

K. Temporary Construction Access Easement

A temporary construction access easement shall be provided from each dedicated public supply water well site to the closest public R-O-W or other R-O-W acceptable to the PBCWUD.

L. Hold Harmless Agreements

Each dedication of a public supply water well site shall include a hold harmless agreement to relieve PBC from liability for impacts to on-site irrigation wells, aesthetic lakes, and surface water management systems. The agreement shall be in a form acceptable to the County Attorney's Office.

M. Dedication of Public Water Supply Sites

1. Upon approval of each future well site or sites by the PBCWUD, a conditional letter of acceptance will be issued. Prior to application for building permits, each public supply water well site shall be identified or identified and dedicated as provided below:

- a. If a new development, a new use or an expanded use does not require recording of a plat then each public supply water well site to be dedicated shall be conveyed within 90 days following final site plan certification by the DRO. The conveyance shall be in a form approved by the County Attorney's Office.
- b. If a new development, a new use or expanded use requires recording a plat, the location and recordation information of each public supply water well site shall be shown on such plat.
- c. If a new development, a new use or expanded use does not require a recorded plat or final DRO site plan or subdivision certification, then each public supply water well site to be dedicated shall be conveyed prior to issuance of the first required development permit, including a vegetation removal permit other than a prohibited species removal permit, excavation permit, or building permit. However, the PBCWUD may stipulate an alternate time when the public supply water well site dedication shall occur. The conveyance shall be in a form approved by the County Attorney's office.

2. The location of each well site to be dedicated shall be approved by the PBCWUD.

N. Developer's Agreements

The PBCWUD may require, as part of a developer's agreement to provide water or sewer service to a new or expanded land use, dedication of public supply water well sites consistent with the provisions of this Section.

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

A. Purpose and Intent

The Westgate/Belvedere Homes Community Redevelopment Agency (WCRA) was created pursuant to F. S. §163 Part III, Community Redevelopment, to remove blighted conditions, enhance the PBC's tax base, improve living conditions, and preserve areas of low and moderate cost housing in the Westgate/Belvedere Homes area of unincorporated PBC.

The use of community redevelopment powers enables the BCC and the WCRA to make public improvements that encourage and enhance investment while providing neighborhood stability, prevent continuation of inefficient and incompatible land use patterns, and assist revitalization and rehabilitation of older commercial and residential areas in the Westgate/Belvedere Homes area. The WCRAO is established with the purpose and intent of encouraging development and redevelopment of the Westgate/Belvedere Homes area through regulatory incentives; arresting deterioration of property values; preserving and protecting existing, viable affordable housing; providing opportunity for the future development of affordable housing; implementing the 2004 Westgate/Belvedere Homes Community Redevelopment Plan (WCRA Plan); providing for mixed use development; and providing for increased residential densities and commercial intensities, without amendment to the Plan.

The WCRA Plan proposes to use smart growth and form based code principles that incorporates urban design and mixed use development to achieve infill, residential and commercial redevelopment. Mixed use development is required to implement the goals of the WCRA Plan to allow for a pedestrian friendly environment, the vertical integration of uses, and higher intensity and density. [Ord. 2006-004]

B. General Development Standards

1. Nonconformities

Nonconforming uses, structures and lots shall be allowed to continue subject to the provisions of Art. 1.F., Nonconformities. [Ord. 2006-004]

a. Expansion of Existing Non-conforming Parking

The addition of parking that does not meet the location requirements of this Section, that is included in the expansion of a non-conforming structure shall be permitted subject to BCC approval of a Class A Conditional Use. [Ord. 2006-004]

2. Exemptions

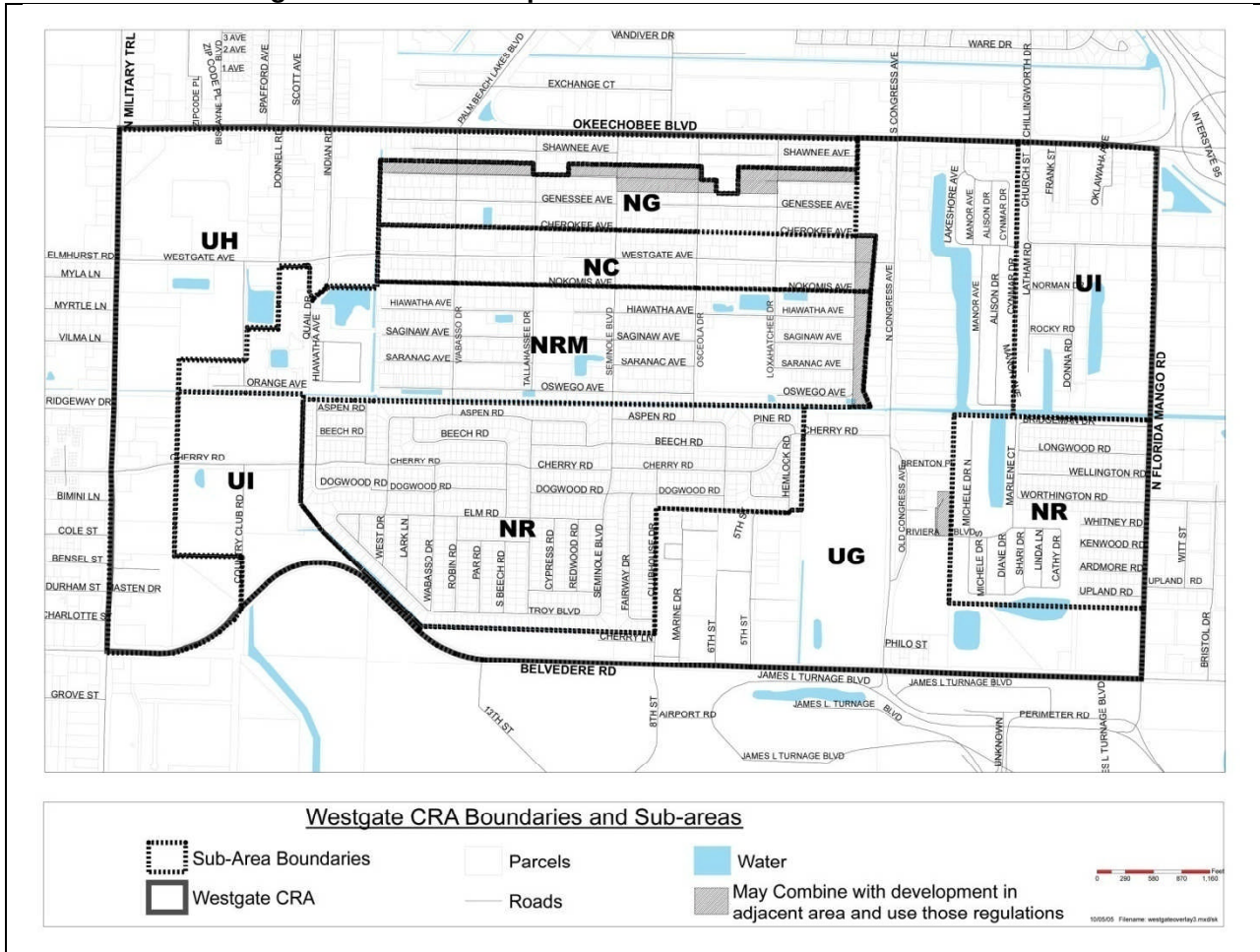
All properties in the PO district or any publicly owned properties developed to serve a public use shall be exempt from the requirements of **Art. 3.B.15, WCRAO. [Ord. 2006-004]**

