than 150 feet:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A

Canal narrower than 150 feet:	33%	33%	33%	33%	N/A	N/A	N/A	N/A	N/A	N/A
Commercial/industrial:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Public/private park:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Perimeter wall abutting non-residential:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Administrative Adjustment:	Maximum Percentage of Reduction (to standard yard setback):									
Front yard:	20%	20%	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Side yard:	20%	N/A	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Rear yard:	25%	25%	25%	25%	N/A	N/A	N/A	N/A	N/A	N/A
General Notes:	1, 2	1, 2	1, 2	1, 2	3	3	1, 3	9	9	11

1. The setback reduction provisions shall not supersede any setbacks that are recorded on a plat and shall not be used in conjunction with the setback reductions allowed by administrative adjustments.
2. An administrative adjustment to reduce a setback may be granted if any first floor addition follows the building line of a legally non-conforming single-family structure, or a building line previously approved by a variance.
3. Existing and/or planned single-family homes shall conform to the R-1 district requirements. Duplex homes shall conform to the R-2 district requirements.
4. Where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard back setback shall be required, only side yard setbacks shall be imposed.
5. Minimum required perimeter setbacks of an IPUD or PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family zoning, required perimeter setbacks shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.
6. See Note #5 for additional setback requirements relative to building height.
7. A lesser building height may be required for compatibility with adjacent properties. See Note #5 for more setback requirements relative to building height.
8. The minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet for properties developed and/or platted prior to June 13, 1975.
9. Total usable open space shall be calculated at two hundred (200) square feet per dwelling unit (also see Chapter 4, Article III, Section 8.).
10. The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.
11. Perimeter building setbacks of the mobile home park district shall mirror the building setbacks of adjacent zoning district(s), but with a minimum of the setback required for a single-family residence.
12. Multi-family dwellings and group homes require four thousand (4,000) square feet. All other uses allowed in R-3 ~~and R-4~~ require twenty thousand (20,000) square feet.

Sec. 2. Residential Districts.

~~—G. *R-4 Multi-family Residential District.*~~

~~—1. General. The purpose of the R-4 zoning district is to implement the High Density Residential (HDR) future land use map classification of the Comprehensive Plan. The intent of this conventional district is to provide for higher residential densities that support infill development opportunities. At the allowed maximum density of fifteen (15) dwelling units per acre, intended development can provide a graduated transition to densities and intensities of mixed use redevelopment projects in a compact form. Although this district is not a planned zoning district, development attributes should similarly emphasize design that is sensitive to its context within the urban redevelopment area, including interconnectivity and pedestrian accommodations, sustainable and/or smart growth building and landscaping design, building placement and orientation of project to the local street network and on-street parking.~~

~~—2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.~~

~~—3. Building and Site Regulations (Table 3-10).~~

~~—a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-1 district (see Table 3-8 in Section 2.D.3. above).~~

~~—b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).~~

~~—c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".~~

~~—d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-11 below pertaining to "non-residential uses".~~

~~-~~

BUILDING/SITE REGULATIONS <i>R-4 District</i>
--

(Residential Uses)	
Minimum lot area (per unit):	4,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	-
—Front:	40 feet
—Rear:	40 feet
—Interior side:	20 feet
—Corner side:	40 feet
Minimum living area:	650 s.f.
Maximum lot coverage:	50%
Maximum structure height:	45 feet
(Non-Residential Uses)	

Minimum lot area:	20,000-s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	-
—Front:	40 feet
—Rear:	40 feet
—Interior side:	20 feet
—Corner side:	40 feet
Minimum living area:	65-sq. ft. per unit
Maximum lot coverage:	40%
Maximum structure height:	45 feet

—4. ~~Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.~~

—5. ~~Review and Approval Process.~~

—a. ~~Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.~~

—b. ~~Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.~~

—c. ~~Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

—6. ~~Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V. Minimum Off-Street Parking Requirements.~~

HG. *IPUD Infill Planned Unit Development District.*

1. General.

a. Purpose and Intent. The purpose of the IPUD zoning district is to implement the High Density Residential (HDR) and Special High Density residential (SHDR) future land use map (FLUM) classifications of the Comprehensive Plan. This district is intended for infill purposes, promoting new development and redevelopment in areas located east of Interstate 95 at densities no greater than twenty (20) dwelling units per acre. This district is also intended to promote water access and recreational opportunities with accommodations of uses, including marine-oriented and water dependent uses in both mixed use developments and limited single-use projects. The IPUD district includes design standards that exceed the standards of the basic development standards in terms of site design, building architecture and construction materials, amenities and landscape design. The extent of variance or exception to basic design standards, including but not limited to requirements for parking spaces,

parking lot and circulation design, and setbacks, will be dependent on how well the proposed project otherwise exceeds the other applicable standards.

The IPUD shall minimize adverse impacts on surrounding property. The city is not obligated to automatically approve the level of development intensity requested for the IPUD. Instead, it is expected to approve only such level of intensity that is appropriate for a particular location in terms of land use compatibilities. The city may require, as a condition of approval, any limitation, condition, or design factor that will provide a reasonable transition to adjacent development.

In order to be approved, an IPUD project must be compatible with and preserve the character of adjacent residential neighborhoods. Factors to consider in determining compatibility may include, but not necessarily be limited to, proposed use, massing, and layout. Further, it must be an enhancement to the local area and the city in general. Projects that fail to do so will be denied.

