TITLE: FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-01

SUMMARY: The proposed ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications to the Unified Land Development Code (ULDC), as well as several specific amendments, as follows:

- Ordinance Title
- Exhibit A - Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]
- Exhibit B - Art. 1.F.2.C, Residential Development Regulations [AR District]
- Exhibit C - Art. 2.B.2.H.2, EAC [Expedit ed Application Consideration]
- Exhibit E - Art. 6, Parking [Loading Space Reduction]
- Exhibit F - Art. 7, Landscaping [Alternative Landscape Plan Update]
- Exhibit G - Article 14, Environmental Standards
- Exhibit H - Design Standards Alternative
- Exhibit I - Zoning District Consistency with Future Land Use Atlas
- Exhibit J - Overlay Updates
- Exhibit K - Parks and Recreation
- Exhibit L - Height Measurement for Fences, Walls and Hedges

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on September 22, 2016.

Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendments by multiple votes on March 23, 2016, April 27, 2016, and May 25, 2016; and, sitting as the LDRC on May 25, 2016, found all proposed amendments consistent with the Comprehensive Plan.

MOTION: To approve on First Reading and Advertise for Adoption Hearing on September 22, 2016: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS: CHAPTER E, PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS: CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS & RECREATION – RULES AND RECREATION STANDARDS; ARTICLE 6 - PARKING: CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING: CHAPTER B, TYPES OF PLANS; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 14 - ENVIRONMENTAL STANDARDS: APPENDIX 9, NATURAL AREAS; APPENDIX 10; PROHIBITED VEGETATION REMOVAL SCHEDULE; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.
### EXHIBIT A – Art. 1.E, Prior Approvals [F.S. 723.041 Mobile Home Parks]

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<tr>
<td>1.</td>
<td>ULDC Art. 1.E.1.C, Modification of Prior Approvals.</td>
<td>[Zoning] A 2003 Florida law, pre-empts local updates to prior approvals for mobile home parks, further recognizing trends in the increased size of mobile homes commonly resulting in the replacement of older single-wide units with larger double or triple wide models. Note that for purposes of interpreting the timing provision of the law “in affect at the time of approval” would mean the original Development Order, or any subsequent Development Order Amendment, if applicable.</td>
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### EXHIBIT B – ART. 1.F.2.C, Residential Development Regulations

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| 1.   | ULDC Art.1.F.2.C, Residential Development Regulations. | [Zoning] Historically, the bulk of land in the unincorporated areas of the County was zoned what is now the Agriculture Residential (AR) Zoning district, which is no longer consistent with the future land designations within the Urban/Suburban (U/S) Tier. Additionally, there are numerous antiquated subdivisions with residential Zoning in nearly all areas of the County, that do not meet the minimum lot dimensions required for the district, namely minimum lot width, depth or size. The County has long recognized that owners of these residential non-conforming legal lots of record may develop a single family home, inclusive of customary accessory uses. This policy is also further under ULDC Article 1.F, Non-conformities, and Article 5.B.1.A.1.d.2)b), Non-conforming Lot Dimensions [Related to AR District], which allow for setback reductions commensurate with the size of the parcel.

The following revisions further recognize antiquated subdivisions within the U/S Tier where zoned Agricultural Residential (AR), but have been subdivided similar to more current Residential Transitional (RT) or Single-Family Residential (RS) developments.

Example: The platted Biltmore Terrace community (PB 24, page 145, approved 21-January-1955) has a Low Residential 3 (LR-3) future land use (FLU) designation with AR Zoning, is predominantly comprised of .22 acre lots (approx. 9.584 s.f.), with a few larger lots, and otherwise looks and functions similarly to newer subdivisions with RS Zoning. Recognition of this suburban development form merits allowing for similar suburban allowances for accessory structures.

[Zoning] Calibrate with amendment in Part 2 below, which further recognizes existing suburban development pattern for accessory structures on smaller lots within the Urban/Suburban Tier.

[Zoning] The current setback provision for lots with less than 100 foot width or depth conflict with the percentages cited, emphasis on 15 side setback, when applied to smaller properties within the Urban/Suburban Tier. Example, the side setback for a non-conforming lot width is 15%, which would result in a 15 foot side setback for a lot of 100 feet in width or less, far less than the 25 foot option being deleted. While the majority of lots within Heritage Farms, Royal Palm Beach Acreage, Palm Beach Country Estates and Jupiter Farms, and other similar Rural or Exurban areas have lot widths that would accommodate a minimum 25 foot setback, there are a few lots that would not, and can only be developed if permitted use of the setbacks for the PDRs.

2.   | ULDC Art.5.B.1.A.1.d, Setbacks, Accessory Structure. | [Zoning] Similar to Part 1 above, the following revisions serve to establish additional flexibility and consistency to development patterns currently permitted for smaller lots within the U/S Tier.

1. Delete redundant reference to prohibition of accessory structures in front or side street setbacks. This standard exists above under ULDC, 5.B.1.A.1.b, Location, which applies to all accessory structures.
2. Relocate language prohibiting placement of accessory uses within landscape buffers to ensure applicability to all scenarios where prohibition through plat dedication, easement dedication, or other clear prohibition outlined in Art. 7, Landscaping, may not apply, such as older Planned Unit Developments where buffers are located within individual homeowners property.
### EXHIBIT C – Art. 2.B.2.H, EAC [ Expedited Application Consideration]

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<tr>
<td>1.</td>
<td>ULDC Art. 2.B.2.H.2, EAC</td>
<td><img src="Zoning" alt="Zoning" /> Recognize that addition of land area to developments approved by BCC and limited to abandoned right-of-way (R-O-W) or other similar easements, where no additional density or intensity is being sought, may be approved using the Expedited Application Consideration (EAC) process. While not a common occurrence, the need to recognize this situation typically results from the County abandoning undeveloped or under-utilized R-O-W. These land areas, including similar privately held streets or easements often run behind or in-between residential communities, don’t have sufficient width to be developed, and are typically absorbed by adjacent property owners. Eligibility for EAC is contingent upon compliance with current ULDC perimeter buffer requirements, where applicable, which recognizes that these types of land areas typically act as a form of buffer by creating additional separation between developments. The land area would either be added as additional or new buffer, or in the event the applicant sought to amend any existing residential lot lines, the relocation or reconﬁguration of buffer area would be subject to compliance with current ULDC requirements.</td>
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### EXHIBIT D – Art. 6.A.1.D.14, Design and Construction Standards (Parking)

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<th>Part</th>
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<tr>
<td>1.</td>
<td>ULDC Art. 6.A.1.D.14, Design and Construction Standards</td>
<td><img src="Zoning" alt="Zoning" /> Originally established based on the higher parking turnover associated with retail sales trip generation rates, the standard is not applied to other similar high trip generation uses, nor is it realistic for many commercial centers which may experience varying degrees of turnover with retail, office, personal service, restaurant or a myriad of other tenants. Noted also, many jurisdictions have trended towards narrower parking spaces in response to the proliferation of smaller vehicles versus those manufactured in the 1970’s or earlier (notwithstanding trends towards larger SUVs and pickups). Reference to “commercial uses” has also been revised to recognize applicability to “non-residential uses” and consistency with Table 6.A.1.D - Minimum Parking Dimensions for Nonresidential Uses and Residential Uses with Shared Parking Lots.</td>
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### EXHIBIT E – Art. 6, Parking [Loading Space Reductions]

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<tbody>
<tr>
<td>1.</td>
<td>ULDC Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals</td>
<td><img src="Zoning" alt="Zoning" /> Relocate existing provision recognizing DRO authority to amend the minimum number of parking spaces required commensurate with other modifications to uses within a development, to clarify that such authority also applies to BCC or ZC approvals.</td>
</tr>
<tr>
<td>2.</td>
<td>ULDC Art. 2.D.6.B, Applicability [Related to Type 1 Waivers]</td>
<td><img src="Zoning" alt="Zoning" /> Update general list of Type I Waives to include newly re-organized provisions related to Type I Waivers for minimum loading spaces or dimensions required. The original reference to be stricken “Eliminate or Reduce Loading Standards” only applies to provisions allowing for limited reductions in the minimum number of loading spaces required in limited circumstances; however, it was oft times confused with a separate provision related to “Reduction of Width and Length” of loading spaces. The confusion between the two provisions was further compounded due to being located under a heading which indicated revisions were subject to DRO approval, and a change implemented in Ord. 2012-027, which clarified a prior reference to “Zoning Director may waive” to the more easily documented Type I Waiver process.</td>
</tr>
<tr>
<td>3.</td>
<td>ULDC Table 6.A.1.B, Minimum Off Street Parking and Loading Requirements</td>
<td><img src="Zoning" alt="Zoning" /> Update “Loading Key” by including term located in redundant text to be deleted in Part 4 below.</td>
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1. See also Part 2 Reason for Amendment above.

2. Re-organize and update provisions related to restrictions on use of loading spaces, calculation of minimum loading spaces required for ease of use.

3. Clarify scope of DRO authority to revise minimum loading space requirements when used within a project change, where applicable, by relocating existing provisions to Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals.

4. Clarify provisions allowing for use of Type I Waiver to seek reductions in minimum number of loading spaces to existing Art. 6.D.1.D, Loading Space Ratios, which provides direction to standards establishing minimum loading zone ratios by use, and expand to include existing provisions used for similar “Reduction of Length and Width”. Also deletes erroneous reference to “loading standards” which inadvertently suggests ability to request Type I Waivers for all of Art. 6.B, Loading Standards, contrary to limitation of heading limiting such to “Reduction in Number of Spaces”.

5. Amend existing “Reduction of Length and Width” to require Type I Waiver. This further establishes the application process, method of documenting approvals or denials, and proper review of any required documentation submitted to substantiate the request.

[Zoning] Relocate general standard to for ease of reference


[Zoning] Establish additional requirement for documentation to substantiate any request to reduce minimum required loading space (current provision relocated under standards establishing minimum required loading spaces). Examples might include specifically defined uses known to have little or no deliveries, which would be conditioned to such uses if approved as a Type I Waiver.

[Zoning] Consolidate with redundant provisions existing within Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements (see above), which is the most useful location for communicating these requirements.

[Zoning] Relocate provisions to allow for administrative reductions in number of loading spaces required to existing Art. 6.B.1.D, Loading Space Ratios, which is more appropriately related to standards for minimum number of spaces required than the current location, which pertains to dimensional standards.

EXHIBIT F – Art. 7, Landscaping (Alternative Landscaping Plan Update)

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<tbody>
<tr>
<td>1.</td>
<td>ULDC Art. 1.I, Definitions &amp; Acronyms.</td>
<td>[Zoning] Add acronym for Development Order (DO) because the acronym has been referenced in the existing ULDC and other Zoning related Staff Reports.</td>
</tr>
<tr>
<td>2.</td>
<td>ULDC Art.1.I.2.P.47, Plan, Planting.</td>
<td>[Zoning] Proposed to revise the Heading of the Definition to read Planting Plan, instead of Plan, Planting as other Landscape types of Plans are organized as Landscape Plan, Alternative Landscape Plan, etc. With the change in heading, the reference has to be changed from Art.1.I.2.P.47 to Art.1.I.2.P.52, and renumbered the other definitions accordingly.</td>
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<tr>
<td>3.</td>
<td>ULDC Art. 2.A.1.D.1, Processes.</td>
<td>[Zoning] Proposed to replace the Alternative Landscape Plan (ALP) process with the Type I Waiver. The Type I Waiver will allow applicant to seek minor modifications of the landscape requirements through the approval by the DRO.</td>
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<tr>
<td>4.</td>
<td>ULDC 2.A.1.G.3.h, Other Types of Plans.</td>
<td>[Zoning] Relocate and consolidate Types of Plans from Art.7.B to Art.2.A.1.G.3, Plan Requirements. This Section of Article 2 describes each type of plans, and the assigned Authority that approves each type of Plan.</td>
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<td>5.</td>
<td>ULDC Art. 2.D.3.D.2, Non Residential Projects [Related to Type 1B Administrative Variances].</td>
<td>[Zoning] Article 2.D, Administrative Process, propose to change the easement encroachment from a Type IB Administrative Variance to a Type I Waiver since the Waiver process is handled by the Development Review Officer (DRO), and the request for easement encroachment could be reviewed with a concurrent application for a DRO, ZC or BCC approval, whereas a Type IB Administrative Variance is a separate process administered by a different Section of the Zoning Division.</td>
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</table>
6. ULDC Art. 2.D.6, Type I Waiver.  
   [Zoning] 1) Amend Type I Waiver to allow DRO to approve minor modifications of landscape requirements. The list of requirements that can be processed through a Type I Waiver is listed in Table 7.B.2.B, Type I Waiver for Landscaping. 2) Consolidate Incompatibility Buffers for Recreation or Civic Pods, Areas or Tracts under Landscaping. 3) Also add a reference for the criteria pertaining to the allowable modifications under a Type I Landscape Waiver.

7. ULDC Art. 3.E.3.B.2.c, Landscape Buffers [Related to MUPD].  
   [Zoning] Allow easement overlap in the right-of-way buffer for a maximum of five feet; the Code already allows a 5-foot overlap into the landscape buffers in other non-MUPD types of developments.

8. ULDC Art. 7.B, Types of Plan.  
   [Zoning] The process of an ALP is replaced by Type I Waiver; therefore defer to the Criteria under the Waiver process.
   [Zoning] 1) Relocate and consolidate this Section under Art.7.B, and rename the Heading from Types of Plan to Approval Process and Applicability. The allowable Modifications will be restricted to the Type 1 Waiver since the ALP process will be replaced by this Waiver process. 2) Reorganize the headings and contents of this Chapter to specify the Approval process, the assigned Authority and the Submittal Requirements. Also clarify that an ALP is a plan that could be submitted concurrent with a companion DO application. The ALP can be used by an applicant to graphically demonstrate that the proposed design layout with its modifications of Code requirements could still meet the Purpose and Intent of Art.7. 3) Delete appeal of the ALP process and default to the Type 1 Waiver process. Appeal of the Type 1 Waiver goes to the Zoning Commission, and this process is already included in Art.2.A.1.S, Appeal, Non-Judicial.
   [Zoning] This is not a Zoning type of Plan, and it is already addressed under Engineering submittal requirements.

9. ULDC Art. 7.C.3, Minimum Tier Requirements.  
   [Zoning] Correct Note 5, lakes were erroneously being deleted from the interior tree calculation during the amendment in 2014. Also since there is no longer a Note 9, and correct the numbering order to replace it as Note 8.

    [Zoning] Amend to clarify that the size of a Canopy tree must include height and caliper. Also clarifying that if the height of a tree is reduced, then the caliper could be reduced, but may not be consistent with the minimum requirements of the Florida Grades and Standards because these Standards may not be updated reflecting the current availability of trees. In addition, industry and landscape architects encourage to allowing the use of different types of native trees to meet the requirement of Canopy trees. These native trees may not all follow the Florida Grades and Standards, and suggest that any height or caliper reduction should be subject to a Type I Waiver process.
    [Zoning] Amend Art.7.D.2.A.1.B, Palms to clarify that the size of a palm must include overall height and height of either clear trunk or grey wood. Certain Palm species are measured using grey wood, e.g. Royal Palms. Also clarify how to measure the size of pines in Art.7.D.2.A.1.C, Pines.

11. ULDC Art. 7.D.2.E.3, Tree Credit Formula.  
    [Zoning] Amend measuring methodology to be consistent with the current Florida Grades and Standards. In addition, add minimum size for pines that are subject to preservation, mitigation or replacement.

12. ULDC Art. 7.D.4, Ground Treatment.  
    [Zoning] Housing keeping modifications

13. ULDC Art. 7.D.9, Berms.  
    [Zoning] Replace ALP with the Type I Waiver process

    [Zoning] Amend to clarify how Foundation Planting could be waived for facilities that have drive-through and those without.

15. ULDC Art. 7.D.12.C, Detention/Retention Areas, Swales, and Drainage Easements, [Related to Landscape in Easements].  
    [Zoning] Quantify the maximum allowable overlap into the landscape buffer. Allow required interior tree planting to be located in the lake maintenance easement.
16. **ULDC Art.7.F.1.A, R-O-W, [Related to Buffer Types]** [Zoning] Developments that abut the Intercoastal Waterway should not be providing landscape buffers since most of these lots may have land that are submerged in water. The current practice is to require the applicant to seek relief through a Type II Variance for unable to meet the perimeter buffer requirement.