C. Boundaries

1. WCRAO Boundaries

The WCRAO consists of those lands within unincorporated PBC bounded by Okeechobee Boulevard on the north, Belvedere Road on the south, Florida Mango Road on the east, and Military Trail on the west. See Figure 3.B.15.C-1 – Map of WCRAO Boundaries and Sub-areas. **[Ord. 2006-004]**

Figure 3.B.15.C-1 – Map of WCRAO Boundaries and Sub-areas



2. Sub-area Boundaries and Descriptions

To implement the WCRAO Plan, Sub-areas are hereby established to identify additional use regulations, PDRs, and supplemental standards that may differentiate from related requirements of the ULDC. Unless expressly stated herein, development shall comply with the requirements of a site’s zoning district and FLU designation. Sub-area boundaries are based on the WCRAO Plan and the need for special protective measures, additional design standards, and redevelopment incentives within specific geographic areas. See Figure 3.B.15.C-1 – Map of WCRAO Boundaries and Sub-areas, for the location of each Sub-area. **[Ord. 2006-004]**

a. NR, Neighborhood Residential

Intended to maintain and encourage the redevelopment of existing single-family residential dwellings. **[Ord. 2006-004]**

b. NRM, Neighborhood Residential – Medium Density

Intended to encourage mixed use development based on CL neighborhood based uses and single-family, townhouse and multi-family dwelling units. **[Ord. 2006-004]**

c. NG, Neighborhood General

Intended to encourage mixed use development, including more intense commercial uses, and townhouse and multi-family dwelling units. [Ord. 2006-004]

d. NC, Neighborhood Commercial

Intended to be the key focal point of the redevelopment area, with provisions allowing for or requiring mixed use development with more intense commercial uses. [Ord. 2006-004]

e. UG, Urban General

Additional redevelopment area allowing for mixed use development with more intense commercial and residential uses, including multi-story towers where feasible. [Ord. 2006-004]

f. UH, Urban Highway

Existing commercially developed corridors with little or no changes proposed to current Zoning PDRs or use regulations. [Ord. 2006-004]

g. UI, Urban Industrial

Existing commercial and industrial areas that will be encouraged to be redeveloped by the recent adoption of FLU amendments allowing CH or IND development. [Ord. 2006-004]

3. Redevelopment or Expansion in the UH and UG Sub-areas

Redevelopment projects or the expansion of an existing project in the UH and UG Sub-areas that include parcels in the NG, NC or NRM sub-areas that are shaded in Figure 3.B.15.C-1, Map of WCRAO Boundaries and Sub-areas, may elect to develop in accordance with the requirements of the majority Sub-area. [Ord. 2006-004]

D. Development Review Procedures

1. WCRA Recommendation

Applicants must obtain a recommendation from the WCRA, prior to submittal of any application for the development of single-family or duplex residential structures on a non-conforming lot, or application outlined under [Art. 2, Development Review Procedures](#), for the following: Official Zoning Map Amendments, Conditional Uses, Requested Uses, Development Order Amendments, Plan Amendments, Density Bonuses, Variances and projects requiring DRO approval. An application for a WCRA recommendation must be made in accordance with the following: [Ord. 2006-004] [Ord. 2007-013]

a. Application Requirements

The form and application requirements for a WCRA recommendation shall be submitted as specified by the WCRA; however, in no case shall supporting documents required by the WCRA exceed the requirements of the Development Review Procedures listed above. [Ord. 2006-004]

b. Timeframe for Response

WCRA staff shall determine whether or not the application is sufficient or insufficient within ten working days. Any amendment to an application shall require the timeframe for response to restart. [Ord. 2006-004]

1) Sufficiency and Recommendation

If the application is determined to be sufficient, a recommendation shall be mailed to the applicant within 30 days of application submittal. If a recommendation is not made within this timeframe, the application shall be considered to have received a recommendation for approval, and the WCRA shall provide a letter indicating such. [Ord. 2006-004]

2) Insufficiency

If an application is determined to be insufficient, WCRA staff shall provide a written notice specifying the deficiencies to the applicant, to be mailed within ten days of receipt of the application. No further action shall be taken until the applicant remedies the deficiencies. If the deficiencies are not remedied within 20 days of the date of the written notice, the application shall be considered to have a recommendation for denial. If amended and determined to be sufficient, the application shall be processed in accordance with [Art. 3.B.15.D.b.1, Sufficiency and Recommendation](#). [Ord. 2006-004]

2. Public Hearing Procedures

In addition to the requirements of [Art. 2, Development Review Procedures](#), the following shall apply: [Ord. 2006-004]

a. Official Zoning Map Amendments

All Official Zoning Map Amendment requests shall comply with the following standards; [Ord. 2006-004]

1) Industrial Districts

Any request to rezone lots located in the flight path of the PBI to an industrial district shall not require a Plan Amendment, in accordance with Policy 1.2-4.d of the Plan. [Ord. 2006-004]

2) Commercial Districts

Any request to rezone lots to a commercial district or PDD that were not designated commercial on the FLUA as of the Plan’s August 31, 1989 adoption shall not require a FLUA amendment, in accordance with Policy 1.2-4.c of the Plan, subject to the following: **[Ord. 2006-004]**

a) Purpose

The rezoning advances the purpose and intent of the WCRA Plan, and does not have an adverse impact on surrounding uses. **[Ord. 2006-004]**

b) 20 Percent Limitation

The rezoning must not cause the total amount of acreage in the WCRAO shown as commercial on the FLUA as of the August 31, 1989 adoption of the Plan to be increased by more than 20 percent. **[Ord. 2006-004]**

c) WCRA Approval

The applicant receives a recommendation for approval from the WCRA in accordance with [Art. 3.B.15.D.1, WCRA Recommendation](#). **[Ord. 2006-004]**

b. Class A Conditional Uses on Lots Two Acres or Less

A DOA or new application for a Class A Conditional Use, with a Gross Land Area of two acres or less, may be approved as a Class B Conditional Use. **[Ord. 2006-004]**

E. Use Regulations

1. Mixed Use

In the WCRAO, mixed use means the combination of residential and one or more non-residential uses that are functionally integrated. Mixed use may be required or permitted in commercial districts that have a commercial with underlying residential FLU designation, as indicated in Table 3.B.15.E-6, WCRA Mixed Use. **[Ord. 2006-004]**