Each IPUD project is independent and will be evaluated solely on its own merits. The inclusion of certain features in a previously approved IPUD project will not automatically be entertained as a valid argument for the inclusion of that same feature in any other IPUD project if the city determines to reject those features.

b. Prerequisite Location Standards. The IPUD district creates an opportunity to promote sustainability with respect to land use, energy conservation and resource management. Rezoning to the IPUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have been impacted by environmental contamination. In reaching recommendations and decision as to zoning land to IPUD, the Advisory Board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Any IPUD district that contains non-residential uses must principally front on streets classified as "Arterial" on the "Functional Classification of Roadways" map in the city Comprehensive Plan;

(2) Any non-residential component must front on the arterial roadway or on an access road wholly contained within the project with neither entrances nor exit on or visible from or disruptive to adjacent properties, local streets, and rights-of-way.

2. Use(s) Allowed. See Chapter 3, Article IV, Section 3.C. for specific regulations pertaining to the IPUD district and Chapter 3, Article IV, Section 3.D. ("Use Matrix Table 3-28") for a list of allowable uses.

3. Building and Site Regulations (Table 3-12). The following building/site regulations apply to the entire IPUD development.

BUILDING/SITE REGULATIONS IPUD District	
Minimum project area:	None
Maximum project area:	Less than 5 acres
Minimum lot frontage⁴:	Flexible ¹

Minimum perimeter yard setbacks:	
Front:	Flexible ²
Rear:	Flexible ²
Interior side:	Flexible ²
Corner side:	Flexible ²
Maximum lot coverage:	50%
Minimum usable open space (per dwelling unit):	200 square feet
Maximum structure height:	45 feet ³

¹ Individual lots within an IPUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. Pursuant to Chapter 3, Article IV, Section 3.D., a marina use shall require a minimum lot frontage of one hundred fifty (150) feet and a minimum average width of two hundred (200) feet.

² The minimum required perimeter building setbacks of an IPUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the IPUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. If vegetation, screening, or other barriers and/or creative design on the perimeter of an IPUD achieve compatibility with adjacent uses, the city may grant some relief from the aforementioned requirement. A structure shall be considered to be on the perimeter if there is no intervening building between it and the property line. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

³ A lesser building height may be required for compatibility with adjacent development. See Note #2 above for additional setback requirements relative to building height.

4. Review and Approval Process.

a. All development and redevelopment within the IPUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the IPUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. See Chapter 4, Article II, Section 4.B.5 for additional standards pertaining to the required landscaping along rights-of-way.

b. See Chapter 4, Article III, Section 4. for community design standards regarding required site design in instances where the subject IPUD project is adjacent to single-family residential zoning districts.

c. See Chapter 4, Article VIII, Section 3.C.4.b.(2) for additional standards pertaining to the minimum width of rights-of-way and vehicular circulation.

d. If an IPUD is located with frontage on the Intracoastal Waterway, conditions of approval shall include a deed restriction requiring that any marina or dockage built will not exceed in width the boundaries of the project's actual frontage on the water, regardless of what any other governing or permitting entity may allow or permit.

e. Exterior lighting of the exterior, parking areas and watercraft docking facilities of the planned development shall be of the lowest height, intensity, and energy use adequate for its purpose, and shall not create conditions of glare that extend onto abutting properties.

f. The physical attributes of the site shall be respected with particular concern for preservation of natural features, tree growth, and open space.

g. Special emphasis shall be placed on trash collection points.

h. Trash containers or dumpsters must be screened and designed such that they are not visible from or disruptive to adjacent properties, streets, and rights-of-way while still being conveniently accessible to their users and collectors.

CHAPTER 3. ZONING

ARTICLE IV. USE REGULATIONS

Sec. 3. Use Regulations

.....
B. *General Rules of Use Matrix.* The following general rules are applicable to the use matrix:

~~1. Vacant Box. Except for within the IPUD district and PID district, a vacant box that contains no symbol signifies that the use category is not allowed within the corresponding zoning district.~~

12. Business Activity. All business activity and uses shall be conducted within a fully enclosed building, and on the same property, unless otherwise specified. External use of property, or use of abutting rights-of-way for accessory use, may require approval as described in Chapter 2 and/or from entities having jurisdiction over the subject rights-of-way. Although building and site regulations would not apply (i.e. minimum setbacks, minimum lot standards, maximum lot coverage, etc.), the accessory use or activity proposed off the premises must comply with the use regulations and performance standards, as well as all associated site development standards, building codes, and applicable approval requirements of any outside entity having jurisdiction.

23. Terms. Whenever the word "district" is used, it is construed to mean zoning district.

34. Column Headings in Title Block.

a. The major column headings in the title block of the use matrix (i.e., residential, commercial, mixed use, industrial, and miscellaneous) are further defined in Chapter 1, Article II, Definitions.

b. The regulations of each zoning district (e.g., R-1-AAB, R-1-AA, etc.) shown in the title block of the use matrix are described in Chapter 3, Article III, Zoning Districts and Overlay Zones.

45. Fire Department Hazardous Material Disclosure. Any use which uses, handles, stores, displays, or generates hazardous materials, hazardous waste, or a toxic substance, as defined by 40 Code of Federal Regulations, Part 261 or the Florida Substance List as set forth in Rule 4A-62.004, Florida Administrative Code, shall require Fire Department Hazardous Material Disclosure in accordance with City Code of Ordinances Part II, Section 9-71.