17. **ULDC Art.7.F.5, Area Measurement.** [Zoning] The Landscape Section allows deletion of access points/driveways be deducted when calculating the quantity of trees.

18 **ULDC Art.7.F.7.D, Clustering.** [Zoning] Relocate this Section of the Code and consolidate under the proposed Table 7.B.3.A – Requirements That Can be Altered Through a Type I Waiver.

19. **ULDC Art.7.F.9.C.1 Determining Incompatibility Buffer Type.** [Zoning] These requirements have been consolidated in Table 7.B.2.B, Type I Waivers for Landscaping.


**EXHIBIT G – Article 14, Environmental Standards**

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<tr>
<td>1.</td>
<td>ULDC Art. 14, Appendix 9.</td>
<td>[ERM] The purpose of this amendment is to update the list on palm Beach County Natural areas by adding new natural areas and revised location data for existing natural areas.</td>
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<td>2.</td>
<td>ULDC Art. 14, Appendix 10.</td>
<td>[ERM] The purpose of this amendment is to correct several minor spelling errors.</td>
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**EXHIBIT H – Design Standards Alternative**

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<td>1.</td>
<td>ULDC Art. 2.A.1.G.3.g.3), Design Standards (DS) Alternative.</td>
<td>[Zoning] Alternative design standards were added originally to the Code by Ordinance 2004-040. The regulations in that Ordinance provided options for Planned Development Districts (PDDs) applications to submit partial graphic details of the project in the regulating plan at time of Public Hearing while remaining details were to be provided during the Development Review Officer (DRO) certification of the PDD. The information required to be shown to the Board of County Commissioners (BCC) included: housing types, focal points, bus shelters, elevations, pedestrian circulation, phasing, screening details, exemplary features, public amenities, entry details, and neighborhood parks at time of public hearing. At time of DRO certification of the PDD, the regulating plan should be expanded to include details of street cross sections, landscape buffers, median landscape, and, master sign program/plan. Later, Ordinance 2009-040 consolidated Application Requirements in Article 2, Development Review Process, and submittal of regulating plans was applicable to all developments subject to public hearing or administrative approval (DRO). The alternative design standards language was within the relocated text and gave the Zoning Director authority to allow submittal of the design standards in lieu of a regulating plan. In 2015, a task team comprised by Development Review Advisory Committee (DRAC) members and Zoning staff was created to discuss the development of alternative design standards to address flexibility by submitting conceptual designs elements of the project instead of specific details in a Regulating Plan. After reviewing multiple examples from other municipalities and considering the regulations contained in the Code, this amendment is proposed to remove the existing Design Standard Alternate language in Art. 2. The decision contained in this amendment was presented to DRAC on May 6, 2016 and they agree with the Design Standards Alternative to be removed from the Code. Future discussion on the Regulating Plan may result on amendments in Round 2016-02.</td>
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| 2.   | ULDC Art. 3.B, Overlays. | [Zoning] Delete from Infill Redevelopment Overlay (IRO) a reference to the alternative design standards as an option to provide graphic details of a development. The amendment is the result of the deletion of the Design Standards Alternative text from Article 2.A.1.G.3, Plan Requirements. |

    [Zoning] Recognize that Design Standards Alternative submitted as part of an approval in the Agricultural Enclave Overlay (AGEO) are to be conforming. This amendment looks to avoid any non-conforming issues associated with design elements approved in projects located in that overlay.

Exhibit I – Zoning District Consistency with the Future Land Use Atlas

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<td>General Reason for amendments: [Zoning] This amendment implements the October 2015 BCC adoption of Comprehensive Plan Future Land Use Element (FLUE) Policy 2.2.1-j, which was also mirrored in concurrent amendments to the Glades Region under revised FLUE Policy 1.6-d, which served to establish partial residential future land use (FLU) and Zoning district consistency tables within the Plan, as follows:</td>
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<td>Applies to applicable residential Standard districts and Planned Development Districts (PDDs), but does not include Traditional Development Districts (TDDs).</td>
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<td>Expands the list of allowable Zoning districts in the Low Residential (LR) 1, 2 and 3 flu designation to include the Single-family Residential (RS) district, which was previously limited to use in the Medium Residential 5 (MR-5) or higher flu designations, unless developed as a Planned Unit Development (PUD). The general rationale is to encourage additional infill redevelopment opportunities within underutilized areas within the Urban/Suburban (UIS) Tier, and the Urban Service Area (USA) of the Glades Tier.</td>
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<td>[Planning 2015 Residential Future Land Use Designation Data Analysis for New FLUE Policy 2.2.1-j, FLU and Zoning Consistency] This amendment will add the FLU and Zoning Consistency Table to the Comprehensive Plan and broaden the consistent FLU and Zoning Districts. Many to most local governments establish FLU / Zoning consistency in the Comprehensive Plan, and the County had initially established this table with the 1980 Comprehensive Plan. This change will allow lower density zoning districts to be allowed in higher density FLU reflecting the absence of minimum density requirements currently in designations less than 8 units per acre, and with this amendment, all future land use designations. This amendment will also make AP &amp; AR consistent with any residential FLU in the Glades Tier to allow the continuation of agriculture until such time that the urban areas of the Glades Urban Suburban Tier convert to urban uses pursuant to the existing urban designations.” See the following website for full Planning staff report: <a href="http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-3_15-2_Text-GladesRegion-Rpt.pdf">http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-3_15-2_Text-GladesRegion-Rpt.pdf</a>.</td>
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<td>[Planning 2015 Glades Region Amendments Data Analysis for revised FLUE Policy 1.6-d] “This policy was revised to remove the outdated deadline of 2002, and to allow the continuation of both agricultural and residential uses in the unincorporated Glades Urban/Suburban Tier. Table 1.6-a was added to provide the Glades Tier with a consistent Zoning District for each Residential Future Land Use designation. This table establishes consistency for 181 acres of land in the Glades Tier which have been residentially zoned prior to the adoption of the Comprehensive Plan on August 31, 1989. Additionally, this policy will allow the Lake Harbor area to be consistent with Agricultural Production for such properties which received Residential Estate zoning district designation prior to August 31, 1989.” See the following website for full Planning staff report: <a href="http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-2_15-2-Text-ResidentialFLU-Rpt.pdf">http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-2_15-2-Text-ResidentialFLU-Rpt.pdf</a>.</td>
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<td>1. See General Reasons for Amendments above</td>
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<td>2. Add new note 3 to clarify that previously relocated notes generally apply to specific FLU/Zoning consistency provisions of Table 3.A.3.B.</td>
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<td>Implements new FLUE Policy 1.6-e, “Within the Glades Tier, the Agricultural Production zoning district is consistent with all future land use designations, excluding Conservation.” This broad policy pre-empts the need for the prior provision recognizing existing residential development with an LR-1 FLU north of Canal Point.</td>
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[Planning 2015 Glades Region Amendments Data Analysis for new FLUE Policy 1.6-e] This new policy will make the Agricultural Production (AP) Zoning District consistent with all future land use designations in the Glades Tier, except for properties with a Conservation Future Land Use. This policy will allow the 13,995 acres of land that have AP or AR zoning with an urban residential future land use designation to continue agricultural operations without having to have a land use amendment. Although the intent of the 1989 Comprehensive Plan was to facilitate development in the Glades communities, this policy change is necessary for existing agricultural uses to not be impeded due to that intent.


[Zoning] Amend applicable future land use (FLU) designations for Residential Transitional (RT) Zoning district, to reflect recent Comprehensive Plan amendment which makes the RT district consistent with the Medium Residential 5 (MR-5), High Residential 8, 12 and 16 (HR-8, HR-12 and HR-16) FLU designations. See Exhibit “Zoning District Consistency with Future Land Use Atlas” for additional background and summary on the Plan amendments.


[Zoning] Implement change developed in 2015 as part of the Use Regulations Project (URP), which updates the Use Matrix to reflect the most restrictive approval process (Class A Conditional Use) for Townhouse and Zero Lot Line Home uses. Specifically, the change from Development Review Officer (DRO) approval to Class A Conditional Use reflects existing language which requires the higher level of approval for properties with Medium Residential 5 (MR-5) future land use designation. However, the Comprehensive Plan was recently amended to make the RS district consistent with the Low Residential (LR) FLU designations, which necessitates advancing this amendment.

Note, Townhome, Zero Lot Line Homes, and Multi-family are currently permitted in the LR designation when located within a Planned Unit Development (PUDs); however, the Plan amendment serves to address obstacles to infill redevelopment for properties that do not qualify for rezoning to PUDs. Thus, this amendment provides for a similar level of public participation and BCC review/approval of these housing types in lower density communities.

Other uses now allowed in the Low Residential future land use (FLU) designation where consistent with the RS district, include Non-profit Assembly Institutional and Nursing Convalescent Facility, both of which have frontage requirements and are subject to Class A Conditional Use approval.


[Zoning] 1. See Reasons #1 and 2 above.


1. See Reasons #1 and 2 above

2. Establish exception to allow for administrative approval of ZLL units when located adjacent to Single-family homes (other than TH or ZLL units) in low density communities, subject to deminimus performance standards for setbacks and buffering. While ZLL units are permitted by right within a PUD, they would also be subject to BCC approval and additional public scrutiny. The additional standards would not apply to applications for ZLL units that seek BCC approval of a Class A Conditional Use, as indicated in the Use Matrix for the RS district.

EXHIBIT J – Overlay Update

<table>
<thead>
<tr>
<th>Part</th>
<th>Article</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Reason for amendments: Minor revisions for previously recognized Bioscience Research Protection Overlay (BRPO), which by its nature didn’t originally merit establishing an Overlay in Art. 3.B, and the Lion Country Safari Overlay (LCSO), which is a similar site specific Overlay. It is hoped that these revisions will provide additional guidance to outside parties, while furthering the connection between the Plan and ULDC.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. ULDC Art. 1.I.3, Abbreviations and Acronyms.
   1. [Zoning] Establish BRPO acronym, applicable to ULDC Art. 4.B.1.A.76.c, Bioscience Research Protection Overlay (BRPO), and proposed amendments to Art. 3.B, Overlays, to recognize previously implemented FLUE Objective 1.9.
   2. [Zoning] Establish LCSO acronym, applicable to ULDC Art. 3.E.2.G.1.c.1), Purpose and Intent [Related to Lion Country Safari], and proposed amendments to Art. 3.B, Overlays, to recognize previously implemented FLUE Objective 1.1.

2. ULDC Art. 3.A.1.B.1, Overlays.
   1. [Zoning] Identify existing Overlays recognized elsewhere within the ULDC to improve ease of use. In some instances, the requirements of some Overlays were determined not to merit a separate set of standards within this Chapter of the ULDC; however, adding an additional reference herein may help staff and interested persons more readily recognize when additional standards or incentives are applicable to a project.
   2. [Zoning] Delete reference to SR7 EDO due to annexation of affected area by the Village of Royal Palm Beach.

3. ULDC Art. 3.B.18, SR-7 Economic Development Overlay.
   [Zoning] Affected area annexed by the Village of Royal Palm Beach, Overlay established by Objective 1.10 of the Comprehensive Plan, which will also be amended at a later date.

   1. [Zoning] Establish placeholder for the Bioscience Research Protection Overlay (BRPO) to further support previous 2007 amendment to ULDC Art. 4.B.1.A.76.c [Related to Industrial Research Laboratory], which implemented FLUE Objective 1.9, by streamlining the approval process for the Research Laboratory use to encourage bioscience development.
   2. [Zoning] Establish placeholder for the Lion Country Safari Overlay (LCSO) to further support previous 2007 amendment to ULDC Art. 4.B.1.A.76.c [Related to Industrial Research Laboratory], which implemented FLUE Objective 1.9, by streamlining the approval process to encourage bioscience development.

5. Art. 3.E, Planned Development Districts (PDDs).
   [Zoning] Additional references to SR7 EDO to be deleted due to annexation of affected area by the Village of Royal Palm Beach.

   [Zoning] The relocation of previously adopted provisions implementing Objective 1.1, Lion Country Safari Overlay (LCSO), responds to input from interested parties who commented that the original placement within the Rural Residential Planned Unit Development (RR PUD), created confusion for projects (e.g. Burt Reynolds Ranch) that were not within the Overlay. This amendment simply relocates these standards to the end of the RR PUD Section in response to industry input to improve ease of use.

   [Zoning] Additional references to SR7 EDO to be deleted due to annexation of affected area by the Village of Royal Palm Beach.

EXHIBIT K– Parks & Recreation

<table>
<thead>
<tr>
<th>Part</th>
<th>Article</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ULDC Art. 5.D.2.B.2, Calculation of Required Recreation [Related to Community and Neighborhood Park Recreation Standards]</td>
<td>[Parks &amp; Recreation] Update the Person Per Household (PPH) rate to reflect the 2010 Census PPH rate of 2.39 as provided by the United States Census Bureau.</td>
</tr>
</tbody>
</table>
| 2.   | ULDC Art. 5.D.2.B.9, Other Credits [Related to Community and Neighborhood Park Recreation Standards] | 1. [Parks & Recreation] Modify the Recreation Standards to allow for underground easements within recreation parcels as long as the utility of the site is not adversely impacted. Recognize placing utility, drainage and lake maintenance easements within recreation parcels allows greater flexibility in site design enhancing a project’s livability, while not adversely impacting the recreation parcel’s utility.  
2. Allow for an exception to the Recreation Standards for Congregate Living Facilities (CLF), to recognize the recreational needs of CLF residents can often be satisfied by recreational facilities that are more passive in nature and are often provided in part by indoor recreational areas. Allowing an exception to the minimum parcel size and minimum dimensions allows greater flexibility in design, and provides the opportunity for the creation of walking paths and outdoor seating area. |

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August 25, 2016  
Page 420  
Page 8 of 9
3. ULDC Art. 5.D.2.F, Phasing [Related to Types of Parks]. [Parks & Recreation] Recognize the requirement to complete and open the recreational facilities by the time 40% of the building permits are pulled is a hardship for the builders of multifamily and congregate living facilities. Completing the recreational facilities as required by the ULDC often results in recreation areas complete and open several months prior to the first occupancy.


5. ULDC Table 3.E.2.D, PUD Property Development Regulations. 1. Calibrate property development regulations for Planned Development District (PDD*) Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, which may allow for alternative methods for providing recreational amenities for Congregate Living Facilities more appropriate to the clientele served (e.g. indoor alternatives, walking paths, etc.) in lieu of traditional recreational pods.

2. Recognize need for exemption from “frontage” required for Recreation pods located in PDDs for specific uses such as Multi-family Residential, CLFs, or other similar uses, which typically do not provide internal streets necessary to comply with the frontage requirement. Locations for recreation amenities for these types of uses have historically been appropriately located through the development review process, which further considers additional Parks and Recreation standards, among others, to ensure proper location and function.

* Note, Recreation Pod standards for Planned Unit Developments (PUD) typically apply to all other PDDs with residential uses, as well as some forms of development within Traditional Development Districts (TDD).


EXHIBIT L – Height Measurement for Fences, Walls and Hedges

<table>
<thead>
<tr>
<th>Part</th>
<th>Article</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ULDC Art. 7.D.3.B.1, Height Measurement.</td>
<td>[Zoning] Scrivener’s error, previously approved text inadvertently omitted from final Ordinance. The amended text below was presented to the LDRAB/LDRC on November 18, 2015, and adopted by the BCC on January 28, 2016, as part of broader amendments for Height Measurement for Fences and Walls. The text was included in the Exhibit for BCC Adoption, but was inadvertently omitted from the final signed Ordinance [Ord. 2016-016].</td>
</tr>
</tbody>
</table>
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS: CHAPTER E, PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; CHAPTER I; DEFINITIONS & ACRONYMS; ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS: CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS & RECREATION – RULES AND RECREATION STANDARDS; ARTICLE 6 - PARKING: CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING: CHAPTER B, TYPES OF PLANS; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 14 - ENVIRONMENTAL STANDARDS: APPENDIX 9, NATURAL AREAS; APPENDIX 10; PROHIBITED VEGETATION REMOVAL SCHEDULE; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:
**Section 1. Adoption**

The amendments set forth in Exhibits listed below, attached hereto and made a part hereof, are hereby adopted.