Table 3.B.15.E – WCRAO Mixed Use

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Mixed Use	Prohibited	Required ¹	Required ¹	Required ^{2 5}	Permitted	Permitted	Prohibited
Minimum Residential Use ⁴	N/A	50%	50%	25%	N/A	N/A	N/A
Maximum Residential Use	N/A	100%	100%	75% ³	N/A	N/A	N/A
Minimum Non-residential Use	N/A	0%	0%	25% ³	N/A	N/A	N/A
Maximum Non-residential Use ⁴	N/A	50%	50%	75%	N/A	N/A	N/A
[Ord. 2006-004]							
Notes:							
1. Non-residential zoned lots with a commercial with underlying residential FLU designation, approved as part of Plan Amendment Round 2005-01, shall be subject to the requirements of Art. 3.B.15.E.1.a, Required Mixed Use in NRM, NG and NC Sub-areas. [Ord. 2006-004]							
2. Required only on Westgate between Loxahatchee Drive and Wabasso Drive in accordance with Art. 3.B.15.E.1.a, Required Mixed Use in the NRM, NG and NC Sub-areas. [Ord. 2006-004]							
3. Maximum residential use may be increased to 100% and minimum non-residential uses may be reduced to 0%, east of Loxahatchee Drive, and West of Wabasso Drive. [Ord. 2006-004]							
4. Minimum and maximum percentages for residential and non-residential uses are calculated by dividing the total GFA for either use (residential OR non-residential) type by the total GFA (residential AND non-residential). [Ord. 2006-004]							
5. Minimum residential and maximum non-residential percentages may be waived once all permitted residential density has been utilized, if no Density Bonus Pool units are available. [Ord. 2006-004]							

a. Required Mixed Use in NRM, NG, and NC Sub-areas

In the NRM, NG and NC Sub-areas, non-residential uses shall only be permitted if all permitted residential density is utilized, but in no case shall it be less than one unit. Density shall be calculated as standard density, or maximum density for PDDs, TDDs, and projects meeting the requirements of FLUE Policy 1.2.2-a of the Plan, which ever is greater. Regardless of mix of uses, non-residential FAR shall not exceed the maximum FAR permitted by the Plan. **[Ord. 2006-004]**

b. Vertical Integration

Projects that vertically integrate a minimum of 20 percent of a site’s approved (includes allowed density and any density bonus units) residential density with commercial uses may be allowed to utilize up to 100 percent of both the site’s commercial intensity and residential density. **[Ord. 2006-004]**

2. Sub-area Use Regulations

a. Use Regulations

In addition to the requirements of Table 3.E.1.B-22, Table 3.F.I.F-44, and Table 4.A.3.A-1 the following uses shall be prohibited or permitted in the WCRAO Sub-areas: **[Ord. 2006-004]**

Table 3.B.15.E - WCRAO Sub-area Use Regulations

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	NOTE ²
Residential Uses								
Multi-family	X	-	-	-	-	-	-	87
Commercial Uses								
Adult entertainment ³	X	X	X	X	X	X	X	2
Auto Service Station	X	X	X	-	-	-	-	18
Convenience Store with Gas Sales	X	X	X	-	-	-	-	37
Day Labor Employment Serv.	X	X	X	X	X	X	X	41
Repair and Maintenance, General	X	X	X	-	-	-	-	107
Self-service Storage	X	X	X	X	-	-	-	120
Vehicle Sales and Rental	X	X	X	-	-	-	-	135
Office Warehouse	X	X	X	X	A ¹	A ¹	A ¹	138
Work/Live Space	X	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	141
[Ord. 2006-004] [Ord. 2007-013]								
Key								
X Prohibited in Sub-area.								
- Subject to Use Regulations of zoning district.								
P Permitted by Right [Ord. 2007-013]								
A Class A Conditional or Requested Use								
Notes:								
1. Limited to lots with a CH or IND FLU Designation and corresponding zoning district. [Ord. 2006-004]								
2. A number in the NOTE column refers to Art 4.B, Supplementary Use Standards, which are applicable to the use. [Ord. 2006-004]								
3. Adult entertainment shall also be prohibited as an accessory use to other principal uses within the sub-areas. [Ord. 2007-013]								
4. Limited to lots with a CH or CL FLU Designation and corresponding zoning district. [Ord. 2007-013]								

b. Table for Allowable Uses by Floor

Where permitted by the existing zoning district, uses shall be further regulated by floor, as indicated in Table 3.B.15.E-8, WCRA Sub-area Uses Permitted by Floor, and Figure 3.B.15.F-3, WCRAO Sub-area Building Configurations and Lot Placements. **[Ord. 2006-004]**

Table 3.B.15.E – WCRAO Sub-area Uses Permitted by Floor¹

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
1st Floor	R,Cv, Rc	All	All	C, O, CV, Rc ²	All	All	C, I, O
2nd Floor	R,Cv, Rc	R,Cv,Rc,O	R,Cv,Rc,O	All	All	All	All
3rd Floor	R	R	R	R,O	All	All	All
4th Floor	NA	NA	R	R,O	All	All	All
5th Floor and above	NA	NA	NA	R	All	All	All
Key							
All	Residential, Civic, Recreation, Office, Commercial, and Industrial			R	Residential		
C	Commercial, other than office			CV	Civic		
I	Industrial			Rc	Recreation		
NA	Not Applicable			O	Office		
[Ord. 2006-004]							
Notes :							
1. Use allowed by floor only where permitted by existing zoning district, and the mixed use provisions of Table 3.B.15.E-6, WCRAO Mixed Use. [Ord. 2006-004]							
2. All uses are permitted East of Loxahatchee Drive and West of Wabasso Drive. [Ord. 2006-004]							

F. Property Development Regulations (PDRs)

1. Sub-area PDRs

In order to implement the form based code build to lines outlined in the WCRA Plan, additional PDRs are established for the seven Sub-areas. Development in the WCRAO shall be in compliance with all standard, PDD or TDD PDRs, unless specified otherwise in Table 3.B.15.F-9, WCRAO Sub-area PDRs, and Figure 3.B.15.F-3, WCRAO Sub-area Building Configuration and Lot Placement. Single-family dwellings shall only be required to comply with the Minimum Lot Depth and Accessory Dwelling requirements of Sub-area PDRs. **[Ord. 2006-004] [Ord. 2008-003]**

a. NRM, NG and NC Side Setback Reduction

A building in the NRM, NG and NC sub-areas may be built along the interior side property line with a zero setback, subject to the following for the façade built with a zero setback: **[Ord. 2006-004]**

- 1) No windows, doors or other openings are permitted. No portion of building, including roof eaves, gutters and soffits may encroach onto adjacent property. **[Ordd. 2006-004]**
- 2) No form of opening, attachment, or any item or method of construction requiring maintenance other than cleaning and painting when visible, shall be permitted. **[Ord. 2006-004]**
- 3) A maintenance easement is granted allowing for a minimum of two feet for access to any portion of a structure left exposed and requiring limited maintenance, such as cleaning and painting. **[Ord. 2006-004]**
- 4) Height shall be limited to two stories and a maximum of 25 feet. Additional height may be permitted subject to the standard setback and any other setback requirements. **[Ord. 2006-004]**