56. Drive-Through Facilities. Drive-up, drive-through, and drive-in facilities require conditional use approval unless otherwise specified. The facility, including the stacking lanes, must not be visible from public rights-of-way where located within the SMU district, MU-L1 district, MU-L2 district, and MU-L3 district. Furthermore, these facilities are prohibited in the MU-H and PID districts for all establishments listed under the "commercial" and "public & civic" use groups. See Chapter 4, Article VI, Section 3.F. for additional standards regarding queuing and vehicular stacking.

67. Distribution of Narcotics and Other Controlled Substances.

a. Purpose and Intent. These Regulations are in connection with the mass effort to discourage the misuse and abuse of narcotics and other controlled substances such as pain medications, and the impacts upon land uses that are associated with businesses that would operate principally to dispense pain medications for chronic pain but without the services of typical medical offices that provide thorough on-site examinations, medical treatments or procedures, and continued medical oversight. Such businesses have been determined to be

associated with the excessive use of, addictions to, and subsequent illegal sales/distribution of addictive controlled substances.

b. Applicability. This section applies to all medical, professional and business offices, clinics, and any other use or establishment that dispenses narcotics and other controlled substances. Such uses shall be subject to the following:

(1) On-site dispensing of controlled substances that are identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035 or 893.036, is prohibited, unless otherwise expressly permitted by statutory or general law. The following are exempt from this prohibition:

(a) A health care practitioner when administering a controlled substance directly to a patient if the amount of the controlled substance is only intended to treat the patient during that particular treatment session.

(b) A pharmacist or health care practitioner when administering a controlled substance to a patient or resident receiving care as a patient at a hospital, nursing home, ambulatory surgical center, hospice, or intermediate care facility for the developmentally disabled which is licensed in this state.

(c) A health care practitioner when administering a controlled substance in the emergency room of a licensed hospital.

(d) A health care practitioner when administering or dispensing a controlled substance to a person under the age of sixteen (16).

(e) A health care practitioner when dispensing a one-time, seventy-two (72)-hour emergency resupply of a controlled substance to a patient.

c. Enforcement.

(1) Law enforcement officers shall, in connection with their duties imposed by law, diligently enforce the provisions of this section and may issue citations, arrest and arrest with warrant persons acting in violation of this section.

(2) Law enforcement officers shall have the authority to seize, confiscate and impound any substance, or other article which, upon probable cause, they find to be used or possessed in violation of this section.

(3) The city may prosecute violations by issuance of notices to appear for violation of a city ordinance, in which case, the penalty for a violation shall be as follows:

(a) First violation - \$100.00;

(b) Second violation within twelve (12) months of adjudication of first violation - \$500.00; and

(c) Third violation within eighteen (18) months of adjudication of first violation - \$1,000.00.

Each calendar day on which a violation exists shall constitute a separate violation for the purpose of determining the fine.

(4) A violation of this section may be prosecuted as a nuisance. The City Attorney may bring suit on behalf of the city, or any affected citizen may bring suit in his/her name against the person or persons causing or maintaining the violation, or against the owner/agent of the building or property on which the violation exists. Relief may be granted according to the terms and conditions of Chapter 15, Article 8 of the City of Boynton Beach Code of Ordinances and/or F.S. Chapter 60.

(5) Any person convicted of violating any of the terms or provisions of this article or any code, requirements, or standards adopted hereby shall be subject to the penalties as provided in Chapter 1, Section 1-6 of the City of Boynton Beach Code of Ordinances. In addition, the city

may use any equitable or legal remedy available at law to enforce any violation of the terms or provisions of this section.

78. Prohibited Use of Public Parking Spaces. Major and minor motor vehicle or boat repair, including oil changes, adding of oil or lubricants, and installation of new tires, is prohibited in public parking lots or spaces, and commercial parking or loading areas and is declared to be a public nuisance. Commercial property owners engaged in the sale of motor vehicle or boat parts, oils, or lubricants, shall post notices within their premises in close proximity to check out counters or exit doors notifying customers of this prohibition. Violations of this provision of the code is subject to enforcement through code enforcement action, nuisance abatement action, municipal ordinance violation, or action for injunctive relief. Law enforcement officers are authorized to issue notice to appear for violation of this section.

89. Essential Services and Infrastructure. Essential services and infrastructure as defined in Chapter 1, Article II are allowed in all zoning districts, contingent upon meeting all city codes and regulations. Additional regulations and standards, such as landscaping or other types of screening, may apply on a case-by-case basis as determined by the Director of Planning and Zoning.

910. Miscellaneous. It should be noted that each use category may contain additional limitations or restrictions. Please refer to the definitions (see Chapter 1, Article II), the applicable zoning district regulations in Chapter 3, Article III, and the supplemental regulations in Chapter 3, Article V.

C. Use Matrix Legend. Uses regulated herein are classified in one (1) or more of the following categories:

1. "P" - Permitted Uses. A permitted use is allowed by right within a zoning district provided that all development regulations are met. A permitted use must be conducted on a site in order to have accessory or ancillary uses on that site. Uses identified with a "P" on the use matrix are permitted by right in the district, subject to compliance with 1) the additional standards indicated in the "Note" column, which directly corresponds with Section 3.E. below; and 2) any other applicable requirements prescribed by these Land Development Regulations.