- Ordinance Title
- Exhibit A - Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]
- Exhibit B - Art. 1.F.2.C, Residential Development Regulations [AR District]
- Exhibit C - Art. 2.B.2.H.2, EAC [Expedited Application Consideration]
- Exhibit E - Art. 6, Parking [Loading Space Reduction]
- Exhibit F - Art. 7, Landscaping [Alternative Landscape Plan Update]
- Exhibit G - Article 14, Environmental Standards
- Exhibit H - Design Standards Alternative
- Exhibit I - Zoning District Consistency with Future Land Use Atlas
- Exhibit J - Overlay Updates
- Exhibit K - Parks and Recreation
- Exhibit L - Height Measurement for Fences, Walls and Hedges

**Section 2. Interpretation of Captions**

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

**Section 3. Repeal of Laws in Conflict**

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability**

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

**Section 5. Savings Clause**

All development orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the Board of County Commissioners, the Zoning Commission, the Development Review Officer, Enforcement Boards, all other County decision-making and advisory boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and procedures established prior to the effective date of this Ordinance shall remain in full force and effect.
Section 6. Inclusion in the Unified Land Development Code

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

Section 7. Providing for an Effective Date

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

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the _______ day of __________________, 20____.

SHARON R. BOCK, CLERK & COMPTROLLER

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

By: ____________________________
Deputy Clerk

By: ____________________________
Mary Lou Berger, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: ____________________________
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ________ day of ___________________, 20____.
ART. 1.E, PRIOR APPROVALS [F.S. 723.041 MOBILE HOME PARKS]  
SUMMARY OF AMENDMENTS  
(Updated 4/15/16)

Part 1. ULDC Art. 1.E.1.C, Modification of Prior Approvals (page 15 of 119), is hereby amended as follows:

ARTICLE 1, GENERAL PROVISIONS
CHAPTER E PRIOR APPROVALS
Section 1 General

C. Modification of Prior Approvals
A development order or permit, which was approved under the prior Code provisions, shall comply with the current review process for any modifications and the following: [Ord. 2010-005]

1. Determination of Extent of Vested Status in the Area of Modification
The proposed modification shall comply with the current Code to the greatest extent possible in the affected area, which also includes the determination of whether the prior approval has nonconformities. A prior approval may be subject to rezoning in accordance with the requirements of Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas (FLUA). [Ord. 2010-005] [Ord. 2011-016]

2. Modification to a Prior Approval with Nonconformities
Proposed modifications may not increase a nonconformity. The applicant shall identify the extent of the proposed modification on the applicable plan and in the application pursuant to Art. 2, Plan Requirements. The application and plan shall: [Ord. 2010-005]

a. list all prior Zoning resolutions and prior ULDC Amendment Ordinances to establish a record of any prior vesting claim; [Ord. 2010-005]

b. delineate on the plan the boundary of the affected area and indicate all proposed modifications; If necessary, the Zoning Director shall render decision on the affected area. [Ord. 2010-005]

c. identify all nonconformities with prior approved development orders, which includes: lot, structure, use, and site elements of the subject property or affected area of the subject property to establish a record of nonconformities in the tabular data of the plan, and notate on the plan these nonconformities, where applicable. [Ord. 2010-005]

d. all nonconformities outside of the affected area that are clearly shown on a prior development order shall be vested. [Ord. 2010-005]

3. Mobile Home Park Exception
Pursuant to F.S. 723.041(4), the placement of any size new or used mobile home and appurtenances on a mobile home lot shall be permitted in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the Development Order for the mobile home park, or any subsequent Development Order Amendment, if applicable.
EXHIBIT B

RESIDENTIAL DEVELOPMENT REGULATIONS FOR
NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS

SUMMARY OF AMENDMENTS

(Updated 5/13/16)

Notes:
 Underlined indicates new text.
 Strikethrough indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
 Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
 … A series of four bolded ellipses indicates language omitted to save space.

Part 1. ULDC Art. 1.F.2.C, Residential Development Regulations (page ), is hereby amended as follows:

CHAPTER F GENERAL PROVISIONS

Section 2 Nonconforming Lot

C. Residential Development Regulations

A nonconforming residential lot may utilize the following property development regulations setbacks for a single-family dwelling unit only, or for related accessory structures in the AR district in accordance with Art. 5.B.1.A.1.b)(2). Nonconforming Lot Dimensions. [Ord. 2010-005]

1. Minimum Setback Requirements

Minimum Setback Requirements may be in accordance with the percentages listed below, but shall not be less than those for the RS district: [Ord. 2010-005]

a. If the minimum depth dimension is nonconforming: [Ord. 2010-005]
   Front: 30 percent of lot depth. [Ord. 2010-005]
   Rear: 20 percent of lot depth. [Ord. 2010-005]

b. If the minimum width dimension is nonconforming: [Ord. 2010-005]
   Side Interior: 15 percent of lot width. [Ord. 2010-005]
   Side Street: 20 percent of lot width. [Ord. 2010-005]

c. Nonconforming lots with an RR FLU and AR Zoning shall provide a minimum that are 100 feet or less in width and 100 feet or less in depth may apply a 25-foot setback from the affected property line. [Ord. 2010-005]

2. Building Coverage

The maximum lot coverage calculations shall be based on the size of the lot indicated in the table below, and shall include accessory structures is 40 percent of the total lot area or the maximum district coverage whichever is more restrictive. [Ord. 2010-005]

<table>
<thead>
<tr>
<th>Non-Conforming Lot Size</th>
<th>Maximum Building Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt; 2.5 acres</td>
<td>10%</td>
</tr>
<tr>
<td>20,000 sf. – 2.5 acres</td>
<td>20%</td>
</tr>
<tr>
<td>14,000 sf. – 19,999 sf.</td>
<td>30%</td>
</tr>
<tr>
<td>≤ 13,999</td>
<td>40%</td>
</tr>
</tbody>
</table>

[Ord. 2016- ]

3. Floor Area Ratio

Maximum Floor Ratio Area (FAR) requirements for the AR district do not apply.

43. Accessory Structures

Accessory structures shall comply with all applicable Code requirements. [Ord. 2010-005]
RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS
SUMMARY OF AMENDMENTS
(Updated 5/13/16)

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D. Accessory Dwellings

Accessory dwellings on non-conforming lots with a RR FLU designation that are equal to or less than 1.5 acres may utilize a 25-foot side or rear setback, subject to the following where the setback is less than the setback required for the SFD unit: [Ord. 2006-004] [Ord. 2010-005]

1. A minimum five-foot high continuous solid opaque visual screen consisting of a hedge, fence or wall, shall be installed and maintained along the property line adjacent to the length of the accessory dwelling. [Ord. 2006-004] [Ord. 2010-005]

2. Ingress/egress to the accessory dwelling shall not be oriented towards the adjoining property. [Ord. 2006-004] [Ord. 2010-005]

SCENARIO

Application of setbacks for Residential Lots

For the purpose of calculating setbacks for residential lots, the AR zoning district has been selected for this explanation.

1. Example of Conforming Lots:
   See Diagram A. Lot complies with minimum acreage and lot dimensions:
   - Minimum acreage = 10 ac
   - Front setback (F) = 100’
   - Rear setback (R) = 100’
   - Side interior (SI) = 50’
   - Side corner (SC) = 90’

2. Example of Non-Conforming Lots: See Diagrams B & C.
   Lots do not comply with minimum lot dimensions

LEGEND

- Road
- Building
- F = Front
- SC = Side Corner
- SI = Side Interior
- R = Rear

Figure 1.F.2, Nonconforming Lots & Setbacks

[Ord. 2005-002] [Ord. 2010-005]
EXHIBIT B
RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS
SUMMARY OF AMENDMENTS
(Updated 5/13/16)

ARTICLE 5, SUPPLEMENTARY STANDARDS

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

1. General

d. Setbacks, Accessory Structure

1) Residential Districts (Except AR)

Accessory structures may be setback a distance of five feet from the side and rear property lines provided it is not located in an established easement or required landscape buffer.

a) Townhouse

....

b) ZLL

2) AR District

2a) Conforming Lot Dimensions

Accessory structures may be setback a distance of 25 feet from the side and rear property lines on lots with conforming width and depth lot dimensions.

Figure 5.B.1.A – Accessory Structure Setbacks

![Diagram of Accessory Structure Setbacks](image)

Typical Conforming Lot

Typical Non-Conforming Lot

AR District

2b) Nonconforming Lot Dimensions

The setbacks for accessory structures on lots with nonconforming width or and depth may be reduced for either non-conforming dimension, as follows: setback a distance of 15 feet from the side and rear property lines.

(1) General

A minimum setback distance of 15 feet from the side or rear property lines; or

Notes:

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EXHIBIT B
RESIDENTIAL DEVELOPMENT REGULATIONS FOR
NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS
SUMMARY OF AMENDMENTS
(Updated 5/13/16)

(2) U/S Tier
The minimum setback may be reduced in accordance with the following:
(a) The reduced setback permitted under Art. 1.F.2.C, Minimum Residential
Setback Requirements; or,
(b) Parcels that are less than or equal to 13,999 square feet may apply the
accessory structure setbacks of Art. 5.B.1.A.1.d.1), Residential
Setbacks.
c) Minimum Setback from Easements Accessory Structure
Must be five feet from all established easements, except where use of Art.
5.B.1.A.1.d.1), Residential Setbacks is permitted and may not be located within
the required landscape buffer or within the required front or side street setback.

3) Prohibition in Landscape Buffers
Accessory structures shall not be located within a required landscape buffer.

43) Nonresidential Districts
Accessory structures shall meet the setback requirements in Table 3.D.1.A, Property
Development Regulations.

5.4 U/S Tier – Maximum Accessory Structure Dimensions
In the U/S Tier, all accessory structures located on a parcel in a residential district
shall not occupy more than 25 percent of the distance between property lines. [Ord.
2008-037]

BCC 1st Hearing August 25, 2016
ART. 2.B.2.H.2, EAC [EXPEDITED APPLICATION CONSIDERATION]
SUMMARY OF AMENDMENTS
(Updated 5/13/16)

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- **Italicized** indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- … A series of four bolded ellipses indicates language omitted to save space.

Part 1. ULDC Art. 2.B.2.H.2, EAC (page 29 of 87), is hereby amended as follows:

ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

CHAPTER B PUBLIC HEARING PROCESS

Section 2 Conditional Uses, Requested Uses Development Order Amendments, Unique Structures and Type II Waivers

H. Development Order Amendment

1. General
A Development Order for a Class A Conditional Use, Requested Use, Class B Conditional Use, or Type II Waiver may be amended, extended, varied or altered only pursuant to the standards and procedures established for its original approval, or as otherwise set forth in this Section. Before any such Development Order is amended, extended, varied or altered, the applicant shall demonstrate and the ZC/BCC shall find that a change of circumstances or conditions has occurred which make it necessary to amend, extend, vary or alter the conditional/requested use. [Ord. 2007-001] [Ord. 2011-016]

2. Expedited Application Consideration (EAC)
Certain minor Development Order amendments may be eligible for expedited consideration and review:

a. Criteria
The application shall meet all of the following criteria in order to be reviewed under the EAC process;
1) Approval of the Zoning Director and the County Engineer shall be obtained prior to submission. The Zoning Director and the County Engineer shall consult with any other department responsible for the Conditions of Approval. They shall approve or deny the request to obtain expedited consideration based on compatibility of the request with the surrounding area. The magnitude of the requested modification shall also be considered. The County Engineer and the Zoning Director shall only permit expedited consideration for proposals which have minimal site design impact, and which, if approved, will be compatible with surrounding areas; [Ord. 2007-001]
2) The proposed application, if approved, will not increase intensity or density of the project; [Ord. 2007-001]
3) Proof of compliance with all previous conditions of development approval; [Ord. 2007-001]
4) No change to the threshold certificate, except alteration of legal description, shall occur; [Ord. 2007-001]
5) The proposed amendment does not affect uses or intensities/densities within a DRI (Development of Regional Impact); and [Ord. 2007-001]
6) All impacts shall be internal to the project, and; [Ord. 2007-001]
7) Addition of land area limited to abandoned R-O-W or easements along the perimeter of the development.

b. Procedures
After approval by the County Engineer and the Zoning Director to participate in an EAC process, the application shall be submitted and reviewed pursuant to the applicable development approval procedure, except that:
1) After the application is certified by the DRO, the proposed modification may proceed directly to the next BCC hearing for which advertising requirements can be met. [Ord. 2007-001]
ARTICLE 6, PARKING

D. Off-Street Parking

14. Design and Construction Standards

a. Dimensions

The dimensions and geometrics of off-street parking areas shall conform to the following minimum standards.

1) Residential

a) Individual Parking Space

Each parking space for dwelling units that do not share a common parking lot shall be a minimum of eight feet wide and 20 feet long. Parking spaces may be side to side, end to end or not contiguous to each other.

b) Common Parking Lots

For dwelling units that share a common parking lot, parking spaces and aisles shall be subject to Table 6.A.1.D, Minimum Parking Dimensions.

2) Nonresidential

All nonresidential uses and residential uses with shared parking lots shall provide parking spaces that comply with Table 6.A.1.D, Minimum Parking Dimensions, and Figure 6.A.1.D, Typical Example of General Parking Schematic. Parking angles that are not illustrated in Table 6.A.1.D, Minimum Parking Dimensions, or Figure 6.A.1.D, Typical Example of General Parking Schematic shall be interpolated from the tables and approved by the DRO. For the purpose of applying the "Use" column in Table 6.A.1.D, Minimum Parking Dimensions, the following rules shall apply:

a) General

The term "general" applies to parking spaces designated to serve all commercial non-residential uses except retail and residential uses with shared parking lots.

b) Accessible

Spaces reserved for use by disabled persons shall be governed by the rows labeled "accessible handicap";

[Renumber accordingly]

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### Table 6.A.1.D - Minimum Parking Dimensions
For Nonresidential Uses and Residential Uses with Shared Parking Lots

<table>
<thead>
<tr>
<th>A</th>
<th>Angle</th>
<th>Use (1)</th>
<th>B</th>
<th>Space Width (feet)</th>
<th>C</th>
<th>Space Depth (feet)</th>
<th>D</th>
<th>Aisle Width (feet)</th>
<th>E</th>
<th>Curb Length (feet)</th>
<th>F</th>
<th>Module Width (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
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<tr>
<td>90</td>
<td>Low Speed Electric Vehicle (LSEV)</td>
<td>Min. 6.0 Max. 7.0</td>
<td>Min. 12.0 Max. 13.0</td>
<td>Min. 13.0 Max. 17.0 (2)</td>
<td>Min. 6.0 Max. 7.0</td>
<td>Min. 38.0 Max. 43.0 (2)</td>
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</tbody>
</table>

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**Notes:**

- Accessible applies to parking for persons who have disabilities.
- Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.
- Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking stalls, or unless stated otherwise herein. [Ord. 2012-027]
Part 1. ULDC Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals (pages 39-40 of 87), is hereby amended as follows:

ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

CHAPTER D ADMINISTRATIVE PROCESS

Section 1 Development Review Officer (DRO)

G. Modifications to Prior Development Orders

1. Modifications to BCC or ZC Approvals

The DRO shall have the authority to approve modifications to a Development Order approved by the BCC or ZC. An application for an amendment shall be submitted in accordance with Article 2.A.1, Applicability, and reviewed in accordance with the standards in Article 2.D.1.C, Review Procedures. Applications must be submitted on deadlines established on the Zoning Calendar. The authority of the DRO to modify a BCC or ZC approved plan shall be limited to the following: [Ord. 2008-003] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]

o. Requests to modify a Type II Waiver or a Type II Variance when the amendment request is more conforming to Code requirements; or [Ord. 2012-027] [Ord. 2015-031]
p. To add Type II electronic message signs; or [Ord. 2015-031]
qu. The number of loading spaces may be proportionately reduced, if the space is not needed as a result of a reduction in size or change in use. [Relocated from Art. 6.B.1.H.7.a.1), Change in Use]

Part 2. ULDC Art. 2.D.6.B, Applicability [Related to Type I Waivers] (pages 46 of 87), is hereby amended as follows:

ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

CHAPTER D ADMINISTRATIVE PROCESS

Section 6 Type I Waiver

B. Applicability

Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC: [Ord. 2011-016] [Ord. 2012-027]

Table 2.D.6.B - Summary of Type I Waivers

<table>
<thead>
<tr>
<th>Type I Waiver Summary List</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eliminate or Reduce Loading Standards</td>
</tr>
<tr>
<td>Reduction in Number of Minimum Required Loading Spaces (uses &lt; 10,000 square feet)</td>
</tr>
<tr>
<td>Reduction of Loading Space Width or Length (for uses that require limited loading)</td>
</tr>
</tbody>
</table>


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EXHIBIT E

ART. 6, PARKING [LOADING SPACE REDUCTIONS]

SUMMARY OF AMENDMENTS

(Updated 5/13/16)

Notes:
 Underlined indicates new text.
 Strikethrough indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to:] or [Partially relocated to:].
 Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from:].
 … A series of four bolded ellipses indicates language omitted to save space.