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Table 3.B.15.F – WCRAO Sub-area PDRs

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Lot Dimensions:							
Minimum Lot Depth	90'	-	-	-	-	-	-
Maximum Building Coverage	-	40%	40%	40% ²	40% ²	40% ²	45% ²
Setbacks:							
Front ^{1,3}	-	Build to Line	Build to Line	Build to Line	Build to Line	-	Build to Line
Side ¹	-	10' ⁴	10' ⁴	10' ⁴	15'	15'	15'
Side Street ^{1,3}	-	Build to Line	Build to Line	Build to Line	Build to Line	-	Build to Line
Rear ^{1,4}	-	25'	25'	25'	25'	25'	25'
Build to Line ³:							
Frontage ¹	-	15'	15'	10'	C/MU: 10-25'	-	C 10' - 25'
Minimum Building Frontage							
Frontage ¹	-	60%	60%	80%	60%	-	C: 60%
Plazas and Squares							
Build to Line Exception ¹	-	25% of frontage, up to a depth of 20'				-	-
Min Width ^{1,5}	-	20'	20'	20'	20'	-	-
Minimum Length ¹	-	20'	20'	20'	20'	-	-
Maximum Height							
Stories ¹	-	3	4	6	20	10	15
Feet ¹	-	36'	48'	72'	240'	120'	180'
Accessory dwellings		2 stories and 25'		-	-	-	-
Other							
Maximum Building Length ^{1,6}	-	300'	300'	300'	300'	-	-
Key							
-	PDRs not specified in this table shall be subject to the PDRs of the lot's zoning district.						
C	For Commercial Uses						
MU	For Mixed Uses						
[Ord. 2006-004]							
NOTES:							
1. Single-family dwellings shall not be required to comply with identified Sub-area PDRs. [Ord. 2006-004] [Ord. 2008-003]							
2. Building coverage may be increased to 60% if all parking is provided offsite or in a parking structure. [Ord. 2006-004]							
3. Additional setbacks may apply per Art. 3.B.15.F.3, Sky Plane Exposure. [Ord. 2006-004]							
4. Side setbacks may be reduced to zero in accordance with Art. 3.B.15.F.1.a, NRM, NG and NC Side Setback Reduction. [Ord. 2006-004]							
5. Width may be reduced by 50 percent for buildings less than 80 feet in length. [Ord. 2006-004]							
6. Mid-block separation a minimum of 20 feet in width is required at the first floor level for building length in exceeding 200 feet, and must be 50 feet or more from either end of the building. [Ord. 2006-004] [Ord. 2008-003]							

2. Build to Line and Frontages

a. Build to Line

The build to line may be adjusted by the DRO to accommodate requirements such as, increased R-O-W buffers due to location of existing utility easements, or required corner clips. Where a build to line is required by Table 3.B.15.F-9, WCRAO Sub-area PDRs, the first three floors of all main structures, excluding parking garages, shall be built to the build to line, unless specified otherwise. An additional ten or 12 foot setback is permitted where a gallery is used in lieu of an arcade. Up to 25 percent may be setback to accommodate requirements for balconies, and recesses and projections up to a maximum of three feet. **[Ord. 2006-004]**

b. Building Frontage

Building frontage shall be in accordance with the requirements for each Sub-area and Figure 3.B.15.F-3, WCRAO Sub-area Building Configurations and Lot Placements, and Figure 3.B.15.F-4, Required Building Orientation. Frontage requirements may be reduced for lots with no rear access to required parking to accommodate a drive isle to the rear of the lot and required landscaping. **[Ord. 2006-004]**

c. Minimum Frontage

Parcels accommodating single-family dwellings shall have a minimum frontage of 50 feet on a public R-O-W. **[Ord. 2008-003]**

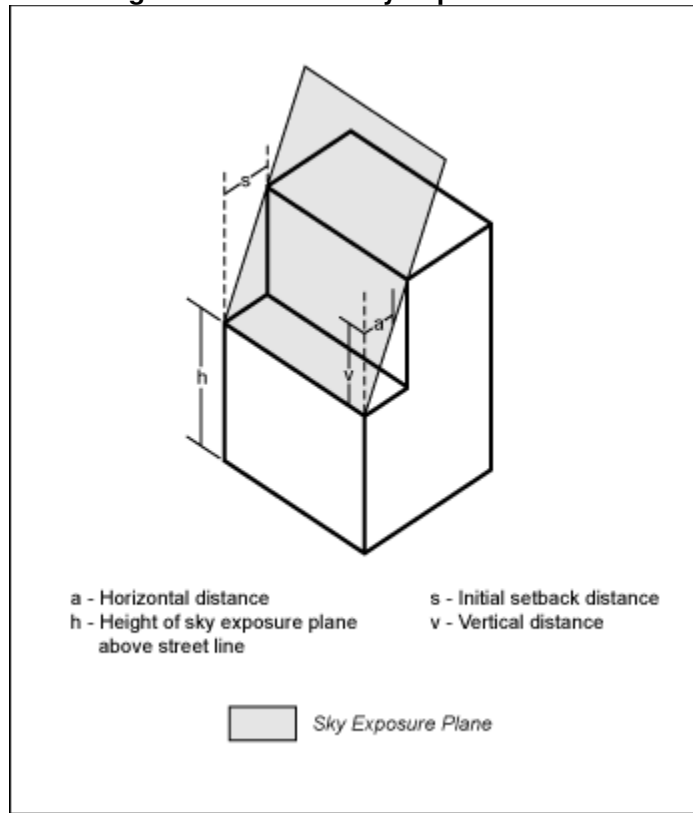
3. Sky Exposure Planes

In the NC, UG, and UI Sub-areas, the maximum height of a structure at the build to line shall be in accordance with Table 3.B.15.F-10, Sky Exposure Plane, and Figure 3.B.15-F-2, Sky Exposure Plane. **[Ord. 2006-004]**

Table 3.B.15.F – Sky Exposure Plane

Sub-area		NC	UG and UH	UI
s Initial Setback Distance	Narrow Street	20	20	20
	Wide Street	15	15	15
h Maximum Height of Sky Exposure Plane at Build to Setback Line.		48' or 4-stories, whichever is less	60' or 5-stories, whichever is less	72' or 6-stories, whichever is less
On Narrow Street	v Vertical Distance 1	1	2.7	3.7
	a Horizontal Distance 2	1	1	1
On Wide Street	v Vertical Distance 1	1	5.6	7.6
	a Horizontal Distance 2	1	1	1
[Ord. 2006-004]				
Notes:				
1. Slope is expressed as a ratio of vertical distance to horizontal distance. [Ord. 2006-004]				
2. A narrow street has an R-O-W of 60' or less, and a wide street has a R-O-W of 60' or greater. [Ord. 2006-004]				