2. "C" - Conditional Uses. A use that because of special requirements or characteristics may be allowed in a particular zoning district but only with conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity. Uses identified with a "C" on the use matrix are allowed in the zoning district, subject to compliance with the following: 1) additional standards indicated in the "Note" column, which directly corresponds with Section 3.E. below; 2) standards for evaluating conditional uses in accordance with Section 4 below; and 3) any other applicable requirements prescribed by these Land Development Regulations.

3. "A" - Accessory Uses. A use that is customarily incidental to the principal use. Uses identified with an "A" on the use matrix are permitted as an accessory use to a permitted principal use in the district, subject to compliance with the following: 1) additional standards indicated in the "Note" column, which directly corresponds with Section 3.E. below; and 2) any other applicable requirements prescribed by these Land Development Regulations. The nature of the principal use will determine the use review authority required to review and approve the accessory use. Accessory uses, unless otherwise provided, shall be located on the same premises as the principal use.

4. Vacant Box. A vacant box that contains no symbol signifies that the use category is not allowed within the corresponding zoning district.

~~4. "√" IPUD District. The following regulations are applicable to the infill planned unit development district identified with a "√" symbol on the use matrix:~~

~~—— a. Uses. In the use matrix (Table 3-28), non-residential uses of the "Commercial," "Office & Health Care," and "Arts, Entertainment & Recreational" industry classifications are allowed in the IPUD district, provided that such non-residential uses are proposed within a mixed-use development containing dwelling units, unless otherwise specified.~~

~~—— b. Location. Non-residential uses shall only be allowed for developments fronting on streets classified as "Arterial" on the "Functional Classification of Roadways" map in the City of Boynton Beach Comprehensive Plan.~~

~~—— c. Frontage. Any non-residential use must front on the arterial roadway or on an access wholly contained within the project with neither entrances nor exit on or visible from or disruptive to adjacent properties, streets, and rights-of-way.~~

~~—— d. Design. Such development must be found compatible with adjacent uses and established design characteristics.~~

D. Use Matrix (Table 3-28).

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
RESIDENTIAL & LODGING																											
Accessory Dwelling Unit						P 36					P 36	P 36	P 36	P 36										P 36		P 36	P 36
Bed & Breakfast	C 37	C 37	C 37	C 37		C 37						C 37			C 37												
Dwelling, Single- family (detached)	P	P	P	P	P	P	P	P	P								P										
Dwelling, Two-family (duplex)					P	P	P	P	P								P	P	P	P		C					
Dwelling, Multi-family (including Townhomes)						P	P	P	P								P	P 6	P 6	P 34 6				P 27			
Dwelling Units in Mixed Use Buildings															P		P	P 6	P 6	P 6	P 6	P 6		P 27			
Group Home Type 1 (2 per room up to 10 residents, limited service)	P 40	P 40	P 40	P 40	P 40	P 40																					
Group Home Type 2 (2 per room up to 14 residents, limited service)					P 14 40	C 40	C 40		C 40																		
Group Home Type 3 (comprehensive service)						C 14 40	C 14 40		C 40		C 40	C 40	P 40			P 40		C 40	C 40	C 40	C 40						
Hotel & Motel													P 41	P 41	P 41	P 41	C 41	C 41	C 41	C 41	P 41	P 41		P 41			
Home Occupations	P 34	P 34	P 34	P 34	P 34	P 34	P 34	P 34	P 34								P 34	P 34	P 34	P 34	P 34						
Live-Work units																	P 42	P 42	P 42	P 42	P 42	P 42		P 27			
Manufactured Home										P																	

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
COMMERCIAL Retail Sales																											
Art, Book, Craft, Hobby, Music, Sporting Goods, & Toys						P 18						P 1	P	P	P 43	P	P 10 17	P 17	P 17	P 17	P 17	P 17		P 28 43	A 20	A 20	
Auto Dealer, New																				P 14 16 44		P 14 16 44		P 44			
Auto Dealer, Used																				P 14 16 44		P 14 16 44		P 44			
Automotive Parts Store													P	P	P	P	P 17	P 17	P 17	P 17		P 17	P 23	P 27			
Beer, Wine, & Liquor Store													P 35		P 35	P 35	P 17 35	P 17 35	P 17 35	P 17 35	P 17 35	P 17 35		P 15 27 35			
Boat Dealer/Rental														C 45							A 16 45	A 16 45					
Cleaning Supply Store (Swimming Pool, Janitorial)												P 1	P	P	P	P	P 17	P 17	P 17	P 17		P 17	P 22	P 28			
Clothing & Accessories						P 18						P 1	P	P	P	P	P 10 17	P 17	P 17	P 17	P 17	P 17		P 28 30			
Convenience Store									P 2 3 8 35			P 2 3 35	P 3 35	P 3 35	P 7 35	P 35	P 17 35	P 17 35	P 17 35	P 17 35	P 1 11	P 17 35	P 22 35	P 15 27 35			
Cosmetics, Beauty supply, & Perfume						P 18						P 1	P	P	P	P	P 10	P	P	P	P 17	P		P 28 30			
Electronics & Appliance Store												P 1	P	P	P	P	P 10	P 14	P 14	P 14	P 17	P	P 22	P 28 30			
Florist						P 18			P 1 8			P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P 27			
Furniture & Home furnishing						P 18						P 1	P	P	P	P	P 10 17	P 17	P 17	P 17	P 17	P 17	P 22	P 2 28 30			
Gasoline Station												C 46	C 46	C 46		C 46					C 16 46		C 16 46				