Part 3. ULDC Table 6.A.1.B, Minimum Off Street Parking and Loading Requirements (pages 4 - 11 of 39), is hereby amended as follows:

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

<table>
<thead>
<tr>
<th>Use Type: Industrial</th>
<th>Parking</th>
<th>Loading Standard (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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</tbody>
</table>

Loading Standard Key:

Standard "A" One space for the first 5,000 square feet of GFA, plus one space [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 30,000 square feet of GFA.

Standard "B" One space for the first 10,000 square feet of GFA, plus one space [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 15,000 square feet of GFA.

Standard "C" One space for the first 10,000 square feet of GFA, plus one space [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 100,000 square feet of GFA.

Standard "D" One space for each 50 beds for all facilities containing 20 or more beds. [Partially relocated from Art. 6.B.1.H.7, Loading Space Reduction]

Standard "E" One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading. [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 15,000 square feet of GFA.

Notes:

Part 4. ULDC Art. 6.B, Loading Standards (pages 33, 37 and 38 of 39), is hereby amended as follows:

ARTICLE 6  PARKING

CHAPTER B  LOADING STANDARDS

Section 1 Loading

C. Restrictions
All required off-street loading spaces and accompanying aisles and driveways shall be deemed to be required space and shall not be encroached upon or reduced in any manner unless expressly permitted otherwise. [Partially relocated from Art. 6.B.1.H.7, Loading Space Reduction]

C. Computing Loading Standards [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

1. Multiple Uses
   On lots containing more than one use, the total floor area shall be used to determine the number of spaces which are required. [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

2. Fractions
   When calculation of the number of required off-street loading spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest full number. [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

3. Floor Area
   Loading standards that are based on square footage shall be computed using GFA. [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

4. Unlisted Land Uses
   In the event that loading requirements for a particular use are not listed in this Article, the requirements for the most similar use shall be applied, in making the determination, any evidence of actual parking demand for similar uses shall be considered as well as other reliable traffic engineering and planning information that is available. [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

D. Loading Space Ratios
Off street loading spaces shall be provided in accordance with Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements. The letters shown in the "loading" column shall correspond to the following ratios:

1. Standards for Computing Loading Standards
   a. Multiple Uses
      On lots containing more than one use, the total floor area shall be used to determine the number of spaces which are required.
   b. Fractions
      When calculation of the number of required off-street loading spaces results in a
H. Dimensional Standards and Design Requirements

7. Type I Waiver - Reduction of Loading Space Width or Length

The minimum required width and length may be reduced for uses that require limited loading, to not less than 12 feet and 18.5 feet, respectively, subject to submittal and approval of documentation such as: evidence of actual loading demand for the proposed use(s), as well as other available technical data, traffic engineering and planning information. [Ord. 2007-001] [Ord. 2012-027] [Partially relocated from Art. 6.B.1.H.7.a.2], Eliminate or Reduce Loading Standards

a. Reduction in Number of Spaces

1) Change in Use

The number of loading spaces may be proportionately reduced if the space is not needed as a result of a reduction in size or change in use. [Relocated to Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals]

2) Type I Waiver - Eliminate or Reduce Loading Standards

For uses that contain less than 10,000 square feet of total GFA, the applicant may apply for a Type I Waiver to eliminate the loading space required or reduce the loading standards. [Ord. 2007-001] [Ord. 2012-027] [Partially relocated to new Art. 6.B.1.D.2, Reduction in Number of Minimum Required Loading Spaces, above]

b. Reduction in Width and Length

The minimum required width and length may be reduced to not less than 12 feet and 18.5 feet, respectively, subject to submittal and approval of documentation including but not limited to: evidence of actual loading demand for the proposed use(s), as well as other available technical data, traffic engineering and planning information. [Ord. 2007-001]

[Partially relocated to renamed Art. 6.B.1.H.7, Reduction of Loading Space Width or Length, above]
EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS
(Updated 05/25/16)

Part 1.  ULDC Art.1.I, Definitions & Acronyms (Page 116 of 119) is hereby amended as follows:

ARTICLE 1, GENERAL PROVISIONS

CHAPTER 1  DEFINITIONS & ACRONYMS

Section 3  Abbreviations & Acronyms

DO  Development Order

Part 2.  ULDC Art.1.I.2.P.47, Plan, Planting (Page 85 of 119) is hereby amended as follows:

47.  Plan, Planting - for the purposes of Art. 7, a plan that is not required to be done by a landscape architect, showing the location, quantity, and variety of plants to be installed on a single family, two-unit townhouse, or two-unit multi-family lot or other use as authorized by this Code.  [Relocated below under Planting Plan]


49.  Planned Development - a planned development district or a previously approved planned development. A regulation containing the term “planned development” that the regulation applies to a planned development district and a previously approved planned development.

50.  Planned Development, District (PDD) - a zoning district which is approved pursuant to the policies and procedures of Art. 3.E, Planned Development Districts of this Code including: PUD, Residential Planned Unit Development District; MUPD, Mixed-Use Planned Development District; MUPD, Multiple Use Planned Development District; PIPD, Planned Industrial Park Development District; MHPD, Mobile Home Park Planned Development District; RVDP, Recreational Vehicle Park Planned Development District; and LCC, Lifestyle Commercial Center.  [Ord. 2010-005]

51.  Planned Development, Previously Approved – for the purposes of Art. 3 - a Planned Development approved by rezoning, special exception or conditional use prior to the effective date of this Code. Previously Approved Planned Developments include: Planned Unit Developments (PUD); Traditional Neighborhood District (TND) Developments; Mixed-Use Developments; Planned Neighborhood Commercial Developments (PNCD); Planned General Commercial Developments (PGCD); Large Scale Community and Regional Shopping Center Developments 30,000 square feet and 50,000 square feet; Planned Office Business Park Developments (POBPD); Planned Industrial Park Developments (PIPD); Mobile Home Rental Park, Condominium, and Conditional Use Developments; Recreational Vehicle Park Developments (RVPD); Sanitary Landfill, Resource Recovery Facility, Volume Reduction Plant and Incinerator Developments; and other special exceptions, or conditional uses approved prior to the effective date of this Code which support land uses regulated by Art. 3.E, Planned Development Districts (PDDs).

52.  Planting/Amenity Zone – for the purposes of the Priority Redevelopment Areas, accommodating streets and, landscaping or hardscaped areas, providing a transition between vehicular travel lanes and pedestrian circulation zones.  [Ord. 2010-022]

53.  Plan, Planting Plan - for the purposes of Art. 7, a plan that is not required to be done by a landscape architect, showing the location, quantity, and variety of plants to be installed on a single family, two-unit townhouse, or two-unit multi-family lot or other use as authorized by this Code.  [Relocated from Art.1.I.2.P.47]
Part 3. ULDC Art. 2.A.1.D.1, Processes (Page 11 - 12 of 87) is hereby amended as follows:

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES

CHAPTER A GENERAL

Section 1 Applicability

D. Authority

1. Processes

For the purposes of this Article, the authority of the BCC, ZC, DRO and Zoning Director shall be limited to the development order applications specified below. [Ord. 2006-036]

....

12. Zoning Director

The Zoning Director, in accordance with the procedures, standards and limitations of this Article, shall approve, approve with conditions, withdraw, deny or revoke the following types of development order applications: [Ord. 2006-036]

1) Special Permit;

2) Alternative Landscape Plan (ALP);

3) Administrative Variances (Type 1A and Type 1B) except when Code regulations include prohibited provisions; [Ord. 2006-036] [Ord. 2014-001]

4) Alternative Sign Plan (ASP); and

5) Administrative Development Order Abandonment.

Part 4. ULDC Art. 2.A.1.G.3.h, Other Types of Plans (Page 16 of 87) is hereby amended to read:

CHAPTER A GENERAL

Section 1 Applicability

G. Application Procedures

3. Plan Requirements

h. Other Types of Plans - Landscape Related Plans

4) Landscape Plans

Article 7, Landscaping, identifies three different types of landscape related plans that are administered by the Zoning Division: Planting Plan, Landscape Plan, and Alternative Landscape Plan (ALP). All Plans shall be prepared consistent with the approved Master, Site or Subdivision Plan. Application requirements, labeling of Plans, and approval procedures for the Landscape related Plans or Alternative Landscape Plans shall be consistent, where applicable, with Article 2.A.1.G.3, Plan Requirements; and Article 2.A.1.G.3.g.1) and Article 2.A.1.G.3.g.2), Regulating Plans, and Article 7, LANDSCAPING. All types of Landscape Plans shall be submitted at Building Permit, unless it is required to be submitted at Final DRO through a Condition of Approval. The following Table summarizes the different types of Plans, applicability, and approval authority.

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EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS
(Updated 05/25/16)

Table 2.A.1.G.3, Landscape Related Plans

<table>
<thead>
<tr>
<th>Types of Landscape Plan</th>
<th>Additional Plan Requirements</th>
<th>Applicability</th>
<th>Approval of Plan(s)</th>
<th>Approval Authority</th>
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</thead>
<tbody>
<tr>
<td>Planting Plan(s)</td>
<td>Identify number, location, height and species of required trees, palms, or pines and shrubs (4)</td>
<td>Single Family</td>
<td>(1)</td>
<td>Zoning Director assigned to Landscape Inspectors</td>
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<td></td>
<td></td>
<td>Two-unit Townhouse</td>
<td>(1)</td>
<td>Zoning Director assigned to Landscape Inspectors</td>
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<td></td>
<td>A lot with two MF units</td>
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<td>Zoning Director assigned to Landscape Inspectors</td>
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<tr>
<td></td>
<td></td>
<td>Vacant lots within 120 days of demolition</td>
<td>(1)</td>
<td>Zoning Director assigned to Landscape Inspectors</td>
</tr>
<tr>
<td>Landscape Plan</td>
<td>Identify number, location, height and species of required trees, palms, or pines and shrubs (4)</td>
<td>Non-residential developments</td>
<td>(1)</td>
<td>Zoning Director assigned to Landscape Inspectors</td>
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<tr>
<td></td>
<td></td>
<td>A lot with more than two MF units</td>
<td>(1)</td>
<td>Zoning Director assigned to Landscape Inspectors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Common areas of PUD</td>
<td>(1)</td>
<td>Zoning Director assigned to Landscape Inspectors</td>
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<td></td>
<td>Variance</td>
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<td></td>
<td>ALP</td>
<td>(1)</td>
<td>DRO</td>
</tr>
</tbody>
</table>

Notes:
(1) Approval of Plan(s) must be completed prior to the issuance of a Building Permit, unless it is required to be approved at Final DRO by a Condition of Approval.
(2) Applicant may submit the ALP concurrent with the DO application to garner support of the Waiver request(s). The ALP may be required as a Condition of Approval by the ZC, BCC or DRO.
(3) Landscape Plans and ALP (except Planting Plan) shall be signed and sealed by a Florida Licensed Landscape Architect prior to the approval of a Building Permit.
(4) A Tree Disposition Chart may apply to all of the Landscape related Plans, where a Site has existing native vegetation, even if no Ware or Variances are being requested. Refer to Technical Manual, File 4.
(5) An ALP may be submitted by the Applicant concurrently with a Waiver request to modify Landscape standards. The DRO may determine that the Waiver for Landscape requirements pursuant to Art. 7 could be shown on a Site, Subdivision or Regulating Plan in lieu of an ALP.
(6) May be approved by the Building Division. The amount of required plant material shall be indicated on the applicable Building Division submittal form and installed prior to issuance of Certificate of Occupancy.

2. Sign Plans
   a. Art. 8, Signage, identifies two types of sign plans: Master Sign Plan and Alternative Sign Plan. Application requirements, labeling of Plans, certification and approval procedures of Master Sign Plans or Alternative Sign Plans shall be consistent with Art. 2.A.1.G.3, Plan Requirements, Art. 2.A.1.G.3.g.1) and Art. 2.A.1.G.3.g.2), Regulating Plans and Art. 8, Signage. [Ord. 2009-040] [Ord. 2010-022]

Part 5. ULDC Art.2.D.3.D.2, Non Residential Projects, [Related to Type 1B Administrative Variances] (Pages 43 - 44 of 87) is hereby amended as follows:

CHAPTER D ADMINISTRATIVE PROCESS

Section 3 Type 1A and Type 1B Administrative Variances

D. Type 1B Administrative Variances
   2. Non Residential Projects
      a. Setback reduction greater than five percent but not exceeding 15 percent of the minimum requirement, [Ord. 2008-003]
      b. Reduction in the number of parking spaces not exceeding 15 percent of the minimum requirement; [Ord. 2006-036] [Ord. 2008-003]
      c. Relief from Article 5.B.1.A., Accessory Uses and Structures as follows: General; Fences, Walls and Hedges; Outdoor Storage; Outdoor Display; Entry Features; Fuel, Gas, or Chemical Storage Tanks; Dumpsters; Neighborhood Recreation Facility; Outdoor Recreation Amenities; Screen Enclosures; and Permanent Generators. [Ord. 2008-003]
      [Ord. 2013-001]
      d. Easement encroachment into a required landscape that exceeds five feet... [Ord. 2008-003]

Notes:
Underlined indicates new text.
Stricken indicates text to be deleted. Stricken and italicized means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to: ].
Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
.... A series of four bolded ellipses indicates language omitted to save space.

BCC 1st Hearing August 25, 2016 Page 438
Part 6. ULDC Art.2.D.6, Type I Waiver, (Pages 45 - 46 of 87) is hereby amended to read:

CHAPTER D ADMINISTRATIVE PROCESS

Section 6 Type I Waiver

A. Purpose

The purpose of Type I Waivers is to allow flexibility for mixed use; or infill redevelopment projects; or site design or layout; preservation or incorporation of existing native, non-prohibited or specimen vegetation; or for the innovative use of plant material and improved site design where alternative solutions can be permitted, subject to performance criteria or limitations.