Figure 3.B.15.F-2 – Sky Exposure Plane





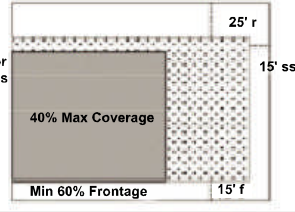

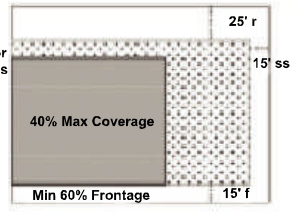
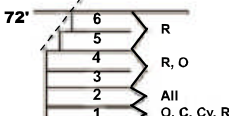
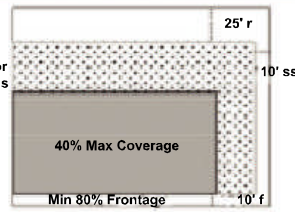
[Ord. 2006-004]

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4. Base Building Line

The 40 foot wide visual buffer requirement of [Article 3.D.1.D.1, Base Building Line](#), shall not apply to those lots abutting Westgate Avenue between Congress Avenue and Military Trail. The base building line for said lots shall be the existing R-O-W line of Westgate Avenue. **[Ord. 2006-004]**

Figure 3.B.15.F.3 - WCRAO Sub-area Building Configurations and Lot Placements

Sub-area	Maximum Height, Number of Floors, and Uses by Floor	PDRs - Setbacks, Building Area, and a Maximum Building Coverage
NR		ZD for all
NRM		
NG		
NC		

KEY for allowable usage by floor:*
 R= Residential O= Office
 C= Commercial I= Industrial
 Cv= Civic Rc= Recreational
 All= R, O, C, I, Cv, Rc

Key for setbacks:
 f= front setback ss= side setback
 s= side setback r= Rear Setback
 ZD= Regulations of Applicable Zoning District

 Building Coverage
 Buildable Area

* Use allowed by floor only where permitted by existing zoning district, and the mixed use provisions of Table 3.B.15.E-1, WCRAO Mixed Use.

[Ord. 2006-004]

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Figure 3.B.15.F.4 - WCRAO Sub-area Building Configurations and Lot Placements

Sub-area	Maximum Height, Number of Floors, and Uses by Floor	PDRs - Setbacks, Building Area, and Maximum Building Coverage
UG		
UH		
UI		

KEY for allowable usage by floor:*
 R= Residential O= Office
 C= Commercial I= Industrial
 Cv= Civic Rc= Recreational
 All= R, O, C, I, Cv, Rc

Key for setbacks:
 f= front setback ss= side setback
 s= side setback r= Rear Setback
 ZD= Regulations of Applicable Zoning District

Building coverage
 Buildable Area

* Use allowed by floor only where permitted by existing zoning district, and the mixed use provisions of Table 3.B.15.E-1, WCRAO Mixed Use.

[Ord. 2006-004]

G. Supplementary Standards

In addition to the requirements of [Art. 5 Supplemental Regulations](#), and Table 3.B.15.G-11, WCRAO Supplementary Standards by Sub-Area, the following shall apply: **[Ord. 2006-004]**

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Table 3.B.15.G – WCRAO Supplementary Standards by Sub-Area

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Minimum Enclosed Living Area							
Single Family Dwelling Unit	1,000 s.f.	1,000 s.f.	-	-	-	-	-
Accessory Dwelling	300 s.f.	300 s.f.	300 s.f.	-	-	-	-
Fences and Walls:							
Prohibited Materials	Chain link, wire mesh, barbed wire, wood basket weave, or corrugated metal panels						
Architectural Features:							
Arcades and Galleries ¹	-	-	-	Required - Westgate Avenue	-	-	-
Minimum Building Depth	-	20'	20'	20'	30'	-	30'
Minimum 1 st Floor Height	-	-	-	12'	-	-	-
Minimum Number of Floors	-	-	-	2 ²	-	-	-
Windows and Doors:							
Minimum Glazing of Frontage ³	-	³	³	³	-	-	-
Porches, Balconies and Entryways							
Front Setback Maximum Encroachment	8'	6'	6'	-	-	-	-
Min/Max Porch Depth ⁴	6'/10'				-	-	-
Min/Max Porch Length ⁴	8'/50% of building façade				-	-	-
Min/Max Balcony Depth	3'/3'				-	-	-
Min/Max Balcony Length	6'/50% total of building façade				-	-	-
Parking:							
Location of Surface Parking	-	Rear	Rear	Rear	-	-	-
Driveways ⁵	-	Rear	Rear	Rear	-	-	-
Location of Accessory Dwellings and Garages:							
Detached	Location	Back of rear façade of primary structures.		-	-	-	-
	Setbacks	5' side or rear ⁶		-	-	-	-
Attached	Location	Setback a min. of 20' from front façade		-	-	-	-
Landscaping:							
See Article 7, Landscaping for provisions allowing for reduction in Perimeter and foundation planting requirements.							
Min. Pervious Surface Area	-	20%	20%	20%	-	-	-
Key							
-	Subject to the supplementary standards of the lot's zoning district						
[Ord. 2006-004]							
Notes:							
1.	See Art. 3.B.15.G.3.d, Arcades and Galleries, Figure 3.B.15.G-4, WCRAO Arcade and Gallery Standards. [Ord. 2006-004]						
2.	Required second floor shall meet minimum frontage and depth requirements. [Ord. 2006-004]						
3.	See Art. 3.B.15.G.3.c, Fenestration Details – Windows and Doors. [Ord. 2006-004]						
4.	Excludes stoops. [Ord. 2006-004]						
5.	Access from the front or side may be permitted for lots with no rear street frontage. [Ord. 2006-004]						
6.	Minimum 20 foot setback shall be required for garages fronting on a street or alley. [Ord. 2006-004]						

1. Accessory and Prohibited Uses

a. Accessory Structures

Accessory structures shall be architecturally compatible with the principal building. **[Ord. 2006-004]**

b. Accessory Dwellings and Garages

Accessory dwellings and garages shall meet the requirements of Table 3.B.15.G.11, WCRAO Supplementary Standards by Sub-Area and Figure 3.F.3.E-26, TND Garages. **[Ord. 2006-004]**

c. Prohibited Uses in Front Yards

In the NR, NRM, NG Sub-areas, the following uses are prohibited in front yards or building façades: **[Ord. 2006-004]**

- 1) Parking on unpaved surfaces. **[Ord. 2006-004]**
- 2) Clotheslines and other clothes drying apparatus. **[Ord. 2006-004]**
- 3) Electrical meters. **[Ord. 2006-004]**
- 4) Air conditioning equipment, including window units on the building façade. **[Ord. 2006-004]**
- 5) Antennas and satellite dishes. **[Ord. 2006-004]**