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
COMMERCIAL Retail Sales																											
Grocery Store													P		P	P	P 10 17	C 17 47	P 17 47	P 17 47	P 17	P 17 47		P 27			
Hardware Store											P 2	P	P	P	P 48	P	P 17	P 17 48	P 17 48	P 17 48	P 17 48	P 17 48	P 22	P 27 48			
Health & Personal Care (Eyeglass, Medical Supplies, Hearing-Aids)						P 18 68					P	P	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P 27			
Home Improvement Center													P			P	P 10 16							P 16 27 49			
Jewelry, Luggage, & Leather Goods						P 18						P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17		P 28			
Marine Accessories												P 1 50	P	P	P	P	P 17	P 17 50	P 17 50	P 17 50	P 17 50	P 17 50	P 22	P 28			
Merchandise, New (Supercenter, Discount, Department, Club)													P			P	P 10 16							P 16 27 51			
Merchandise, Used (Antique Shop)						P 18 52						P 1 52	P 52	P 52	P 52	P 52	P 17 52	P 17 52	P 17 52	P 17 52	P 17 52	P 17 52		P 27 52			
Merchandise, Used (Other)													P 53	P 53		P 53								P 15 27 53			
Mobile Vending Unit (MVU)												P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54		P 54			
Multiple-Vendor Market													P 55	P 55		P 55								P 15 27 55			
Novelty, Gift, Souvenir, & Miscellaneous						P 18						P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 1 11	P 17		P 27	A 20	A 20 21	
Nursery, Garden Ctr. & Farm Supply												P 2 3 56	P 3 56	P 3 56		P 3 56							P 3 22 56				
Office Supplies & Stationery												P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17		P 28			
Pet Store & Supplies						P 18						P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17		P 28			

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
COMMERCIAL Retail Sales																											
Pharmacy & Drug Store											P 1 57	P 2 57	P 57	P 57	P 57	P 57	P 17 57	P 17 57	P 17 57	P 17 57	P 17 57	P 17 57		P 15 27 57			
Restaurant						P 18 58					A 58	P 2 58	P 58	P 58	P 58	P 58	P 17 58	P 17 58	P 17 58	P 17 58	P 17 58	P 17 58	P 58	P 27 58	A 20 58	A 20 21 58	
Restaurant, Take-out						P 18			P 2 8			P 2	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 59	P 28	A 20	A 20 21	
Showroom warehouse (single-product line)													P 10 0			P 10 0	P 10 0							P 10 0			
Specialty Food Store						P 18						P 2	P	P	P	P	P	P	P	P	P 2 11	P		P 27			
Tile and Carpet													P	P		P	P 10 17	P 17	P 17	P 17		P 17	P 22	P 24 28			
COMMERCIAL Services																											
Auto Broker													P	P	P	P				P		P	P	P			
Auto/Car Wash (Polishing, Waxing, Detailing)												A 60	C 60	C 60		C 60								A 60			
Auto/Car Wash, Self-serve Bay													C	C		C											
Automobile Rental													A 61	P 3 61		C 61				P 16 61		P 16 61					
Automotive, Minor Repair												A 62	C 62	P 3 62		C 62							P 3 62	A 62			
Automotive, Major Repair																							P 3 13 63				
Automotive Window Tinting/Stereo Installation/Alarms												A 64	P 64	P 64		C 64							P 64	P 26			
Bar & Nightclub													C	C	C	C	C 16		C 14 16	C 14 16	C 16	C 16		C 27			
Caterer												P	P	P	P	P							P 22	C			

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD ⁴	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
COMMERCIAL Services																											
Check Cashing													P 65	P 65		P 65									P 27		
Coin-operated Laundry									P 1 8			P 1	P	P	P	P	P 17	P 17	P 17	P 17					P 27		
Day & Trade Labor Pool (Temporary Help)														C									P 13				
Dry Cleaner									P 2 8 66			P 2 66	P 66	P 66	P 66	P 66	P 66	P 66	P 66	P 66	P 66	P 66	P 22 66	P 27 66			
Fortune Teller, Palm Reader, or Psychic																							P 22				
Funeral Home											C	C	P 3	P 3		P 3		C 16	C 16	C 16					A 3 67		
Interior Decorator Studio						P 18						P	P	P	P	P	P 11	P 11	P 11	P 11	P 11	P 11	P 22	P			
Landscaping Debris Stockpiling																							C 10 3				
Locksmith												P 1	P	P	P	P							P 22	P			
Mobile Vending Unit (MVU)									P 54		P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	P 54	
Personal Care (Beauty, Hair, Nails)						P 18 68			P 8 68			P 1 68	P 68	P 68	P 68	P 68	P 17 68	P 17 68	P 17 68	P 17 68	P 17 68	P 17 68	P 22 68	P 27 68			
Pet Care (Boarding and Daycare)												A 69	C 69	C 69	C 69	C 69	C 16 69	C 16 69	C 16 69				P 3 22 69	C 27 69			
Pet Care (Grooming)												P	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P 27			
Pet Care (Veterinary Services)											P	P	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16	P 22	P 27			
Photography Studio						P 18					P	P 18	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P 27	A 20	A 20	
Postal/Mail Center											A 70	P 1 70	P 70	P 70	P 70	P 70	P 16 70	P 16 70	P 16 70	P 16 70	P 16 70	P 16 70	P 22 70	P 28 70			