Waivers are not intended to relieve specific financial hardship nor circumvent the intent of this Code. A Waiver may not be granted if it conflicts with other sections of this Code, or the Florida Building Code. [Ord. 2011-016]

B. Applicability

Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC: [Ord. 2011-016] [Ord. 2012-027]

Table 2.D.6.B - Summary of Type I Waivers

<table>
<thead>
<tr>
<th>Type I Waiver Summary List</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glades Area Overlay (GAO)</td>
</tr>
<tr>
<td>Infill Redevelopment Overlay (IRO)</td>
</tr>
<tr>
<td>Urban Redevelopment Overlay (URAO)</td>
</tr>
<tr>
<td>Lifestyle Commercial Center (LCC)</td>
</tr>
<tr>
<td>Required Parking for Location Criteria Exception in Type I Restaurant with Drive Through</td>
</tr>
<tr>
<td>Commercial Greenhouse Loading Zones</td>
</tr>
<tr>
<td>Solid Waste Transfer Station Landscape Buffer Planting</td>
</tr>
<tr>
<td>Screening for Room Mounted Mechanical Equipment</td>
</tr>
<tr>
<td>Green Architecture</td>
</tr>
<tr>
<td>Eliminate or Reduce Loading Standards</td>
</tr>
<tr>
<td>Requirements for Walls or Fences Where Adjacent to Existing Walls</td>
</tr>
<tr>
<td>Billboard Replacement – Billboard Location Criteria</td>
</tr>
<tr>
<td>Required Parking for Community Vegetable Garden</td>
</tr>
<tr>
<td>Incompatibility Buffers for Recreation or Civic Pods, Areas or Tracts</td>
</tr>
<tr>
<td>PUD Informational Signs</td>
</tr>
<tr>
<td>Landscaping</td>
</tr>
</tbody>
</table>

[Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031]

C. Standards

When considering whether to approve, approve with conditions, or deny a Type I Waiver request, the DRO shall consider the following standards in addition to any other standards applicable to the specific Waiver as contained in this Code: For a Waiver application that requires the submittal of an ALP, the Applicant shall comply with additional standards pursuant to Art. 7.B.2.B, Type I Waivers for Landscaping. [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027]

1. The Waiver does not create additional conflicts with other requirements of the ULDC, and is consistent with the stated purpose and intent for the Zoning district or Overlay; [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027]

2. The Waiver will not cause a detrimental effect on the overall design and development standards of the project, and will be in harmony with the general site layout and design details of the development; and, [Ord. 2010-022] [Ord. 2012-027]

3. The alternative design option recommended as part of the Waiver approval, if granted, will not adversely impact adjacent properties. [Ord. 2010-022] [Ord. 2012-027]

Part 7. ULDC Art.3.E.3.B.2.c, Landscape Buffers [Related to MUPD] (Page 173 of 232) is hereby amended as follows:

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 3 Multiple Use Planned Development (MUPD)

B. Objectives and Standards

2. Performance Standards

Notes:

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ARTICLE 7 – LANDSCAPING

SUMMARY OF AMENDMENTS
(Updated 05/25/16)

CHAPTER B – TYPES OF PLANS

A development that requires the review and approval of a building or paving permit may also require the
review and approval of a Zoning Division Landscape Permit. When landscape review and approval is
required, the applicant shall submit the appropriate application to the Zoning Division. Plans and
applications shall be submitted in a manner and form established by the Zoning Division, and shall be
reviewed for compliance with all applicable provisions of this Code. If approved, a Landscape Permit
shall be issued. [Ord. 2009-040]

Section 1. Planting Plan

For any single-family and two-unit dwellings on an individual lot, and uses requiring landscaping that would
otherwise be exempt, a planting plan shall be submitted and approved prior to the issuance of a building
permit. The planting plan shall, at a minimum, indicate the number, location, height, and species of
required trees and shrubs. [Partially relocated to Table 2.A.1.G, Types of Landscape Plans]

Section 2. Landscape Plan

For non-residential development other than two units, and common areas of
a PUD, a landscape plan shall be submitted and approved prior to the issuance of a building permit.
[Partially relocated to Table 2.A.1.G, Types of Landscape Plans]

Section 3. Alternative Landscape Plan (ALP)

A. Purpose and Intent

An ALP is intended to promote the preservation and incorporation of existing native vegetation or
specimen palms or trees, or for the innovative use of plant material and improved site design.
[Ord. 2007-001]

B. Applicability

Any application for a Development Order may be eligible to apply for an ALP. [Ord. 2007-001]

1. Design Principles

To qualify for consideration an application for an ALP shall demonstrate compliance with the following principles. [Ord. 2007-001]

a. Innovative use of plant materials and design techniques in response to unique
characteristics of the specific Tier and site. [Ord. 2007-001]

b. Preservation or incorporation of existing native vegetation. [Ord. 2007-001]

c. Use of a variety of plant material, including plants of color, form, and texture, in excess of
minimum requirements. [Ord. 2007-001]

d. Incorporation of naturalistic design principles, such as variations in topography,
meandering or curvilinear plantings, and grouping of dominant plant materials (trees,
large shrubs) in a manner consistent with existing native vegetation. [Ord. 2007-001]

e. Integration of landscaping and pedestrian facilities in a manner consistent with the Tier in
which the development is located. In U/S Tiers and in TDD’s, this may include reduced
ground-level planting within the R-O-W buffer if canopy shade trees along sidewalks are
provided. [Ord. 2007-001]

f. Use of additional shade trees to create a greater canopy effect. [Ord. 2007-001]

g. A greater degree of compatibility with surrounding uses than a standard landscape plan
would offer, provided the resulting landscape conforms with the design principles and
guidelines of this Article. [Ord. 2007-001]

h. Use of water-efficient irrigation systems and xeriscaping at appropriate locations. [Ord.
2007-001]

i. Incorporation of specific environmental attributes such as soil, hydrology, and vegetative
communities unique to the site, and which are compatible with environmental features on
adjacent properties. [Ord. 2007-001]

Notes:

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... A series of four bolded ellipses indicates language omitted to save space.
2. **Allowable Modifications to Standards**

The standards that can be modified through the use of an ALP are listed below in Table 7.B.3.A. Standards That Can Be Altered with an ALP. Any standard not listed herein shall not be eligible to be modified through an ALP. [Ord. 2007-001] [Partially relocated to Art. 7.B.2.A, Allowable Modifications Subject to a Type I Waiver]

<table>
<thead>
<tr>
<th>Specific Regulation</th>
<th>Ord. 2007-001</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 7.F.2.A.1 Minimum Tree Quantities</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.2.B Shrub Hierarchy</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.2.C Planting Pattern</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.2.D Clustering</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.2.E Compatibility Buffer</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.1 A Compatibility Buffer</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.1 B Incompatibility Buffer</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.2 Terminal Islands</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.3 Divider Median</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.4 Landscape Diamonds</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.5 Minimum Tree Height Perimeter</td>
<td></td>
</tr>
<tr>
<td>Art. 7.F.3.6 Minimum Tree Height Interior</td>
<td></td>
</tr>
<tr>
<td>Art. 7.G.2.F Parking Structures</td>
<td></td>
</tr>
<tr>
<td>Table 7.C.3-1 Minimum Tier Requirements (Only the following items listed in the table)</td>
<td></td>
</tr>
<tr>
<td>Minimum Tree Height Perimeter</td>
<td></td>
</tr>
<tr>
<td>Minimum Tree Height Interior</td>
<td></td>
</tr>
<tr>
<td>Facades To Be Planted</td>
<td></td>
</tr>
<tr>
<td>Percentage of Facade</td>
<td></td>
</tr>
</tbody>
</table>

CHAPTER B  APPROVAL PROCESS AND APPLICABILITY

Section 1. Approval Process for Landscape Plans

Approval process for Landscape Plans shall be subject to the requirements pursuant to Art. 2, Development Review Procedures.

C Section 2. Application Requirements

An application for an ALP shall be in a form established by the Zoning Director. All Plans shall be prepared and submitted in accordance with Art. 2.A.1.G, Application Procedures, Art. 2.A.1.G.3, Plan Requirements, and the Technical Manual. to include the following: [Ord. 2007-001]

1. **Design Principles**

The ALP shall include a narrative and any necessary supporting documentation that clearly details compliance with Art. 7.B.3.B.1, Design Principles. [Ord. 2007-001]

2. **Required Findings**

The applicant must provide documentation to demonstrate compliance with Art. 7.B.3.D.1, Required Findings. [Ord. 2007-001]

D. Approval

ALPs must be submitted in conjunction with a Zoning application, in accordance with Article 2, DEVELOPMENT REVIEW PROCESS, or a building permit application, subject to the following requirements: [Ord. 2007-001]

1. **Required Findings**

An ALP shall only be approved upon finding that: [Ord. 2007-001]

a. There are unique characteristics of the property, site design or use that warrant special consideration to modify or deviate from the requirements of this section and that these characteristics are not self-created. [Ord. 2007-001]

b. The ALP meets or exceeds the minimum requirements of this Section, while recognizing the unusual site design or use restraints on the property. [Ord. 2007-001]

c. Approval of the ALP will provide for both increased consistency and compatibility with adjacent projects located in the Tier. [Ord. 2007-001]

d. The ALP conforms to the requirements of Table 7.B. Standards That Can Be Altered, and no exceptions to the limitations on the standards that may be modified are requested. [Ord. 2007-001]

Notes:

*Underlined* indicates new text.

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ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS
(Updated 05/25/16)

4.A. Type I Waivers for Landscaping
An Applicant may seek minor modifications to the requirements of this Article that are identified in Table 7.B.2.A, Type I Waivers for Landscaping. Any requirements that are not listed herein may be eligible to be modified through other applicable processes pursuant to Art.2, Development Review Procedures. The Applicant shall demonstrate in the Justification Statement and provide supporting documents that the applicable criteria in the following Table have been met. [Ord. 2007-001] [Partially relocated from Art. 7.B.3.B.2, Allowable Modifications to Standards, above]

Table 7.B.2.A – Type I Waivers for Landscaping

<table>
<thead>
<tr>
<th>Article/Table Reference and Title</th>
<th>Maximum Waiver</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 7.D.2.A.1, Canopy Trees Minimum Height</td>
<td>Allow 75 percent of the total required trees be reduced in height by 25 percent.</td>
<td>• All proposed trees must be native species.</td>
</tr>
<tr>
<td>Art. 7.D.3.B.2, PDD and Non-residential Perimeter Buffer Hedge Height</td>
<td>Allow for hedge to exceed 12 feet in height, up to 20 feet, for industrial developments.</td>
<td>• The proposed hedge is planted for the purpose of screening the outdoor industrial activities.</td>
</tr>
<tr>
<td>Art. 7.D.9.A., Berm Tier Restrictions</td>
<td>Allow landscape berms within the Exurban, Rural, Agricultural Preserve, or Glades Tiers.</td>
<td>• Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues.</td>
</tr>
<tr>
<td>Art. 7.D.11, Foundation Planting</td>
<td>Required plant material may be located within 30 feet of the foundation, along the front and side facades of drive-through establishments, including Freestanding ATMs. [Relocated from Art. 7.D.11]</td>
<td>• Provide a minimum width of 5 feet for each area of foundation planting; • The overall total required square footage of the planting area meets or exceeds the requirement; and, • Location of relocated planting will be within proximity to the building it serves to still meet the general intent of enhancing the building.</td>
</tr>
<tr>
<td>Art. 7.F.3.B., Location of Planting</td>
<td>No minimum of percentage of required trees to be located on the exterior side of the wall or fence for ROW or Incompatibility Buffers.</td>
<td>• The minimum perimeter buffer planting requirements is provided; and, one or all of the below criteria; • There are existing walls, fences, hedges or site conditions adjacent to the site that will create limitations to access for maintenance; or, • There are existing overhead; or underground utilities, or buildings that are located in close proximity to the common property line that prohibits planting on the exterior.</td>
</tr>
<tr>
<td>Art. 7.F.7.B., Shrub Hierarchy Minimum Height at Installation (Size)</td>
<td>A maximum of 50% of large shrubs may be substituted with medium shrubs.</td>
<td>• The proposed quantity of medium and small shrubs exceeds the minimum Code requirement by a minimum of 10 percent.</td>
</tr>
<tr>
<td>Art. 7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer</td>
<td>A maximum of 25% reduction of the continuous opaque vertical landscape screen.</td>
<td>• The reduced quantity of groundcover and shrub planting could be relocated elsewhere on the site; and, • Necessary to accommodate an entrance feature, an amenity and/or a walkway.</td>
</tr>
</tbody>
</table>

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### Article/Table Reference and Title

<table>
<thead>
<tr>
<th>Art. 7.F.8, Compatibility Buffer</th>
<th>Maximum Waiver</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allow to waive the requirement to provide a solid opaque visual screen.</td>
<td>- There is an existing mature vegetative buffer screen on adjacent property; or&lt;br&gt;- If it is determined by the DRQ that screening is not necessary, such as if adjacent to open space, a lake or compatible use; or&lt;br&gt;- If an alternative design approach results in adequate screening being provided.</td>
<td></td>
</tr>
</tbody>
</table>

| Art. 7.F.9.C.1, Existing Walls and Fences | Where there is an existing wall or fence on an adjacent property, the applicant may apply for a Type I Waiver to waive the wall or fence requirement. [Partially relocated from Art. 7.F.9.C.1, Existing Walls or Fences] | - Condition of existing wall, fence or other barrier;<br>- Effectiveness of visual screen; and<br>- Type of construction. |

| Art. 7.F.9.E, Recreational Pod | Allow to waive the requirement of an incompatibility buffer for pods, areas or tracts within a residential, subdivision or PUD [Partially relocated from Art. 7.F.9.E, Type I Waiver] | - Adjacent to open space that is 100 feet or greater in width; or<br>- The site layout will integrate recreational amenities with multi-family units. |

| Art. 7.G.2.A, Terminal Island Width | Allow the reduction of terminal island green space width to 5 feet. | - For infill sites with less than 25 parking spaces. |

| Art. 7.G.2.A, Terminal Island Planting | Allow for relocation of shrubs from terminal islands in industrial developments to other areas of the site. | - For industrial developments where the parking areas are not open to the public, and the nature of the use does not benefit for interior plantings in the parking areas. |

| Art. 7.G.2.C, Divider Median | Allow for relocation of shrubs from divider medians to other areas of the site. | - For industrial developments that do not have significant public visitation and the nature of the use does not benefit for interior plantings in parking areas. |

| Art. 7.G.2.B.1, Interior Island Maximum Spacing | Allow to waive the maximum number of spaces or distance to provide larger interior islands. | - To allow for existing trees to be preserved or existing trees to be relocated within parking areas. |

| Art. 7.G.2.G, Alternative Parking Lot Landscaping | Alternative parking lot landscape designs may be approved. [Partially relocated from Art. 7.G.2.G, Alternative Parking Lot Landscaping] | - Provided that the total landscaped area and plant material quantities equal or exceed the code requirements. |

### Table 7.B.2.A – Type I Waivers for Landscaping -Continued

#### 3B. Optional Preliminary Mandatory Pre-Application Meeting for a Type I Waiver

Applicants shall be required to schedule a preliminary pre-application meeting with Zoning staff to review and discuss preservation of existing vegetation; possible design alternatives; and any Waivers that may be requested as part of the application. [Ord. 2007-001]

3. Approval Process

Application for an ALP shall be approved in accordance with the following: [Ord. 2007-001]

a. Building Permit

An application for an ALP for projects only requiring building permits shall be submitted concurrently at time of building permit application. The Zoning Division must approve the ALP prior to issuance of a building permit. [Ord. 2007-001]

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ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS
(Updated 05/25/16)

b. DRO Approval
An application for an ALP for projects requiring DRO approval, including projects approved by the ZC or BCC, shall be submitted concurrently at time of application for DRO approval. The Zoning Division must approve the ALP prior to DRO approval, unless approved by the ZC or BCC. [Ord. 2007-001]

c. Optional Submittal with a Zoning Application
If submitted with an application for a rezoning, conditional use, requested use, variance, or development order amendment, an applicant may opt to request that the ZC or BCC, whichever is applicable, approve the ALP. [Ord. 2007-001]

4. DRO Appeals
If an application for an ALP is denied by the DRO or Zoning Division, an applicant may appeal the decision through a Peer Review, as follows: The applicant may select a landscape architect licensed in the State of Florida to certify to the Zoning Division, that the proposed ALP is in compliance with this Article. The Zoning Division shall provide a Peer Review Certification Form for this purpose. Certification shall substitute for a staff determination of consistency with this Article. [Ord. 2007-001]

Section 4. Street Planting Plan
Plans for landscaping within streets shall be provided for new subdivisions in accordance with Article 11.B.3.B.3, Construction Plans and Supplemental Engineering Reports.

Part 9. ULDC Art.7.C.3, Minimum Tier Requirements (Page 16 of 52) is hereby amended as follows:

Table 7.C.3 - Minimum Tier Requirements

<table>
<thead>
<tr>
<th>Code Requirements</th>
<th>U/S Tier</th>
<th>AGR and Glades Tiers</th>
<th>Exurban and Rural Tiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscape Buffers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interior Landscaping</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum Tree Shrub Quantities</strong></td>
<td>Multi-family Residential Lots</td>
<td>3 per 1,250 sq. ft.</td>
<td>3 per 1,000 sq. ft.</td>
</tr>
<tr>
<td></td>
<td>3 per 2,000 sq. ft.</td>
<td>3 per 1,500 sq. ft.</td>
<td>3 per 1,200 sq. ft.</td>
</tr>
<tr>
<td>Plant Standards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Foundation Planting</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Notes:
1. May be allowed with an approved ALP.
2. Landscape requirements (including walls and fences) for Incompatibility buffers, refer to Table 7.F.9.A, Incompatibility Buffer Standards. [Ord. 2009-040]
3. Walls and fences shall be built from natural materials, including but not limited to: wood, stone, etc. [Ord. 2009-040]
4. This requirement is only for Perimeter R-O-W Buffers. Applicants shall also reference Table 7.F.7.B, Shrub Planting Requirements for installation size, quantity, spacing and maturity height for perimeter and interior shrub planting. [Ord. 2009-040]
5. Interior quantities for trees and shrubs planting shall be calculated based on gross lot area, excluding preservation areas and lakes. [Ord. 2009-040] [Ord. 2014-025]
6. TDDs, LCC, IRO and PRA Development Orders are exempt from foundation planting requirements for primary and secondary, or other similar types of building frontages, buildings along an alleyway or accessway to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004] [Ord. 2010-022]
8. Tree and shrub planting requirement calculations for Zero Lot Line and Single Family Residential Lots shall be based upon gross lot area minus the building coverage for the principal residential structure. The building coverage percentage shall be based upon the zoning district and the applicable property development regulations. [Ord. 2014-025]

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ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS
(Updated 05/25/16)

Part 10.  ULDC Art.7.D.2.A (Page 17-19 of 52) is hereby amended as follows:

CHAPTER D  GENERAL STANDARDS

Section 2 Trees

A. Canopy Trees

The size of a Canopy tree shall include the height and caliper. The minimum size of a Canopy tree shall be 12 feet in height with a two and one half inch caliper at installation, subject to the following standards.  [Ord. 2014-025]

1. Minimum Height

Canopy trees shall meet the standards in Table 7.C.3. Minimum Tier Requirements and Figure 7.D.2.A, Canopy Tree Measurement Standards, at installation.  [Ord. 2014-025]

A1. Height Reduction

A maximum of 25 percent of the total number of required trees may be reduced in height by 25 percent. One additional tree, a minimum of eight feet in height, shall be planted for each tree with reduced height.  [Ord. 2014-025]

2. Minimum Canopy Spread and Caliper

The minimum canopy spread and caliper shall be consistent with the most current edition of the Florida Grades and Standards.  [Ord. 2014-025]

Figure 7.D.2.A - Canopy Tree Measurement Standards

B. Palms

Palms, in clusters of same species, may be used in place of required canopy trees, subject to the standards in Table 7.D.2.B, Palm Height Standards, and Figure 7.D.2.B, Palm Measurement Standards. Palms may not be used in excess of 25 percent of the total number of required trees. When using palms in a perimeter buffer, refer to Article 7.F.2.A, Palms.  [Relocated to Art. 7.D.2.B.1]

The size of a palm shall include the overall height and the height of the clear trunk or the grey wood pursuant to Figure 7.D.2.B - Palm Measurement Standards. The minimum overall height of
a palm shall be 12 feet, and the minimum height for different species of palms shall be in accordance with Table 7.D.2.B – Palm Height Standards.