2. Fences, Walls and Hedges

Interior fences and walls in the NRM, NG and NC Sub-areas shall be decorative in nature, and shall not obstruct views of pedestrian access-ways, courtyards, or parking entrances. **[Ord. 2006-004]**

a. Mixed Use Development and NC Sub-area

Fences and walls shall be prohibited in the front or side street setbacks for mixed use development or any project in the NC Sub-area. [Ord. 2006-004]

b. NRM and NG Sub-areas

Fencing for residential uses in front yard setbacks may be increased to six feet in height if limited to decorative wrought iron or other similar materials that do not obstruct vision. [Ord. 2006-004]

3. Architectural Guidelines

a. Porches and Balconies

Notwithstanding the requirements of Art. 5.C.1.H.2.b, Balconies and Patios, a minimum of 20 percent of all townhouses or the total number of multi-family dwelling units on each floor shall have individual balconies or porches. A minimum of one balcony or porch shall be required for any project with less than five units. [Ord. 2006-004]

b. Building Entrance Orientation

All uses in the NRM, NG, NC and UG Sub areas shall have a principal entrance on the first floor oriented towards the street used as the primary frontage for the building. [Ord. 2006-004]

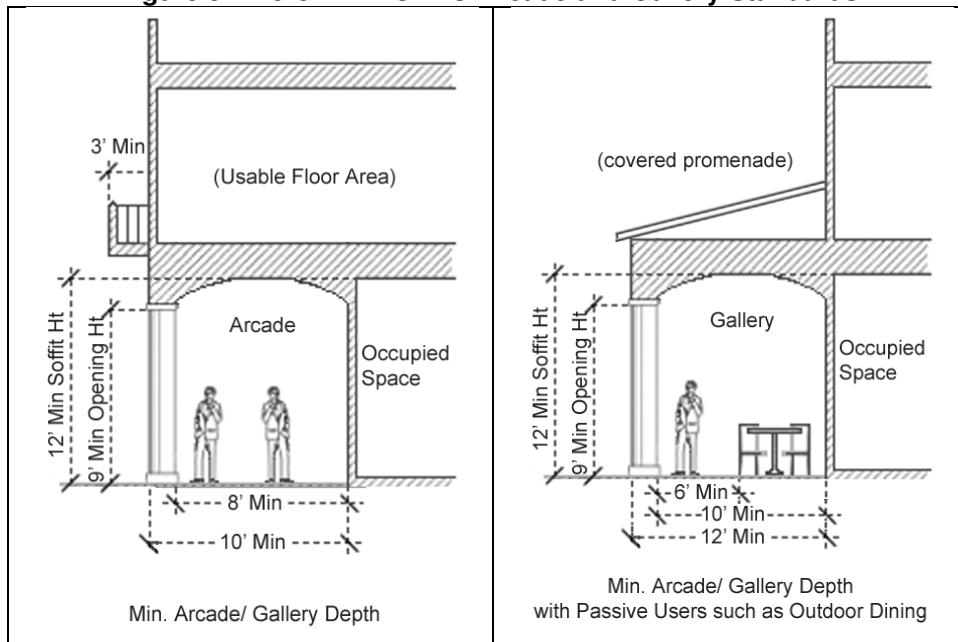
c. Fenestration Details - Windows and Doors

All mirrored or reflective glass, sliding glass doors and glass blocks shall be prohibited. Where required, glazing shall have a minimum 85 percent transparency. A minimum of six square feet of glazing per linear foot of façade shall be provided at a pedestrian scale, on the first floor frontage or side street frontage. A minimum of two square feet of glazing per linear foot facade shall be required per floor, for all floors on the frontage or side street frontage. [Ord. 2006-004]

d. Arcades and Galleries

Arcade or gallery dimensions shall be in accordance with Figure 3.B.15.G-4, WCRAO Arcade and Gallery Standards. Where arcades and galleries are required, galleries shall not exceed 25 percent of the total building frontage. [Ord. 2006-004]

Figure 3.B.15.G-4 – WCRAO Arcade and Gallery Standards



[Ord. 2006-004]

e. Drive Thrus and Gas Station Canopies

In the NRM, NG and NC Sub-areas, a drive thru, gas station canopy or fueling area shall be located to the rear of all buildings. [Ord. 2006-004]

f. Mezzanines

Mezzanines shall be counted as a floor, but cannot be used to meet the NC Sub-area two-story requirement. [Ord. 2006-004]

4. Non-conforming Lot Combination

A non-conforming lot that is a legal lot of record, has a minimum of 25 feet of frontage and is located in the NRM, NG or NC Sub-areas, may be combined with an adjacent lot meeting the same standards, or a conforming lot, provided it serves to reduce the non-conformity and creates a new lot

with a minimum of 50 feet of frontage. The subdivision may be approved in accordance with Art. 11.8.B, Plat Waiver with Certified Survey. **[Ord. 2008-003]**

H. Density Bonus Programs

1. Density Bonus Pool

Notwithstanding the provisions of [Art. 5.G, Density Bonus Programs](#), an additional 1,300 residential units are available in the WCRAO in accordance with Plan Policy 1.2.4-b, and the following: **[Ord. 2006-004]**

Table 3.B.15.H – WCRAO Density Bonus Pool Limits

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Max WCRAO Density Bonus Per Acre	n/a	20	30	50	150	150	n/a
[Ord. 2006-004]							
Notes for Table 3.B.15.H-6:							
1) Additional Density Bonus Pool Units are only permitted where a project utilizes all allowed density as indicated by FLU designation and the Plan. [Ord. 2006-004]							

a. WCRA Recommendation

Any proposed project that includes a request from the Density Bonus Pool shall obtain a recommendation from the WCRA in accordance with the standards of [Art. 3.B.15.D.1.b, Timeframe for Response](#). A project that meets three, for the UH and UG Sub-areas, and four for the NRM, NG, and NC Sub-areas, of the following six factors shall receive a recommendation for approval from the WCRA: **[Ord. 2006-004] [Ord. 2007-013]**

- 1) The proposed project meets the minimum building frontage requirements of Table 3.B.15.F-9, WCRAO Sub-area PDRs. **[Ord. 2006-004]**
- 2) The proposed project includes sufficient land area to and a rear lot line abutting a R-O-W to ensure that vehicular access is limited to a rear, in accordance with [Art. 3.B.15.I.1.a.1](#)). **[Ord. 2006-004]**
- 3) Where permitted, the proposed project includes mixed use with a minimum of ten percent and a maximum of 50 percent of the GFA dedicated to non-residential uses. **[Ord. 2006-004]**
- 4) A minimum of five percent of the gross lot area is set aside for open space with a public amenity or a public plaza, with a minimum size of 800 square feet and 25 feet in width, including but not limited to public art (not depicting any advertising); fountains of at least eight feet in height and 16 feet in diameter; pergolas; bell or clock tower; and public seating areas (not in conjunction with any restaurant seating). **[Ord. 2006-004]**
- 5) A minimum of 40 percent of the projects allowed density is reserved for affordable housing meeting the requirements of [Art. 3.B.15.H.1.c, Affordability Standards](#). **[Ord. 2006-004]**
- 6) Preferred uses: **[Ord. 2006-004]**
 - a) NRM Sub-area: business or professional office, medical or dental office, personal services, and townhouses. **[Ord. 2006-004]**
 - b) NG Sub-area: business or professional office, medical or dental office, personal services, printing and copying services, Type I restaurants that meet the requirements of Art. 4.B.1.A.109.c.2), Permitted by Right, and Type II restaurants. **[Ord. 2006-004] [Ord. 2007-013]**
 - c) NC, UG and UH Sub-areas: business or professional office, personal services, printing and copying services, Type I restaurants that meet the requirements of [Art. 4.B.1.A.109.c.2](#)), [Permitted By Right](#), and Type II restaurants. **[Ord. 2006-004]**