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc	
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC
COMMERCIAL Services																										
Repair/Maintenanc e, Personal and Household Goods									P 1 8			P 1	P	P	P	P	P 17	P 17	P 17	P 17		P 17	P 22	P		
Repair, Rental, & Maint of Home/Garden Tools													P 71	P		P 71							P 12			
Repair, Rental, & Maint of Office, Home Equip												P	P	P	P	P	P 10 17	P 17	P 17	P 17		P 17	P	P		
Travel Agency						P 18 19					P 1	P 1 19	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P 27		
Tuxedo, Formal Wear, Costume Rental												P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17		P 27		
Videos, Games & DVD Rental												P 1	P	P	P	P	P	P 14	P 14	P 14	P	P		P 27		
OFFICE & HEALTH CARE																										
Bank and Financial Office											P	P 1	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16		P 27 31		
Business or Professional Office						P 18 19			P 8		P	P 18 19	P	P	P	P	P 73	P 73	P 73	P 73	P 73	P 73	P 22	P 28 31		
Call Center											P	P	P	P	P 5	P	P 5	P 5	P 5	P 5	P 5	P 5	P 13	C 29		
Copying, Printing, and Sign Design											P	P 2	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P		
Counseling											P	P 1	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16	P 22	P 27 31		
Diet/Nutrition Center												P 1	P	P	P	P	P 17	P 17	P 17	P 17	P 17	P 17	P 22	P 27 31		
Hospital																								P 72		
Information and Data Processing											P	P 1	P	P	P	P							P	P 29		
Investigative Service									P 8		P	P 1	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16	P 22	P 27 31		
Manufacturer Representative											P 1	P 1	P	P	P	P	P						P	P 24 28 31		

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD ^v	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
OFFICE & HEALTH CARE (Cont'd)																											
Medical Care or Testing (In-patient)											P 14 101 102	P 14 101 102	P 14 101 102			P 14 101 102											
Medical or Dental Imaging/Testing/Support Services											P	P 1	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16	P 22	P 24 27 31			
Medical or Dental Laboratory														P									P 13	P 29			
Medical or Dental Office (Out-patient)											P	P 1	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16	P 22	P 27 31			
Real Estate Business						P 18 19					P	P 18 19	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16		P 27 31			
Social Service Agency					C 74	C 74					P	P															
Temporary Employment Agency											P	P	P	P	P	P	P 16	P 16	P 16	P 16	P 16	P 16		P 27 31			
ARTS, ENTERTAINMENT & RECREATIONAL																											
Adult Entertainment													C 75	C 75		C 75							P 13 75	P 75			
Artist Studio						P 18						P 18	P 76	P 76	P 76	P 76	P 76	P 76	P 76	P 76	P 76	P 76	P	P	A 20	A 20	
Arts Campus						P 18																			P 18	P 18	
Entertainment, Indoor												P 1 77	P	P	P	P	P	P 11	P 11 14	P 11 14	P 11 14	P 11	P 11	P 22 77	P 27		A 21
Entertainment Outdoor													C 78			C 78											
Gym, Fitness & Health Club						P 18 19							P	P	P	P	P 10 11	P 11 14	P 11 14	P 11 14	P 11	P 11		P 27			
Indoor Athletic Instruction/Training						P 18 19						P 1	P	P	P 1	P	P	P 14	P 14	P 14	P 1	P 1	P	P			
Marina, (including Yacht Club)								P 79							P 79			P 11 79	P 11 79	P 11 79	P 11 79	P 11 79					
Museum						P 18						P 18									P				P	P 18	

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indu strial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUDv	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
ARTS, ENTERTAINMENT & RECREATIONAL (Cont'd)																											
Rentals, Recreational (bicycles, canoes, personal watercraft)													P	P	P	P	P 11	P 11 14 80	P 11 14 80	P 11 14 80	P 11	P 11					A 21
Shooting Range, Indoor													P	P		P								P 4 29			
Sightseeing & Scenic Tours											P 81	P 81	P 81	P 81	P 81	P 81	P 11 81	P 11 81	P 11 81	P 11 81	P 11 81	P 11 81					
Theater						P 18 82						P 18 82	P 82	P 82	P 82	P 82	P 11 82	P 11 14 82	P 11 14 82	P 11 14 82	P 11 82	P 11 82			P 20 82	P 18 82	

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AA B	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD ⁺	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
PUBLIC & CIVIC USES																											
Cemetery											A 3 83	A 3 83	A 3 83	A 3 83		A 3 83		A 3 83	A 3 83	A 3 83						P	
Church	C 33 84	C 33 84	C 33 84	C 33 84	C 84	C 84			P		P	P					P 15	P 15	P 15	P 15							
Civic & Fraternal Club/ Organization											P 3	P 3					C 15	C 14 15	C 14 15	C 14 15							
Government, Municipal Office/ Emergency/ Civic Facilities	P 85	P 85	P 85	P 85	P 85	P 85		P 85	P 85		P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 85	P 25	P	P	
Government, Municipal Utility/ Support Facilities																									P		
Government, Non- Municipal Office Facilities											P 1	P 1	P 1 5	P 1	P 1 5	P 1 5	P 5 86	P 86	P 86	P 5 86	P 5 86	P 5 86	P 86	P 24 25 28 31 86	P		
Government, Non- Municipal Utility/ Support Facilities																									P		
Government, Post Office													C	C		C	C			C	C	C			P		
EDUCATIONAL																											
College, Seminary, University											P	P	C			C		P 15	P 15	P 15					P		
Day Care	C 33 87	C 33 87	C 33 87	C 33 87	C 87	C 87			P 8 87		C	C	C	C	C	C 87	P 11	P 11 14	P 11 14	P 11 14	P 11	P 11	P 22				
School, Industrial & Trade														C									P 22	P 26			
School, Primary and Secondary	C 33	C 33	C 33	C 33	C	C			P															P 25	P		
School, Professional & Technical						P 18					P	P 18	P	P	P	P	P 15	P 15	P 15	P 15		P 15		P 24 27 31			
Tutoring and Testing Centers											P	P	P	P	C	P	P 11	P 11	P 11	P 11	C 11	C 11	P 22	P 24 27 31			