### Table 7.D.2.B - Palm Height Standards

<table>
<thead>
<tr>
<th>Minimum Height</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 feet overall height as noted below.</td>
<td></td>
</tr>
<tr>
<td>8 feet clear trunk for Sabals and similar species</td>
<td></td>
</tr>
<tr>
<td>6 feet clear Grey wood for Royals and similar species</td>
<td></td>
</tr>
<tr>
<td>4 feet clear Grey wood for Phoenixes and similar species</td>
<td></td>
</tr>
<tr>
<td>4 feet clear trunk for preserved native palms</td>
<td></td>
</tr>
</tbody>
</table>

| Minimum Diameter | See Florida Standards for specific species |

### Figure 7.D.2.B - Palm Measurement Standards

- **Sabal and Other Palms**
- **Royal Palm**
- **Phoenix Palm**

1. **Canopy Tree Substitute**

Palms, in clusters of same species, may be used in place of required canopy trees, subject to the standards in Table 7.D.2.B, Palm Height Standards, and Figure 7.D.2.B, Palm Measurement Standards. Palms may not be used in excess of 25 percent of the total number of required trees. When using palms in a perimeter buffer, refer to Article 7.F.2.A, Palms. [Relocated from Art.7.D.2.B]

2. **C. Pines**

The size of a pine shall include the height and the caliper of the pine. The minimum size of a pine shall be 12 feet in height with a two and one half inch caliper at installation subject to the following standards. [Ord. 2014-025]

1. **Canopy Tree Substitute**
   a. Three pines, planted in groups of three may be substituted for one required canopy tree, provided the overall accumulated height of the three pines is 24 feet or more; or
   b. One pine with a minimum height of 14 feet.

Pines may not be used in excess of 25 percent of the total number of required canopy trees. When using pines in a perimeter buffer, refer to Article 7.F.2.A, Palms. [Ord. 2014-025]

### Part 11. ULDC Art.7.D.2.E.3, Tree Credit Formula (Page 19 of 52) is hereby amended as follows:

### CHAPTER D GENERAL STANDARDS

Section 2 Trees

3. **E. Tree Credit**

### Notes:

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Section 4 Ground Treatment

The ground within required landscaped areas shall receive appropriate ground treatment at installation. Landscape such as grass, groundcover, mulch or shrubs and present a finished appearance upon planting. Ground cover treatment is shall not be required in preservation areas shown on approved landscape plans. Sand, gravel, shellrock, or pavement is not considered appropriate ground treatment. The following standards shall apply to the installation of ground treatment:

A. Ground Cover

Live material used as ground cover shall provide a minimum of 50 percent coverage immediately upon planting and 100 percent coverage within six months. Seeded ground cover such as native wildflowers, shall provide a minimum of 50 percent coverage after six months of planting and 50 percent coverage within one year. 100 percent coverage shall be achieved at the second year of planting.

B. Mulch

Mulch shall be installed and maintained at a minimum compacted depth of three inches at all times in all planted areas not containing ground cover. All mulch material shall be free of seeds and weeds to prevent tree sprouting and regrowth. Mulch shall be at a depth of three inches.

C. Pebble, Egg Rock and Decorative Sand

Alternative materials such as pebbles, egg rocks, or decorative sand may be used up to a maximum of ten percent of ground coverage and only in areas needed to accommodate limited roof water runoff.

D. Lawn and Turf Grass

Grassed areas shall be planted with species suitable as permanent lawns and shall reach 100 percent coverage within six months of planting. Grassed areas may be sodded, plugged, sprigged, or seeded. However, provided that sod and grass shall be required between landscape buffers and swales and in other areas subject to erosion. In areas where grass seed is used, millet or rye shall also be sown. These areas shall be properly maintained to ensure immediate effect, and immediate maintenance shall be provided until complete coverage is complete. Because of their drought resistant characteristics, it is recommended that Bahia grass species be used. Use of drought-tolerant ground cover instead of lawn and turf grass is encouraged. Undeveloped parcels shall be planted as required in Art. 7.E.5.G, Vacant Lots.

E. Artificial Turf

Artificial turf may be installed in the interior, terminal or divider medians of a bull pen vehicle storage area. The Applicant shall receive product approval from the Zoning Director, prior to indicating in on the Landscape Plan or installation.

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Part 13. ULDC Art.7.D.9, Berms (Page 22 of 52) is hereby amended as follows:

CHAPTER D GENERAL STANDARDS

Section 9 Berms

Berms may be used as non-living landscape barriers only when used in conjunction with plant materials and where existing natural vegetation is not disturbed. Berms may be used in conjunction with fences, walls, hedges and shrubs to meet the total height requirements of incompatibility landscape buffers, as illustrated in Figure 7.D.9.C-4, Berm Elevation and Drainage Requirements, provided that hedges and shrubs are installed at the height necessary to provide the total six foot screen at the time of planting. Berms may be installed in preservation areas only where they will not affect the viability of preserved trees and vegetation. Runoff from berms shall be contained within the property, as illustrated in Figure 7.D.9.C-4, Berm Elevation and Drainage Requirements, or in a manner approved by the County Engineer.

A. Tier Restrictions

Landscape berms are not allowed within the Exurban, Rural, Agricultural Preserve, or Glades Tiers, unless approved as part of an ALP through a Type I Waiver or located along a Rural Parkway.

Part 14. ULDC Art.7.D.11, Foundation Planting (Page 23 of 52) is hereby amended as follows:

CHAPTER D GENERAL STANDARDS

Section 11 Foundation Plantings

Foundation plantings shall be provided along facades as required by Table 7.C.3, Minimum Tier Requirements, for non-residential structures unless specifically exempted by this Section. Required plant material may be located within 30 feet of the foundation, along the front and side facades of drive-through establishments, including Freestanding ATMs. (Partially relocated to Art. 7.D.11.A.1) All required foundation plantings shall include a minimum of one tree or palm for each 20 linear feet of building facade and one shrub or ground cover for every 10 square feet of planting area. The relocation of foundation plantings may be approved by the DRO provided the minimum required square footage of the planting area is maintained. Partially Relocated to Art. 7.B.2.A – Type 1 Waivers for Landscaping [Ord. 2013-021] [Ord. 2014-025]

Part 15. ULDC Art.7.D.12.C, Detention/Retention Areas, Swales, and Drainage Easements, [Related to Landscape in Easements] (Page 27 of 52) are hereby amended as follows:

CHAPTER D GENERAL STANDARDS

Section 12 Landscape in Easements

Easements may overlap a required landscape buffer by a maximum of five feet, provided there remains a minimum of five clear feet for planting. If a wall with a continuous footer is used, a minimum of ten clear feet for planting is required. The landscape buffer may be traversed by easements or access ways as necessary to comply with the standards of this Article, and Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS, and other PBC codes. Easements shall be identified prior to the preparation of site or subdivision plans and any proposed overlap shall be approved by the DRO or Zoning Division.

C. Detention/Retention Areas, Swales, and Drainage Easements

Detention/retention areas, drainage easements, and sloped, directional swales greater than one foot below finished grade, shall not be located in or may overlap required landscape buffers provided a minimum of five feet remains for planting unless otherwise approved in writing by the Land Development Division. [Ord. 2006-004]

1. Planting may be allowed in the dry detention area if approved by the Land Development Division.

D. Lake Maintenance Easements (LME)

Planting of new trees or relocation of native, non-prohibited or specimen vegetation may occur in the LME subject to the approval of the Land Development Division.

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PART 16. ULDC Art. 7.F.1.A, R-O-W, [Related to Buffer Types] (Page 35 of 52) is hereby amended as follows:

CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

Section 1 Buffer Types

A. R-O-W

R-O-W buffers shall be provided along all street R-O-W, except for alleys.

1. Exemptions

R-O-W buffers are not required for individual single-family residential, ZLL, or townhouse lots, or lots that abut the Intercoastal Waterway, private street right-of-ways internal to a PDD, and alleys.

Part 17. ULDC Art. 7.F.5, Area Measurement (Page 37 of 52) is hereby deleted as follows:

CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

Section 5 Area Measurement

The width of access ways that traverse required perimeter landscape buffers shall be included in the calculation of linear dimension.

Part 18. ULDC Art. 7.F.7.D, Clustering (Page 38 of 52) is hereby deleted as follows:

CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

Section 7 R-O-W Buffer

D. Clustering

Canopy trees and same species palms may be clustered in R-O-W buffers for non-residential development, subject to the following standards:

1. Clusters shall be spaced no more than 40 feet on center.

2. Clusters shall consist of trees of varied height, which when averaged, equal the minimum tree height requirements of Article 7.D.2.A, Canopy Trees.

3. Created windows visible openings to the site shall only be permitted on properties with a minimum of 300 feet of lot frontage.

4. The minimum distance between open window areas visible openings to the site created by clusters shall be 100 feet.

Part 19 ULDC Art. 7.F.9.C.1 Determining Incompatibility Buffer Type (Page 39 of 52) is hereby amended as follows:

CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

Section 9 Incompatibility Buffer

C. Walls and Fences

1. Existing Walls or Fences

Where there is an existing wall or fence, the applicant may apply for a Type I Waiver to waive the wall or fence requirement. [Relocated to Table 7.B.2.B, Type I Waivers for Landscaping] The following conditions shall be considered when determining if the wall requirements may be waived: [Ord. 2012-027]

a. Condition of existing wall [Relocated to Table 7.B.2.B]

b. Effectiveness of visual screen; and [Relocated to Table 7.B.2.B]

c. Type of construction. [Relocated to Table 7.B.2.B]
EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS
(Updated 05/25/16)

Part 20.  ULDC Art.7.F.9.E, Type I Waiver (Page 40 of 52) is hereby deleted as follows:

CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

Section 9  Incompatibility Buffer

E. Type I Waiver

The applicant may apply for a Type I Waiver, pursuant to Article 2.D.6, to be relieved of the
requirement to install the incompatibility buffer for pods, areas or tracts within a residential
subdivision or PUD that meet one of the following:  [Ord.2005-002] [Ord. 2012-027] [Ord. 2014-
025] [Ord. 2015-031] [Partially relocated to Table 7.B.2.B - Type I Waivers for Landscaping]
1. Adjacent to open space that is 100 feet or greater in width or greater, or. [Ord. 2015-031]
2. Demonstration that the site layout will integrate recreational amenities with multi-family units.
[Ord. 2015-031]. [Partially relocated to Table 7.B.2.B - Type I Waivers for Landscaping, above]

Part 21.  ULDC Art.7.G.2.G, (Page 47 of 52) is hereby deleted as follows:

CHAPTER G OFF-STREET PARKING REQUIREMENTS

Section 2 Landscape Islands

G. Alternative Parking Lot Landscaping

Alternative parking lot landscape designs may be approved under the provisions of Art. 7.B.3,
Alternative Landscape Plan (ALP), provided that the total landscaped area and plant material
quantities equal or exceed the requirements of this Article.  [Ord. 2005 – 002] [Relocated to
Table 7.B.2.B - Type I Waiver for Landscaping]
# EXHIBIT G

## ARTICLE 14 ENVIRONMENTAL STANDARDS

### SUMMARY OF AMENDMENTS

(Updated 2/10/16)

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### Part 1. ULDC Art. 14, Appendix 9 (page 51 of 52), is hereby amended as follows:

#### APPENDIX 9 NATURAL AREAS

The following are ultimate boundaries of natural areas acquired under the 1991 Sensitive Lands or 1999 Conservation Lands bond issues as listed in Resolution 99-1073 as well as natural areas acquired by other governmental entities in PBC. Maps of each area are designated by Range, Township and Section with its associated 500 foot buffer and are on file at ERM for inspection.

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<table>
<thead>
<tr>
<th>Incorporated Palm Beach County</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Boca Raton:</strong> Blazing Star Preserve (R42 T47 S23; [Ord. 2006-036])</td>
</tr>
<tr>
<td>Cypress Knee Slough Preserve (R42 T47 S23-24)</td>
</tr>
<tr>
<td>Florida Atlantic University Ecological Site (R42 T47 S12/13; R43 T47 S07/18)</td>
</tr>
<tr>
<td>Gopher Tortoise Preserve (R43 T46 S33)</td>
</tr>
<tr>
<td>Gumbo Limbo Environmental Complex &amp; Red Reef Park (R43 T47 16/21)</td>
</tr>
<tr>
<td>Harold Hawk Pondslough Natural Area (R42 T47 S12)</td>
</tr>
<tr>
<td>Rosemary Ridge Preserve (R43 T46 S32)</td>
</tr>
<tr>
<td>Seneca Glade Preserve (R42 T47 S24)</td>
</tr>
<tr>
<td>South Beach Park Dune (R43 T47 S21)</td>
</tr>
<tr>
<td>Yamato Scrub Natural Area (R43 T46 S31; R43 T47 S06)</td>
</tr>
</tbody>
</table>

| **Boynton Beach:** Rosemary Scrub Natural Area (R43 T45 S09/16) |
| Seacrest Scrub Natural Area (R43 T48 S04) |

| **Delray:** Delray Oaks Natural Area (R43 T46 S30) |
| Leon Weeks Preserve (R43 T46 S29) |

| **Highland Beach:** Highland Beach Mangrove Preserve (R43 T46 S33) |

| **Hypoluxo:** Hypoluxo Scrub Natural Area (R43 T46 S30) |

| **Juno:** Juno Dunes Natural Area (R43 T41 S20/21/28/29) |
| Delaware Scrub Natural Area (R42 T41 S00) [Ord. 2006-036] |
| Jupiter Ridge Natural Area (R43 T41 S07/08/17/18) |
| Limestone Creek Natural Area (R42 T41 S03) |
| North Jupiter Flatwoods Natural Area (R42 T40 S32/33) |
| Riverbend Park (R42 T40 S32/33; R42 T41 S05/06/07/08/17) |

| **Lake Park:** Lake Park Scrub Natural Area (R43 T42 S20) |

| **Lantana:** Lantana Scrub Natural Area (R43 T44 S31) |

| **North Palm Beach:** John D. MacArthur Beach State Park (R43 T42 S10/15) |

| **Ocean Ridge:** N. Ocean Ridge Hammock East Mangroves (R43 T45 S22) |
| Ocean Ridge Natural Area (R43 T45 S27) [Ord. 2006-048] |

| **Palm Beach:** Palm Beach Island Sanctuaries (R43 T43 S34; R43 T44 S03/10/15) |

| **Palm Beach Gardens:** Frenchman's Forest Natural Area (R43 T41 S32; R43 T42 S05) |
| Hungryland Slough Natural Area (R41 T41 S10/20/28/29/30/31/32/33) |
| Loxahatchee Slough Natural Area - includes Sandhill Crane (R41 T41 S23/24/25/26/27/28/34/35/36; R41 T42 S01/02/11/12/13; R42 T41 S19/20/21/22/28/29/30/31/32; R42 T42 S05/06/07/08/09/16/17) |
| Prosperity Oak Natural Area (R43 T42 S05) |

| **Royal Palm Beach:** Royal Palm Beach Pines Natural Area (R41 T43 S15/16) |

| **West Palm Beach:** Winding Waters Natural Area (R42 T42 S35-[R42 T33 S02]) |
| Grassly Waters Preserve (R42 T42 07/08/16/17/18/19/20/21/22/28/29/30/31/32/33; R42 T43 03/04/05/06/07/08/09/10/15/16/17/18) |