b. Approval Process

The review process for a WCRAO Density Bonus Pool approval is based on the density bonus requested in accordance with Table 3.B.15.H-13, WCRA Density Bonus Pool Approval. Notice of all proposed projects shall be forwarded to the BCC by the Division responsible for reviewing the application. **[Ord. 2006-004] [Ord. 2007-013]**

Table 3.B.15.H - WCRAO Density Bonus Pool Approval

Approval Process Required ¹	Range of Bonus Units per Acre	Min. % of Density Bonus Units Required to be Affordable ³
Permitted by Right	0.1 - 4 ²	40%
DRO Approval	4.01 - 22	
BCC Approval	22.01 or more	
[Ord. 2006-004] [Ord. 2007-013]		
Notes:		
1. The transfer of density to a PDD or TDD requires approval as a requested use. [Ord. 2006-004]		
2. Up to one unit may be permitted by right for projects less than one acre in size. [Ord. 2006-004]		
3. Affordable units shall consist of WHP units pending the adoption of the WCRA Inclusionary Housing Policy, as mandated by the Plan, to include very low thru middle income households. [Ord. 2006-004] [Ord. 2008-003]		

c. Affordability Standards

Where required by Table 3.B.15. H, Density Bonus Pool Approval, units required to be affordable shall comply with the following: **[Ord. 2006-004] [Ord. 2007-013] [Ord. 2008-037]**

1) Design Requirements

All density bonus units required to be affordable shall be designed to a compatible exterior standard as other units within the development or pod. These units may be clustered or dispersed throughout the project. **[Ord. 2007-013]**

2) Sales and Rental Prices

Affordable units shall be offered for sale or rent to very-low thru middle income households. The sale and rent prices may be updated annually by the County Administrator, or designee, based on the AMI, and household income limits for PBC (West Palm Beach/Boca Raton metropolitan statistical area) as published annually by HUD. **[Ord. 2007-013] [Ord. 2008-037]**

3) Master Covenant

Prior to final DRO approval, the applicant shall record in the public records of Palm Beach County a Covenant binding the entire project, in a form provided by the County, which identifies each required affordable unit. In the event the project is not subject to final DRO approval, the applicant must submit a recorded copy of the Covenant to the Building Division prior to issuance of the first building permit. The Covenant shall include but not be limited to restrictions requiring: that all identified affordable units shall be sold, resold, or rented only to very-low thru middle income qualified households at an attainable housing cost for each of the targeted income ranges; that these restrictions remain in effect for a minimum of ten years for units sold to eligible households, and a minimum of 20 years for rental units, from the date of each unit is first purchased or designated as a rental unit; and that in the event a unit is resold before the ten or 20 year periods conclude, a new 10 or 20 year period shall take effect on the date of resale. The Covenant shall further provide monitoring and compliance requirements including but not limited to those set forth below to ensure compliance with Plan TE Policy 1.2-r. Every deed for sale of an affordable housing unit shall incorporate by reference the controlling Covenant. **[Ord. 2007-013] [Ord. 2008-037]**

4) Monitoring and Compliance

Shall be in accordance with the monitoring and compliance requirements of Art. 5.G.1, Workforce Housing Program. **[Ord. 2007-013]**

5) Enforcement

Shall be in accordance with the enforcement requirements of Art. 5.G.1, Workforce Housing Program. **[Ord. 2007-013]**

6) Limitations on Restrictions

Shall be in accordance with the limitations and restriction requirements of Art. 5.G.1, Workforce Housing Program. **[Ord. 2007-013]**

7) Affordability Ranges

Required affordable WCRAO Density Bonus units shall be distributed in accordance with Table 3.B.15.H, WCRAO Affordability Ranges. **[Ord. 2008-037]**

Table 3.B.15.H. – WCRAO Affordability Ranges

	Very-low Income	Low Income	Moderate Income	Middle Income	Maintenance of Affordability (Years)
New Bonus Density Pool Projects ¹	40% ²				10 (for sale) 20 (rental)
Re-development of Existing Affordable Housing Project ¹	10% max. ³		30% min. ⁴		10 (for sale) 20 (rental)
[Ord. 2008-037]					
Notes:					
1. Requirements are applicable to for sale and rental units.					
2. Percentage is a combination of very-low, low, moderate and middle income requirements. However, a single project shall be limited to a maximum of 40% low or 40% very-low income units.					
3. Percentage is a combination of very-low and low-income requirements.					
4. Percentage is a combination of moderate and middle-income requirements.					

2. Other Density Bonus Programs

Requests for approval of other residential density through [Art. 5.G., Density Bonus Programs](#) may request to waive the compatibility and additional landscaping required, if consistent with the Plan, subject to a WCRA recommendation for approval and BCC approval of a Class A or Requested Use. **[Ord. 2006-004]**

I. Parking and Streets

1. Parking

a. General

- 1) Parking in the NRM, NG, NC and UG Sub-areas shall be accessed from the rear of the lot from a street or alleyway, when available. **[Ord. 2006-004]**
- 2) Reserved parking, including spaces reserved for valet parking, shall be prohibited except for parking provided above the minimum required, or for individual garages for residential units. **[Ord. 2006-004]**

b. Parking Exemption in the NC Sub area

Projects on lots less than 10,000 square feet in size shall be exempt from on site parking requirements if fronting on a street with on-street parking. **[Ord. 2006-004]**

c. Allowable Reductions in Required On-site Parking

The required amount of on-site parking may be reduced in accordance with any of the following provisions. These provisions may be applied cumulatively. **[Ord. 2006-004]**

1) UG, UH, NRM, NG and NC Deviations

Deviations in the required parking specified in Table 6.A.1.B-1, Minimum Off Street Parking and Loading Requirements shall be permitted for mixed-use or residential projects in the UG, UH, NRM, NG or NC Sub-areas as specified in Table 3.B.15.I-14, WCRAO Mixed Use Parking Deviations. **[Ord. 2006-004] [Ord. 2007-013]**

2) Curbside Parking

On street parking available along the frontage, side or rear lot lines that directly abuts the subject lot may be applied toward the parking requirements of the uses on the lot. Applicable spaces shall be calculated by taking the total linear distance of parking spaces and abutting the site's lot lines and dividing by the average length of spaces. **[Ord. 2006-004] [Ord. 2007-013]**

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Table 3.B.15.I - WCRAO Mixed Use Parking Deviations

Use		Parking
Multi-family Residential	1 Bedroom	1 per unit plus required guest parking
	2 Bedroom	1.5 per unit plus required guest parking
	3 or more bedrooms	2 spaces per unit plus required guest parking ²
Hotel or Motel (other areas calculated separately)		1.25 per room
Office, Business or Professional and Medical or Dental		2.5 per 1,000 sq. ft.
Commercial Uses		2.5 per 1,000 sq. ft.
Commercial, General Retail Sales		3 per 1,000 sq. ft.
Restaurant, Cocktail Lounge		1 per 4 seats
[Ord. 2006-004] [Ord. 2007-013]		
Notes:		
1.	Unless stated otherwise in this section, parking and loading shall be in accordance with Table 6.A.1.B-1, Minimum Off Street Parking and Loading Requirements. [Ord. 2006-004] [Ord. 2007-013]	
2.	A parking ration of 1.5 spaces per unit plus required guest parking shall also be permitted for any unit required to be deed restricted for very-low and low income households. [Ord. 2007-013]	

3) Connections to Adjacent Parking

Parking areas connecting to adjoining or future adjoining lots shall be granted a five percent reduction in the amount of required parking. This five percent reduction shall be deducted from the final calculated parking requirement, after all other eligible reductions are taken into consideration. **[Ord. 2006-004]**

2. Redevelopment Loading Option

To further development of WCRAO smaller parcels in the NRM, NG, NC, UG or UI sub-areas that promote the form based code principles of the WCRA Plan, the WCRA Executive Director may authorize the use of access aisles or other similar location on a site with structures less than 25,000 square feet in size, to also be used as loading areas, subject to the following: **[Ord. 2007-013]**

a. Application

An application shall be submitted to the WCRA in a form established by the Executive Director of the WCRA. The application shall include a loading demand study that addresses the minimum standards of this section. **[Ord. 2007-013]**

b. Standards

The following standards shall apply to any shared location for a required loading zone: **[Ord. 2007-013]**

- 1) Demonstrate that site constraints or the benefits of an alternate loading zone is needed to allow for the development, including efforts to maximize potential FAR or density; **[Ord. 2007-013]**
- 2) Identify the size and types of uses that will be using the alternate loading zone, to include turnover rates and peak loading hours; **[Ord. 2007-013]**
- 3) Demonstrate that the proposed alternate loading zone will not adversely impact required vehicle stacking at entrances, block building entrances, emergency vehicle access, or parked vehicles; **[Ord. 2007-013]**
- 4) Identify the dimensions and types of vehicles that will use the alternate loading zone; **[Ord. 2007-013]**
- 5) Incorporate other available data, including but not limited to: traffic engineering or other Planning studies demonstrating the feasibility of the request; **[Ord. 2007-013]**
- 6) The use of the site may be limited to the size and types of uses indicated in the approved loading zone study; **[Ord. 2007-013]**
- 7) The site design shall provide sufficient maneuvering area and turning radii for proposed delivery vehicles; and, **[Ord. 2007-013]**
- 8) If located in an access aisle, a minimum ten-foot wide by-pass shall be maintained along the entire length of the designed alternative loading area. **[Ord. 2007-013]**

c. Approval Letter and Documentation

The WCRA Executive Director shall recommend approval or denial of the application within the timeframes established under Art. 3.B.15.D.1.d, Timeframe for Response. The WCRA Executive Director shall issue a letter to the applicant indicating their recommendation. **[Ord. 2007-013]**

3. Access and Circulation System

a. Construction in Existing R-O-W

The County Engineer may approve alternatives to PBC standard design sections for local street construction, where streets are maintained by PBC, in order to accommodate construction or

reconstruction of paving and drainage improvements to an existing public local street, or segment thereof. The eligible R-O-Ws shall have a width of less than 50 feet. The alternative design(s) shall provide for paved travel-way widths, structural sections, drainage, pedestrian access, dead-end turnarounds, and safe sight corners as prescribed by PBC standards for local streets, or as deemed equivalent by the County Engineer. All required treatment and discharge control of storm-water runoff to the street drainage system shall be provided by secondary storm-water management facilities located outside the street R-O-W, permitted and constructed in accordance with applicable regulations of all agencies having jurisdiction over the receiving waters at the point of legal positive outfall. **[Ord. 2006-004]**

b. Access to Residential Subdivision Lots

In lieu of minimum legal access requirements pursuant to Art. 11.E.1.A.1, Access and Circulation Systems, a local street improved pursuant to Art. 3.B.15.1.2.a, Construction in Existing R-O-Ws, and having continuous paved access to at least one public street on the perimeter of the WCRAO, shall be deemed by the County Engineer to meet the requirement of local street access for residential lots created by subdivision of abutting property. Nothing herein shall prohibit the owner of abutting property from making application for and receiving appropriate approval of a final subdivision plan or waiver of platting prior to completion of the above-noted improvements; provided, however, that the applicable plat or affidavit of waiver shall not be approved for recordation until construction has commenced for said improvements. **[Ord. 2006-004]**

c. Alleys

Removal of existing alleys is prohibited, unless approved by the WCRA. **[Ord. 2006-004]**

d. Driveways

In the NRM, NG, NC, and UG Sub-areas, a maximum of one driveway is permitted for lots less than 100 feet wide, or for one driveway for each 100 linear feet of frontage (or rear property line for double frontage where applicable). **[Ord. 2006-004]**

J. Drainage

1. Surface Water Management Permit

For subdivision of land where all of the land proposed to be subdivided, is included within an active Surface Water Management Permit issued by the SFWMD, where all water quality and water quantity requirements of the SFWMD have been met under said permit, the requirements for control of discharge pursuant to [Art.11.E.4.F, Secondary Stormwater System Design and Performance](#), shall be deemed in compliance. **[Ord. 2006-004]**

CHAPTER C STANDARD DISTRICTS

Section 1 Future Land Use (FLU) Designation and Corresponding Districts

A. Purpose and Intent

The purpose of this section is to ensure that all development (land uses) is consistent with the Future Land Use Atlas of the Plan. Standard, PDD and TDD zoning districts have been adopted to be in compliance with the Plan. Unless exempted otherwise, all new development or subdivision of property shall be in a zoning district corresponding to the FLU designations indicated in the following tables: **[Ord. 2008-003]**

1. Standard Districts: Table 3.C.1.A, Future Land Use Designations and Corresponding Standard Zoning Districts; or **[Ord. 2008-003]**
2. Planned Development Districts: Table 3.E.1.B, PDD Corresponding Land Use; or **[Ord. 2008-003]**
3. Traditional Development Districts: Table 3.F.1.E, TDD Corresponding Land Use. **[Ord. 2008-003]**

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