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
INDUSTRIAL Manufacturing, Fabrication & Processing																											
Bakery, Commercial														C 9										P 9	P 26		
Beverage Mfg														C 9										P 9	P 26		
Converted Paper Product Processing																								P 13	P 26		
Dairy Products Mfg														C 9										P 9	P 26		
Electrical Equipment, Appliance & Component Assembly																								P 13	P 26		
Food Processing														C 9										P 9	P 26		
Footwear & Other Leather Products																								P 23	P 26		
Frozen Food														C 9										P 9	P 26		
Furniture Products																								P 23	P 26		
Glass Products																								P 23	P 26		
Ice Cream & Frozen Dessert														C 9										P 9	P 26		
Jewelry Mfg																								P 23	P 26		
Medical Equipment & Supplies																								P 23	P 26		
Metal, Fabricated Products																								P 23	P 26		
Motor Vehicle Seating & Interior Trim																								P 23	P 26		
Ornamental, China, Fine Earthenware, & Pottery																								P 23	P 26		
Paint, Coating & Adhesive																								P 23	P 26		
Pharmaceutical & Medicine																								P 23	P 26		
Plastic Products																								P 23	P 26		

P = Permitted C = Conditional A = Accessory	Residential									Commercial						Mixed-Use						Indus trial		Misc			
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
INDUSTRIAL Manufacturing, Fabrication & Processing (Cont'd)																											
Rubber Products																							P 23	P 26			
Soap & Toiletry																							P 23	P 26			
Sporting Goods and Toys																							P 23	P 26			
Stone cutting & finishing																							P 23 88	P 26 88			
Textile Products																							P 23	P 26			
Wood Products																							P 23	P 26			
INDUSTRIAL Storage, Distribution & Wholesale																											
Packing & Shipping, Trucking, and Moving																							P 13	P 29			
Storage, Boats/ Motor/Recreationa l Vehicles														A 89				A 89	A 89		A 89		P 13 89				
Storage, Self-Service																	C 5 11 90	C 5 11 90	C 5 11 90	C 5 11 90			P 90				
Warehouse, Internet Sales														P									P	P 26			
Warehousing														C 12									P 23	P 26			
Wholesale Trade														C 12									P 23	P 26			
INDUSTRIAL Services																											
Boat Repair																							P 13 91				
Carpet and Upholstery Cleaning Services														P 92									P 22	P 26			
Contractor														P 93									P 23 93	C 29 93			
Dry Cleaning Plant																							P 13	P 26			

P = Permitted C = Conditional A = Accessory	Residential										Commercial						Mixed-Use						Indus trial		Misc		
	R-1-AAB	R-1-AA	R-1-A	R-1	R-2	R-3	R-4	IPUD*	PUD	MHP	C-1	C-2	C-3	C-4	CBD	PCD	SMU	MU-1	MU-2	MU-3	MU-4	MU-C	M-1	PID	PU	REC	
INDUSTRIAL Services																											
Exterminating and Pest Control																							P 3 13	P 26			
Glass and Mirror														P									P 23	P 26			
Janitorial and General Cleaning														P									P 13	P 26			
Lawn Maintenance & Landscaping Service														P 94									P 13 94				
Publishing & Commercial Printing																							P 23	P 26			
Radio & TV Broadcasting											P 95	P 95	P 95	P 95	P 95	P 95							P 95	P 29 95			
Recording Studio													P	P	P	P							P	P 29			
Rental/Leasing Industrial & Commercial Equipment																							P 13 32				
Repair/Maintenance Industrial & Commercial Equipment																							P 13 32				
Research & Development Scientific/ Technologica l																							P 96	P 29 96			
Security Services													P	P		P							P 13	P 29			
Sewer/Septic & Waste Mgmt Cleaning																							P 3 13 97	C 4 26 97			
Taxi, Limo, Charter Bus												P 1 98	P 98	P 98	C 98	P 98							P 3 13 98				
Testing Laboratory																							P 13	C 26			
Towing, Motor Vehicle																							P 3 13				
AGRICULTURAL																											
Community Garden	P 99	P 99	P 99	P 99	P 99	P 99		P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99	P 99					

ARTICLE V. SUPPLEMENTAL REGULATIONS

Sec. 13. Wireless Communication Facilities (WCF).

D. *Freestanding WCF.* Freestanding WCF are any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, usually consisting of an antenna or group of antennas, feed lines, and equipment cabinets, and may include an antenna support structure. WCF include, but are not limited to the following: stealth, monopole, guyed, or lattice antenna support structures.

6. Co-location. Co-location means the practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached WCF using different and separate antenna, feed lines and radio frequency generating equipment.

e. Zoning Districts and Affiliated Process (Table 3-29).