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EXHIBIT G

ARTICLE 14 ENVIRONMENTAL STANDARDS

SUMMARY OF AMENDMENTS

(Updated 2/10/16)

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Unincorporated Palm Beach County

Acequia Pines Natural Area (R41 T42 S32)
Arthur R. Marshall Loxahatchee NWR (R39 T44 S12/13/23/24/25/26/27/34/35/36; R39 T45 S01/02/03/10-15/22-27/34-36/L1/L2/L3; R39 T46 S01-03/10-14/23-25; R40 T43 S32/L5; R40 T44 S04-09/15-36; R40 T45 S01-42; R40 T46 S01-36; R40 T47 S01/06/08-14; R41 T44 S30-32/40-42; R41 T45 S04-10/14-23/26-35; R41 T46 S02-11/14-23/26-35; R41 T47 S03-10/15-19.
C-18 Triangle Natural Area (R42 T41 S08)
Cypress Creek Natural Area (R41 T40 S24/35/36; R42 T40 S31/32;R42 T41 S06)
Dagnerwing Nature Center Preserve (R41 T47 S11/14)
Donald Ross Road at the IOW (R43 T41 S29)
DuPuis Management Area (R38 T40 S31-36; R38 T41 S01-09/08-12/13-16/22-26/36; R39 T41 S19/30-31
East Conservation Area (R41 T45 S14/26/26) [Ord. 2006-036]
High Ridge Scrub Natural Area (R43 T45 S09)
Hungryland Slough Natural Area (R41 T44 S18/20/26/30/31/32)
Jackson Riverfront Pines (R42 T40 S25)
Jupiter Inlet (R43 T40 S31)
J.W. Corbett/LoxRefuge Connector (R60 T43 S05/06/08)
J.W. Corbett Wildlife Management Area (R39 T45 S31-36; R39 T41 S01-36; R39 T42 S01-06/08-16; R40 T40 S31-32; R40 T41 S05-08/18-36; R40 T42 S01-18/21-22; R41 T41 S31; R41 T42 S06-07/18
Lake Okeechobee Preserve (R37 T40 S35/36)
Loxahatchee Mitigation Bank (R41 T40 S14/23/25-28/35; R41 T47 S02)
Loxahatchee River Natural Area (R40 T41 S02-24; R41 T44 S1)
Sweetbay Natural Area (R41 T41 S34; R41 T42 S01/02/03) [Ord. 2006-036]
Okeechobee Nature Center Preserve (R42 T44 S04-05)
Pine Glades Natural Area (R40 T40 S31/33/34/36; R40 T41 S01/02/03/04/10/11/12/13; R41 T40 S31/32; R41 T41 S01/05/06/07/08/09) [Ord. 2006-036]
Paw-Paw Preserve Natural Area (R43 T42 S04)
Pine Jog Environmental Education Center (R42 T44 S03)
Pond Cypress Natural Area (R41 T43 S01/12/13/24)
Riverbend Park (Reese Property) - See Riverbend Park under Jupiter Municipality
Royal Palm Beach Pines Natural Area (R41 T43 S32/16)
Strazzulla Tract (R41 T44 S34/39-40; R41 T45 S03-04/10/11/14-15)

APPENDIX 10

Prohibited Vegetation Removal Schedule

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climbing fern (non-native)</td>
<td>Lygodium spp.</td>
<td>2004</td>
</tr>
<tr>
<td>Air Potato vine</td>
<td>Dioscorea bulbifera</td>
<td></td>
</tr>
<tr>
<td>Melaleuca, Pink Tree</td>
<td>Melaleuca quinquenervia</td>
<td>2006</td>
</tr>
<tr>
<td>Brazilian pepper</td>
<td>Schinus terebinthifolius</td>
<td></td>
</tr>
<tr>
<td>Carlowood</td>
<td>Copernicia americana</td>
<td>2008</td>
</tr>
<tr>
<td>Caneleaf acacia</td>
<td>Acacia auriculiformis</td>
<td></td>
</tr>
<tr>
<td>Schefflera</td>
<td>Schefflera actinophylia</td>
<td>2010</td>
</tr>
<tr>
<td>Australian pine</td>
<td>Casuarina spp.</td>
<td></td>
</tr>
<tr>
<td>Kudzu</td>
<td>Pueraria montana var. lobata</td>
<td>2012</td>
</tr>
</tbody>
</table>

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EXHIBIT H

DESIGN STANDARDS ALTERNATIVE
SUMMARY OF AMENDMENTS
(Updated 05/10/16)

Part 1. ULDC Art. 2.A.1.G.3.g.3), Design Standards (DS) Alternative (page 16 of 87), is hereby deleted:

PART 2, DEVELOPMENT REVIEW PROCEDURES

CHAPTER A GENERAL

Section 1 Applicability

G. Application Procedures

3. Plan Requirements

G.1) Preliminary Regulating Plan (PRP) for Public Hearing Approval

G.2) Final Regulating Plan (FRP) for Public Hearing Approval or Administrative Approval

G.3) Design Standards (DS) Alternative

An applicant may submit Design Standards in lieu of a Regulating Plan, provided that approval is granted by the Zoning Director at DRO. The DS shall contain text, graphics and pictures to illustrate prevailing design theme and concept applicable to the project. Requirements for Design Standards review and approval process shall be in compliance with Article 2.A.1.G.3.g.1, Preliminary Regulating Plan (PRP) for Public Hearing and Article 2.A.1.G.3.g.2), Final Regulating Plan (FRP) for Public Hearing Approval or Administrative Approval.

Part 2. ULDC Art. 3.B, Overlays (pages 63 of 147), is hereby amended as follows:

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER B OVERLAYS

Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)

D. Application Requirements

1. Pre-Application Conference (PAC)

2. Plan Requirements

b. Other Plans

1) Regulating Plan

The DRO shall approve a regulating plan or alternative design standards.

Part 3. ULDC Art. 3.B, Overlays (pages 116 of 147), is hereby amended as follows:

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER B OVERLAYS

Section 17 Agricultural Enclave Overlay (AGEO)

D. Development Review Procedures

1. Master Plan and Regulating Plan

The Master Plan and Regulating Plan, or Design Standards Alternative, shall include the following information from the AGE FLUA Conceptual Plan:

a. The location and boundaries of the transect zones;

b. Allocation and range of density and intensity;

c. General location of all civic sites and a summary chart for required or additional civic acreages;

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BCC 1st Hearing August 25, 2016
EXHIBIT H

DESIGN STANDARDS ALTERNATIVE
SUMMARY OF AMENDMENTS
(Updated 05/10/16)

d. General location of existing or proposed arterials, thoroughfares and collector streets, and access points for each Pod; and. [Ord. 2014-031]
e. Any applicable Implementing Principles. [Ord. 2014-031]

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BCC 1st Hearing August 25, 2016
Part 1. ULDC Art. 3.A.3.B, Standard Districts (pages 16-18 of 234), is hereby amended as follows:

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

Section 3 Zoning District Consistency with the Future Land Use Atlas (FLUA)

B. Standard Districts

Any application for a rezoning to a Standard Zoning District shall correspond to a FLU designation indicated in the table below.

Table 3.A.3.B - Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts (1)-(3)

<table>
<thead>
<tr>
<th>FLU Designation</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>RR-20 AR</td>
<td></td>
</tr>
<tr>
<td>RR-10 AR</td>
<td>CRE</td>
</tr>
<tr>
<td>RR-5 AR</td>
<td></td>
</tr>
<tr>
<td>RR-2.5 AR</td>
<td></td>
</tr>
<tr>
<td>LR-1 AR (2)</td>
<td>RE RT RM</td>
</tr>
<tr>
<td>LR-2 AR (2)</td>
<td>AE RT RM</td>
</tr>
<tr>
<td>LR-3 AR (2)</td>
<td>RE RT RM</td>
</tr>
<tr>
<td>MR-5 AR (2)</td>
<td>RE RT RM</td>
</tr>
<tr>
<td>MR-8 AR (2)</td>
<td>RE RT RM</td>
</tr>
<tr>
<td>MR-12 AR (2)</td>
<td>RE RT RM</td>
</tr>
<tr>
<td>MR-18 AR (2)</td>
<td>RE RT RM</td>
</tr>
</tbody>
</table>

Notes:
1. Unless exempted otherwise all applications for a Development Order shall require the subject site be rezoned to a shaded district.
2. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with the exceptions listed below.
3. See Art. 3.A.3.B.1, Standard District Exceptions and Limitations below, for additional notes.

Typical Example of a "shaded district."

1. Standard District Exceptions and Limitations

   g. Within the Glades Tier, the AP District is consistent with all FLU designations excluding Conservation the LR-1 designation in the Glades Tier only for legal lots of records located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point. [Ord. 2011-016]
   h. The RM District is consistent with the MR-5 designation only for those areas already zoned RM, prior to the Plan’s August 31, 1989 adoption. [Ord. 2011-016]
   i. The RS district is consistent with the LR-1 designation only for those areas already zoned RS, RTU, RM, or RH on the Plan’s August 31, 1989 adoption.
   [Renumber accordingly]

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### Part 2. ULDC Table 3.D.1.A, Property Development Regulations

(page 127 of 234), is hereby amended as follows:

#### Table 3.D.1.A - Property Development Regulations

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Min Lot Dimensions</th>
<th>Density (6)</th>
<th>Max FAR (7)</th>
<th>Max Building Coverage</th>
<th>Min Setbacks (12)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Size</td>
<td>Width and Frontage</td>
<td>Depth</td>
<td>Min</td>
<td>Max</td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AR</td>
<td>(2) (3/4)</td>
<td>300</td>
<td>300</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>RT (LR-1)</td>
<td>20,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


#### Notes:

2. The minimum lot size in the AR district corresponds to the FLU category as follows: RR20 – 20 acres; RR10 – 10 acres; RR5 – 5 acres; RR2.5 – 2.5 acres; U/S Tier – 5 acres.
4. AR lots with an RR-2.5_FLU designation may use the RE PDR’s. [Ord. 2005 – 002]

### Part 3. ULDC Table 4.A.3.A, Use Matrix [Related to Standard Zoning Districts]

(page 12 of 171), is hereby amended as follows:

#### Table 4.A.3.A - Use Matrix

<table>
<thead>
<tr>
<th>Zoning District/Overlay</th>
<th>Agriculture/Conservation</th>
<th>Residential</th>
<th>Commercial</th>
<th>Industry/Public</th>
<th>N</th>
<th>O</th>
<th>T</th>
<th>E</th>
</tr>
</thead>
</table>

#### Residential Uses

| Use Type                | P | P | P | P | P | P | AD | D | AD | D | AD | P | A | 122 | A | 142 | A | 132 | A | 87 |

#### Key:

- **Permitted by right**
- **Permitted subject to approval by the DRO**
- **Permitted in the district only if approved by Special Permit**
- **Permitted in the district only if approved by the Zoning Commission (ZC)**
- **Permitted in the district only if approved by the Board of County Commissioners (BCC)**

### Notes:

- **Underlined** indicates new text.
- **Stricken** indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- **Italicized** indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.
Part 4. ULDC Art. 4.B.1.A.132, Townhouse (page 103 of 171), is hereby amended as follows:

ARTICLE 4 USE REGULATIONS
CHAPTER B SUPPLEMENTARY USE STANDARDS
Section 1 Uses
A. Definitions and Supplementary Standards for Specific Uses
132. Townhouse
A dwelling unit located on an individual lot and attached by at least one but no more than two party wall(s) along 50 percent of the maximum depth of the unit, to one or more other dwelling units; has a continuous foundation; each on its own lot, with said party wall(s) being centered on the common property line(s) between adjacent lots.

a. Approval Process - RS Zoning District with MR5 FLU Designation
Townhouses shall only be permitted in the RS zoning district on parcels with LR-2 or higher FLU designation. Townhouses on parcels with an HR-8, HR-12 or HR-18 a MR5 FLU designation may be permitted subject to DRO shall require a Class A conditional use approval. [Ord. 2005 – 002]

Part 5. ULDC Art. 4.B.1.A.142, Zero Lot Line Home (page 112 of 171), is hereby amended as follows:

ARTICLE 4 USE REGULATIONS
CHAPTER B SUPPLEMENTARY USE STANDARDS
Section 1 Uses
A. Definitions and Supplementary Standards for Specific Uses
142. Zero Lot Line Home
The use of a lot for one detached dwelling unit with at least one wall, but not more than two walls or a portion thereof, located directly adjacent to a side lot line, excluding a mobile home but including a manufactured building. Subject to additional standards in Article 3, OVERLAYS & ZONING DISTRICTS.

a. Approval Process - RS Zoning District with MR5 FLU Designation
A ZLL Home shall only be permitted in the RS zoning district with LR-2 or higher FLU designation. ZLL Homes on parcels with an HR-8, HR-12 or HR-18 a MR5 FLU designation may be permitted subject to DRO shall require a Class A conditional use approval. [Ord. 2005 – 002]
Part 1. ULDC Art. 1.I.3, Abbreviations and Acronyms (pages 115 and 117 of 11), is hereby amended as follows:

ARTICLE 1, GENERAL PROVISIONS

CHAPTER I DEFINITIONS & ACRONYMS

Section 3 Abbreviations and Acronyms

| Underlined | BRPO | Biotechnology Research Protection Overlay |
| Stricken   | LCSO | Lion Country Safari Overlay |

Part 2. ULDC Art. 3.A.1.B.1, Overlays

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER A GENERAL

Section 1 Districts

B. Overlays and Zoning Districts

In order to carry out and implement the Plan, the following Overlays, Standard Zoning Districts, Planned Development Districts (PDDs), and Traditional Development Districts (TDDs) are hereby established. [Ord. 2011-016]

1. Overlays

AGEO, Agricultural Enclave Overlay [Ord. 2011-016]
AZO, Airport Zone Overlay
COZ, Conditional Overlay Zone
GAO, Glades Area Overlay
IOZ, Indiantown Road Overlay
IRO, Infill Redevelopment Overlay [Ord. 2011-016]
LOSTO, Lake Okeechobee Scenic Trail Overlay
NBOZ, Northlake Boulevard Overlay Zone
NEO, Native Ecosystem Overlay
PBIAO, Palm Beach International Airport Overlay
RTO, Research and Technology Overlay
SCGCCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay [Ord. 2004-040]
SR-7 EDO, State Road 7 Economic Development Overlay [Ord. 2011-016]
SR-80, Non-residential Overlay
TAPO, Turnpike Aquifer Protection Overlay
URAO, Urban Redevelopment Area Overlay [Ord. 2011-016]
WCRAO, Westgate Community Redevelopment Agency Overlay
BRPO, Bioscience Research Protection Overlay
LCSO, Lion Country Safari Overlay

Part 3. ULDC Art. 3.B.18, SR-7 Economic Development Overlay (pages 115 – 118 of 232), is hereby deleted.

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

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER B OVERLAYS

Section 19 Bioscience Research Protection Overlay (BRPO)

Notes:
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- Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- …. A series of four bolded ellipses indicates language omitted to save space.
A. Purpose and Intent
To promote the growth and stability of bioscience research/biotechnology uses in proximity to the Scripps Research Institute (TSRI) campus at Abacoa/Briger, and deterring the conversion of those uses to commercial or residential uses. This will be accomplished in coordination with the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park, with the objective to provide opportunity for a minimum 8,000,000 square feet of bioscience/biotechnology use cluster in Northern Palm Beach County. The BRPO does not limit the uses currently allowed consistent with the property’s existing land use designation and zoning designation including uses allowed pursuant to planned development approvals and development of regional impact approvals.

B. Boundaries
Generally located and bifurcated North and South of Blue Heron Blvd, West of the C-17 canal and Garden Road and East of I-95; bordered in the North by Consumer Street and in the South Interstate Park Way. The larger portion of the overlay lying in the area to the North of Blue Heron Blvd, with a smaller portion comprised of 8 parcels to the South, as well as the area included in the Florida Research Park (Palm Beach Park of Commerce) DRI approval shall be depicted on the Special Planning Areas Map in the Comprehensive Plan Map Series.

C. Applicability
See Art. 4.B.1.A.76, Research Laboratory, and FLUE Objective 1.9, Bioscience Research Protection Overlay (BRPO).

Section 20 Lion Country Safari Overlay (LSCO)

A. General
See ULDC Art. 3.E.2.G.6, Lion Country Safari Overlay, for Purpose and Intent, Boundaries and Applicability, and additional site development requirements.

Part 5. Art. 3.E, Planned Development Districts (PDDs) (Pages 149, 178, of 232), is hereby amended as follows:

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

C. Objectives and Standards
2. Performance Standards
a. Access and Circulation
1) Minimum Frontage
a) Type II Waiver - Infill Development
....
(5) where applicable, the reduction is necessary to allow for development of new SR-7 EDO projects that establish access by means of interconnectivity requirements of the overlay; [Ord. 2010-022] [Ord. 2012-027]
....

Section 5 Planned Industrial Park Development (PIPD)

A. General
....

3. Conflicts
If a conflict exists between this Section and other Sections in this Code, the provisions of this Section shall apply to the extent of the conflicts with exception to the SR-7 EDO. [Ord. 2010-022]
....

B. Objectives and Standards
1. Design Objectives
b. Be designed as a predominantly industrial development, with exception to—[Ord. 2014-025]
1) the SR-7 EDO, which shall allow for larger percentages of business or professional office uses, or other similar uses that are identified in Art. 3.B.18, SR-7 EDO; and, [Ord. 2010-022] [Ord. 2014-025]

Notes:
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- .... A series of four bolded ellipses indicates language omitted to save space.
E.

Pods

3. Residential Pod

a. Use Regulations

Uses shall be permitted in accordance with the provisions for a PUD Residential Pod, indicated under Table 3.E.1.B, PDD Use Matrix; except for a RR-PUD; and, Article 4.B.1.A, Supplementary Standards. [Ord. 2004-040] [Ord. 2008-003] [Ord. 2010-022]

Part 6.

ULDC Art. 3.E.2.G.1.c, Lion Country Safari (LCS) (page x of 232), is hereby relocated to new ULDC Art. 3.E.2.G.6, Lion Country Safari Overlay, and amended as follows:

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

Section 2 Planned Unit Development (PUD)

G. RR PUD

1. Rural Residential

b. Lion Country Safari Overlay (LCSO)

In addition to the standards for a RR-PUD, an application for a RR-PUD within the LCSO that includes the transfer of density from the Lion Country Safari MUPD or RVPD, shall be limited to Option 1, Rural Cluster, and the following: [Ord. 2011-016]

a. Purpose and Intent

The purpose of the LCSO is to acknowledge the importance of the Lion Country Safari Park as a unique tourist attraction and recognize that the viability of the park is important for the County’s tourism industry, pursuant to Plan Objective 1.11, Lion Country Safari Overlay. The Overlay establishes a mechanism to encourage the preservation of the Safari Park (MUPD), RV Park (RVPD) and related commercial recreation activities, while allowing for residential development at an overall density that is compatible with the surrounding area. This is accomplished by allowing the density of the Safari and RV Parks (excluding hotel approval) to be transferred to the development area of a RR PUD within the boundaries of the Overlay. [Ord. 2011-016]

b. Applicability

The LCSO is approximately one square mile in size, generally located north of Southern Boulevard and West of Seminole Pratt and Whitney Road in Section 23, Range 40, Township 43, as depicted in the Special Areas Planning Map LU 3.1, in the Map Series of the Plan. The provisions of the LCSO are optional, and shall only apply to projects that propose to relocate density from the Safari Park to a PUD within the boundaries of the Overlay. [Ord. 2011-016]

c. Application Requirements

Any application that proposes to relocate density from the Safari or RV Parks to a RR PUD within the Overlay shall comply with the following: [Ord. 2011-016]

1a) Pre-Application Conference

Each application shall require a PAC in accordance with Art. 2.A.1.E, Pre-Application Conference. [Ord. 2011-016]

2b) Master Plan

A Preliminary or Final Master Plan shall be required to depict the overall boundaries of the LCSO, include any Zoning approvals, identify Open Space Preserve Areas from which density will be relocated to the development area of a RR-PUD, location of access and interconnectivity, and related tabular data. [Ord. 2011-016]

d. RR PUD Development Area

In addition to the Development Area requirements for a Rural Cluster PUD, the following shall apply: [Ord. 2011-016]

1a) Clustered residential units which provide a variety of lot sizes to allow for a range of housing choices; [Ord. 2011-016]

2b) Smaller sized lots shall be located towards the center of the Development Area and should transition to larger lot sizes located at the edge, adjacent to the existing residential neighborhoods. [Ord. 2011-016]

e. Other Requirements

1a) Existing native vegetation and other natural features located within the LCSO, including a minimum of 37 acres of upland native vegetation, shall be preserved. At
the time a PUD is requested, higher quality upland native vegetation shall be
This requirement shall not preclude the relocation of existing native upland preserves
to other areas with higher quality upland native vegetation. [Ord. 2011-016]
2b) Interconnectivity shall be provided between uses within the LCSO. This shall not
preclude the use of security gates within the RR PUD. [Ord. 2011-016]
3c) A neighborhood serving commercial store of up to 3,500 square feet shall be
permitted within the RVPD to serve campers, or should the RVPD be abandoned, the
neighborhood store may be incorporated into a RR-PUD. [Ord. 2011-016]
4d) Golf courses are prohibited within the LCSO. [Ord. 2011-016]
e.6) Additional Notification Requirements
Pursuant to the adoption of a LCSO Overall Master Plan, any subsequent applications for
a Development Order Amendment within the boundaries of any designated Open Space
Preserve Areas or associated RR-PUD shall provide for the following notification to all
affected land owners and Property Owners Associations, as follows: [Ord. 2011-016]
1a) The Notice shall describe the applicant's request for a DOA; [Ord. 2011-016]
2b) The list of landowners and Property Owners' Association(s) shall be pursuant to the
latest PBC Property Appraisal list; [Ord. 2011-016]
3c) The Notice shall be sent to the landowners and Property Owners' Association(s) by
certified mail within ten days of filing its applications; and, [Ord. 2011-016]
4d) The applicant shall provide to the Zoning Division a copy of the Notice and written
confirmation the Notice requirements have been satisfied. [Ord. 2011-016]
Part 7. ULDC Art. 4.B.1.A, Definitions and Supplementary Standards for Specific Uses (Pages
37, 57, 89 and 92 of 171), is hereby amended as follows:
ART. 4 - USE REGULATIONS
CHAPTER B SUPPLEMENTARY USE STANDARDS
Section 1 Uses
A. Definitions and Supplementary Standards for Specific Uses
....
21. Broadcast Studio
a. SR-7-EDO
Accessory broadcast towers or antennae are prohibited. [Ord. 2010-022]
....
55. Financial Institution
....
d. SR-7-EDO
Drive through uses are prohibited. [Ord. 2010-022]
[Renumber accordingly]
109. Restaurant, Type I
....
f. SR-7-EDO
Drive through uses are prohibited. [Ord. 2010-022]
[Renumber accordingly]
114. Retail Sales, General
....
f. SR-7-EDO
 Shall be prohibited as a principal use. [Ord. 2010-022]
[Renumber accordingly]
Part 1. ULDC Art. 5.D.2.B.2, Calculation of Required Recreation [Related to Community and Neighborhood Park Recreation Standards] (page 49 of 100), is hereby amended as follows:

ART. 5, SUPPLEMENTAL STANDARDS

CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

Section 2 Types of Parks

B. Community and Neighborhood Park Recreation Standards

2. Calculation of Required Recreation

The required recreation area shall be the equivalent of two and one-half acres of developed land per 1,000 people population, based on the 2010 Census average Person Per Household (PPH) rate of 2.39 people per unit. Development of recreational facilities shall be of a type suitable for general neighborhood or community park use. The dollar amount to be spent on recreational improvements per acre shall be no less than 75 percent of PBC’s average cost per acre for developing community and neighborhood park type facilities as calculated by the Park and Recreation Department based on the current PBC cost per acre to develop Community or Neighborhood park facilities. The minimum dollar amount to be spent on recreation facilities shall be determined by the Parks and Recreation Department at the time of final site plan submission.

a. WCRAO

The required recreation area shall be the equivalent of one and one quarter acres of developed land per 1,000 people population, based on 2.39 people per unit. [Ord. 2008-037]

Part 2. ULDC Art. 5.D.2.B.9, Other Credits [Related to Community and Neighborhood Park Recreation Standards] (page 50 of 100), is hereby amended as follows:

ART. 5, SUPPLEMENTAL STANDARDS

CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

Section 2 Types of Parks

B. Community and Neighborhood Park Recreation Standards

9. Other Credits

Any parcel used to satisfy Parks and Recreation Standards shall meet the following requirements: [Ord. 2006-004]

a. Minimum Parcel Size

Minimum parcel size shall be 7,500 square feet exclusive of above ground easements and landscape buffers. [Ord. 2006-004]

b. Minimum Parcel Width

Minimum parcel width shall average 75 feet with no dimension less than 50 feet. [Ord. 2006-004]

c. Minimum Parcel Depth

Minimum parcel depth shall average 100 feet with no dimension less than 75 feet. [Ord. 2006-004]

d. Waiver of Minimum Parcel Dimensions

The Parks and Recreation Department may reduce the minimum recreation parcel dimensions by not more than ten percent when considering location, abutting land uses, accessibility, recreation facilities to be offered and the parcels function in the overall recreation and open space network of the development. [Ord. 2006-004]

e. Underground Easements

Underground easements are permitted in the recreation parcel with prior approval by the Director of the Parks and Recreation Department, and as long as the utility of the recreation parcel is not adversely impacted.

f. Exceptions

1. CLFs may be exempt from the minimum parcel size and minimum dimensions, with prior approval by the Director of the Parks and Recreation Department.

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- …. A series of four bolded ellipses indicates language omitted to save space.
EXHIBIT K

PARKS & RECREATION
SUMMARY OF AMENDMENTS
(Updated 3/11/16)

2. CLF recreational requirements may be satisfied using a combination of interior and exterior recreation areas, with prior approval by the Director of the Parks and Recreation Department.

Part 3. ULDC Art. 5.D.2.F, Phasing [Related to Types of Parks] (page 51 of 100), is hereby amended as follows:

ART. 5, SUPPLEMENTAL STANDARDS

CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

Section 2 Types of Parks

F. Phasing
Any development required to provide recreation shall follow one of the following phasing plans:

1. Single Phasing
When the development is to be constructed in a single phase, or where each phase will provide recreational facilities specifically for the residents of that phase, then the recreational site(s) for that phase shall be site planned, or platted, concurrent with that phase of construction. No more than 40 percent of the building permits for residential units shall be issued for the phase until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, or unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department. [Ord. 2006-004]

2. Multiple Phasing
When the development is to be constructed in multiple phases or plats and one or more required recreational site(s) is/are intended to serve the residents of two or more phases of the development, then the following sequence shall be adhered to:

a. The recreation site(s) shall be site planned concurrent with the site plan for the first phase of residential development for which the recreational site will serve.

b. The recreation site(s) shall be platted concurrent with the plat for the residential development phase they will serve. No more than 40 percent of the building permits for residential units shall be issued for any phase until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, or unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department. [Ord. 2006-004]

3. Multifamily and Congregate Living Facilities
No more than 20 percent of the Certificates of Occupancy for the residential units shall be issued for the phase until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, or unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department.

This space intentionally left blank.

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- … A series of four bolded ellipses indicates language omitted to save space.
Part 4. ULDC Art. 3.E.2.C.2, Land Use Mix (page 160 of 232), is hereby amended as follows:

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER E  PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 2  Planned Unit Development (PUD)

C.  Thresholds

2.  Land Use Mix

Table 3.E.2.C, PUD Land Use Mix, indicates the minimum and maximum percentage of each land use allowed in a PUD.

<table>
<thead>
<tr>
<th>Res.</th>
<th>Civic (1)</th>
<th>Comm.</th>
<th>Rec. (2)</th>
<th>OS (32)</th>
<th>Preserve Area</th>
<th>Dev. Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>MIN</td>
<td>60%</td>
<td>2% (1)</td>
<td>.006 ac</td>
<td>40%</td>
<td>80/20 AGR – 80%</td>
<td>-</td>
</tr>
<tr>
<td>MAX</td>
<td>-</td>
<td>65%</td>
<td>1%</td>
<td>-</td>
<td>-</td>
<td>80/20 AGR – 25% (42)</td>
</tr>
</tbody>
</table>

[Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-001]

Notes:

1. Minimum civic pod requirement may be waived, subject to the following: [Ord. 2011-001]
   Public civic may not be required where two percent of the gross acreage of a PDD is less than 1.5 acres in size, subject to FD&O approval; and, [Ord. 2011-001]
   a) If located in a CCRT area, shall be labeled as private civic unless waived by the BCC. [Ord. 2011-001]

2. Minimum recreation area required for a CLF may be reduced in accordance with Art. 5.D.2.B.9, Exceptions.

3. Calculation of open space may include recreation pods, civic pod and open space areas within residential.

[Ord. 2006-004]

4. See 80/20 option exception.

Part 5. ULDC Table 3.E.2.D, PUD Property Development Regulations (page 161 of 232), is hereby amended as follows:

<table>
<thead>
<tr>
<th>POD</th>
<th>Lot Dimensions</th>
<th>Density</th>
<th>FAR (2)</th>
<th>Building Coverage</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Size</td>
<td>Width</td>
<td>Depth</td>
<td>Min.</td>
<td>Max.</td>
</tr>
<tr>
<td></td>
<td>-</td>
<td>65</td>
<td>75</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Recreation

Preservation (1)


Notes:

3. Recreation pods required for multi-family units, CLFs, or other similar uses may be exempt from the following:
   a) Minimum frontage requirement, where internal street frontages are not available in the area required for recreation amenities, upon demonstration that access is provided by frontage on internal access ways, the pedestrian network otherwise as may be approved by Parks and Recreation; and,
   b) Minimum PDRs may be reduced proportionate to or in accordance with Art. 5.D.2.B.9, Exceptions.
ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 2 Planned Unit Development (PUD)

E. Pods

3. Recreation Pod

Recreation areas shall be designated on the Master Plan as recreation pods, except where in conflict with Art. 5.D.2.B.9. Exceptions, and shall comply with Art. 5.B.1.A.9, Neighborhood Recreation Facility, and Art. 5.D, Parks and Recreation Standards, in addition to the requirements of this section. [Ord. 2011-001] [Ord. 2013-001]
EXHIBIT L
HEIGHT MEASUREMENT FOR FENCES, WALLS AND HEDGES
SUMMARY OF AMENDMENTS
(Updated 3-11-16)

Notes:
- Underlined indicates new text.
- Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
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Part 1. ULDC Art. 7.D.3.B.1, Height Measurement (page 20 of 50), is hereby amended as follows:

CHAPTER D GENERAL STANDARDS
Section 3 Shrubs and Hedges

B. Hedges
1. Height Measurement
   b. Grade Change
      Height may be increased when the hedge abuts a retaining wall, subject to the following:
      [Ord. 2016-016]
      1) Residential
         The height of the hedge located within the front, side or rear setback of a lot
         supporting a single family dwelling unit, may be increased when located adjacent to a
         lot having a different grade when a retaining wall is installed along the property line,
         in accordance with the following: [Ord. 2016-016]
         a) Grade Measurement
            The difference in grade shall be determined by measuring the elevation of the
            retaining wall and the elevation of the abutting lot at the property line. [Ord.
            2016-016]
         b) Maximum Height Increase
            The height of the hedge may be increased by the difference in grade up to a
            maximum of two feet, whichever is less, as follows: [Ord. 2016-016]
            (1) Within the required front setback: Up to a maximum of six feet. [Ord. 2016-
            016]
            (2) Within a side or rear setback: Up to a maximum of ten feet. [Ord. 2016-016]
            (3) A guardrail shall be installed on the retaining wall if required by Florida
            Building Code, subject to the height limitations for fences and walls.
      2) PDD or Non-residential
         Height may be increased when the hedge abuts a retaining wall subject to the
         requirements of Art. 7.F.10, Perimeter Buffers with Grade Changes.