Zoning District	Concealed Attached WCF 1	Non-concealed Attached WCF 2	Concealed Freestanding WCF 4	Non-concealed Freestanding WCF 4	Mitigation of Existing WCF 7	Antenna Element Replacement	Co-location 8
R-1			CC 3		AD	AD	AD
R-2		AD	CC 3		AD	AD	AD
R-3	AD	AD	CC 3		AD	AD	AD
R-4	AD	AD	CC 3	-	AD	AD	AD
PUD	AD	AD	CC 3		AD	AD	AD
IPUD	AD	AD	CC 3		AD	AD	AD
MHPD			CC 3		AD	AD	AD
C-1		AD	CC		AD	AD	AD
C-2		AD	CC		AD	AD	AD
C-3	AD	AD	CC		AD	AD	AD
C-4	AD	AD	CC		AD	AD	AD
CBD	AD	AD	CC		AD	AD	AD
PCD	AD	AD	CC		AD	AD	AD
REC	AD	AD	CC	CC 5,6	AD	AD	AD
PU	AD	AD	CC	CC 5,6	AD	AD	AD
SMU	AD	AD	CC		AD	AD	AD
MU-1	AD	AD	CC		AD	AD	AD
MU-2	AD	AD	CC		AD	AD	AD

MU-3	AD	AD	CC		AD	AD	AD
MU-4	AD	AD	CC		AD	AD	AD
MU-C	AD	AD	CC		AD	AD	AD
PID	AD	AD	CC	CC	AD	AD	AD
M-1	AD	AD	CC	CC	AD	AD	AD

Legend:

AD - Administrative (Staff) Approval CC - City Commission (Public Hearing) Approval Blank - Not Allowed

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Zoning Districts:		
R-1 Single-Family Residential	C-1 Office Professional	SMU Suburban Mixed Use
R-2 Duplex Residential	C-2 Neighborhood Commercial	MU-1 Mixed Use 1
R-3 Multi-Family Residential	C-3 Community Commercial	MU-2 Mixed Use 2
R-4 Multi-Family Residential	C-4 General Commercial	MU-3 Mixed Use 3
PUD Planned Unit Development	CBD Central Business District	MU-4 Mixed Use 4
IPUD Infill Planned Unit Development	PCD Planned Commercial Development	MU-C Mixed Use Core
MHPD Mobile Home Planned Development	REC Recreation	PID Planned Industrial Development
	PU Public Usage	M-1 Light Industrial

f. Maximum Heights of WCF (Table 3-30).

Zoning District	Concealed Attached WCF	Non-concealed Attached WCF	Concealed Freestanding WCF	Non-concealed Freestanding WCF	Mitigation of Existing WCF	Antenna Element Replacement	Co-location
R-1			55' 3,4		7	7	7
R-2		2	55' 3,4		7	7	7
R-3	1	2	55' 3,4		7	7	7
R-4	1	2	55' 3,4		7	7	7
PUD	1	2	75' 3,4		7	7	7
IPUD	1	2	75' 3,4		7	7	7

MHPD			55' 3,4		7	7	7
C-1		2	55' 4		7	7	7
C-2		2	55' 4		7	7	7
C-3	1	2	75' 4		7	7	7
C-4	1	2	75' 4		7	7	7
CBD	1	2	130' 4		7	7	7
PCD	1	2	75' 4		7	7	7
REC	1	2	100' 4	100' 4, 5, 6	7	7	7
PU	1	2	100' 4	100' 4, 5, 6	7	7	7
SMU	1	2	70' or less 4		7	7	7
MU-1	1	2	70' or less 4		7	7	7
MU-2	1	2	70' or less 4		7	7	7
MU-3	1	2	70' or less 4		7	7	7
MU-4	1	2	70' or less 4		7	7	7
MU-C	1	2	70' or less 4		7	7	7
PID	1	2	100-150' 4	100-150' 4	7	7	7
M-1	1	2	100-150' 4	100-150' 4	7	7	7

g. Setbacks and Separation Between WCF (Table 3-31).

Zoning District	Concealed Attached WCF	Non-concealed Attached WCF	Concealed Freestanding WCF	Non-concealed Freestanding WCF	Mitigation of Existing WCF	Antenna Element Replacement	Co-location
R-1			3,4		6		7
R-2		2	3,4		6		7
R-3	1	2	3,4		6		7
R-4	1	2	3,4		6		7
PUD	1	2	3,4		6		7
IPUD	1	2	3,4		6		7
MHPD			3,4		6		7
C-1		2	3,4		6		7
C-2		2	3,4		6		7
C-3	1	2	3,4		6		7

C-4	1	2	3,4		6		7
CBD	1	2	3,4		6		7
PCD	1	2	3,4		6		7
REC	1	2	3,4	4,5	6		7
PU	1	2	3,4	4,5	6		7
SMU	1	2	3,4		6		7
MU-1	1	2	3,4		6		7
MU-2	1	2	3,4		6		7
MU-3	1	2	3,4		6		7
MU-4	1	2	3,4		6		7
MU-C	1	2	3,4		6		7
PID	1	2	3,4	4,5	6		7
M-1	1	2	3,4	4,5	6		7



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 1/28/2020

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD: Participate in a Board Orientation/Development Review Process Presentation.

EXPLANATION OF REQUEST: With the number of new Board members, staff proposes to conduct a PowerPoint presentation of the City's development review process, and the Board's role in the process.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? N/A

FISCAL IMPACT: N/A

ALTERNATIVES: N/A

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:
