



October 21, 2015

**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Mayor  
Mary Lou Berger, Vice Mayor  
Hal R. Valeche  
Paulette Burdick  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

Mr. Wesley Blackman, AICP, Chairman, and  
Members of the Land Development Regulation Advisory Board (LDRAB)  
241 Columbia Drive  
Lake Worth, FL 33460

**RE: October 28, 2015 LDRAB Meeting**

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB hearing on Wednesday, October 28, 2015.

The meeting will commence at **2:00 p.m.** in the Vista Center 1<sup>st</sup> Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact me at (561) 233-5206 or via email at [WCross@pbcgov.org](mailto:WCross@pbcgov.org), or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at [MCantor@pbcgov.org](mailto:MCantor@pbcgov.org).

Sincerely,

William Cross, AICP  
Principal Site Planner, Zoning Division

Attachments: October 28, 2015 LDRAB Agenda

- c: Verdenia C. Baker, County Administrator
- Rebecca D. Caldwell, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Jon MacGillis, ASLA, Zoning Director
- Maryann Kwok, Deputy Zoning Director
- Monica Cantor, Senior Site Planner, Zoning

"An Equal Opportunity  
Affirmative Action Employer"

U:\Zoning\CODEREV\2015\LDRABMeetings\10-28-15\4- Final Packet\1 - Transmittal Letter.docx

# PALM BEACH COUNTY

## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

OCTOBER 28, 2015

### BOARD MEMBERS

**Wesley Blackman, AICP, Chair** (PBC Planning Congress)

**David Carpenter, RLA, Vice Chair** (District 2)

**Michael J. Peragine** (District 1)

**Barbara Katz** (District 3)

**James Knight** (District 4)

**Lori Vinikoor** (District 5)

**Stuart R. Fischer** (District 6)

**Henry D. Studstill,** (District 7)

**Daniel J. Walesky** (Gold Coast Builders Assoc.)

**Joni Brinkman** (Palm Beach League of Cities)

**Terrence N. Bailey** (Florida Engineering Society)

**Jerome I. Baumoehl** (American Institute of Architects)

**Tommy B. Strowd** (Environmental Organization)

**Frank Gulisano** (Realtor's Assoc. of the Palm Beaches)

**Gary Rayman** (Fl. Surveying and Mapping Society)

**Vacant** (Association Gen. Cont. of America)

**James M. Brake** (Member at Large/Alternate)

**Leo Plevy** (Member at Large/Alternate)

### Board of County Commissioners

**Shelley Vana, Mayor, District 3**

**Mary Lou Berger, Vice Mayor, District 5**

**Hal R. Valeche**  
Commissioner, District 1

**Paulette Burdick**  
Commissioner, District 2

**Steven L. Abrams,**  
Commissioner, District 4

**Melissa McKinlay**  
Commissioner, District 6

**Priscilla A. Taylor**  
Commissioner, District 7

**Verdenia Baker**  
County Administrator



"An Equal Opportunity – Affirmative Action Employer"  
2300 North Jog Road, West Palm Beach, Florida 33411 (561) 233-5200



## **LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

**WEDNESDAY, OCTOBER 28, 2015 AGENDA**  
**2300 NORTH JOG ROAD**  
**KEN ROGERS HEARING ROOM - 1<sup>ST</sup> FLOOR (VC-1W-47)**  
**2:00 P.M.**

### **A. CALL TO ORDER/CONVENE AS LDRAB**

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of September 30, 2015 Minutes (Exhibit A)

### **B. ULDC AMENDMENTS**

1. Exhibit B Art. 8.H.2, Billboards
2. Exhibit C Northlake Boulevard Overlay Zone (NBOZ)

### **C. PUBLIC COMMENTS**

### **D. STAFF COMMENTS**

1. Public and Civic URP Subcommittee rescheduled to Nov. 9, 2015
2. October 28, 2015 BCC Direction on PIA for Agricultural Recycling
3. December 9, 2015 LDRAB Meeting

### **E. ADJOURN**

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

(Updated 10-22-15)

**Minutes of September 30, 2015 Meeting**

On Wednesday, September 30, 2015 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

**A. Call to Order/Convene as LDRAB**

**1. Roll Call**

Chair Wes Blackman called the meeting to order at 2:03 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 15**

Wesley Blackman (PBC Planning Congress)  
David Carpenter, Vice Chair (District 2)  
Michael J. Peragine (District 1)  
Barbara Katz (District 3)  
Lori Vinikoor (District 5)  
Stuart R. Fischer (District 6)  
Henry Studstill (District 7)  
\* Daniel J. Walesky (Gold Coast Build. Assoc.)  
Joni Brinkman (League of Cities)  
Terrence Bailey (Florida Eng. Society)  
Jerome Baumoehl (AIA)  
Tommy B. Strowd (Environmental Org.)  
Frank Gulisano (PBC Board of Realtors)  
Gary Rayman (Fl. Surveying & Mapping Soc.)  
Leo Plevy (Member at Large, Alt.)

**Members Absent: 2**

Jim Knight (District 4)  
James Brake (Member At Large, Alt.)

**Vacancies: 1**

(Assoc. General Contractors of America)

**County Staff Present**

Leonard Berger, Chief Assistant County Attorney  
Jon MacGillis, Zoning Director  
John Rupertus, Senior Planner, Planning  
William Cross, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner  
Zona Case, Zoning Technician, Zoning

**2. Additions, Substitutions, and Deletions**

Mr. Blackman noted that there were no additions, substitutions or deletions.

**3. Motion to Adopt Agenda**

Motion to adopt the agenda by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (14\* - 0).

**4. Adoption of July 22, 2015 Minutes (Exhibit A)**

Motion to adopt by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (14\* - 0).

\* Daniel Walesky arrives at 2:05 p.m.

**B. ULDC AMENDMENTS**

**1. Exhibit B - Art 2.A.1.J, Notification**

Ms. Cantor explained that this was a minor amendment to clarify that public notices are to be posted in accordance with specifications in the Zoning Technical Manual to ensure uniformity.

Motion by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (15 - 0).

**2. Exhibit C - Agriculture Recycling Privately Initiated Amendment (PIA)**

Mr. Cross explained that the Privately Initiated Amendment process was established to facilitate a cursory review of a code amendment that might be presented to the BCC for their consideration and direction.

He highlighted several of the key points outlined in the staff report, as follows:

- Over the years various jurisdictions have made attempts to address equestrian waste disposal in Palm Beach County.
- Due to the industrial characteristics associated with the recycling of equestrian waste using the technology highlighted in the applicant's request, the use is classified as a Recycling Plant, which is limited to industrial zoning districts.
- The applicant obtained a Class B Conditional use approval for a Recycling Plant to be located in the Light Industrial (IL) zoning district, however the applicant was unable to close on the property.

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 10-22-15)

#### Minutes of September 30, 2015 Meeting

- Clarified that the use is not considered an agricultural use and noted concerns with request to allow in the Agriculture Production (AP) zoning district, which equates to the Everglades Agricultural Area (EAA). A map of the EAA was delineated onscreen.
- Outlined similar concerns with request to allow in the Agricultural Residential (AR) zoning district, confirming if initiated the applicant's proposal to work with Zoning staff to develop standards to mitigate any adverse impact on adjacent properties.
- Zoning does not recommend initiating the amendment at this time, but has noted some areas that would have to be addressed if it were permitted in the future.

The Chairman requested clarification of the question before the Board: to consider the application and convey to the BCC whether the Board wishes to consider it in further detail for a formal amendment in the future. Mr. Cross affirmed and added that the proposal will be presented at the October BCC Zoning Hearing, and if initiated, would be brought back to the LDRAB.

Mr. Kevin McGinley of Land Research Management Inc., representing the applicant, Equine Bedding of Florida, summarized as follows:

- Presently there is no property under contract in relation to this particular amendment.
- He understands that a Recycling Plant is currently permitted in industrial zoning districts, but requires a minimum of 5 acres. He opined that there were insufficient industrial locations available in the County.
- Many committees and sub-committees have met on the waste issue over the years without a solution, and the need to find a place still exists.
- The system pasteurizes the bedding and produces a clean marketable product, the method is dry, there is no by-product, nothing gets flushed, it is self-contained, quiet and all done indoors. It makes sense to have it close to the equestrian waste sources.
- The intention of the application is to get the Board's recommendation, to move the discussion forward and get it to a forum where it can be thoroughly discussed so a long term solution can be found. Currently haulers and trucks spread the waste over properties in the agricultural areas.
- This is an agricultural waste and it belongs in the agricultural areas and there is enough need for this in the Wellington, Loxahatchee and Palm Beach County areas to effect that type of change. Thought should be given to finding where the process can be carried out most effectively in an agricultural area. It may not be in the AP as this is the Everglades Agricultural Area. We were hoping to get the AR and the AGR, the Ag reserve areas, those to me make the most sense. He cited Chipping and Mulching being allowed in the Ag Reserve areas AR and AGR with DRO approval and that process is not agricultural.

In the discussion that followed, members of the Board made the following comments:

- Ms. Vinikoor was of the view that the plant should not be in the AR as it is a processing plant and does not belong in a residential area.
- Ms. Katz supported Ms. Vinikoor's statement and recommended more time to study before making a decision on how to proceed.
- Mr. Blackman was concerned that the language written for this particular amendment might lock out competing technologies, thus limiting others.

Mr. McGinley affirmed that this is not a specific request but just the right to ask the BCC.

- Ms. Brinkman opined that the proposed use is both good and green. She suggested that rather than having to find industrial properties, effort should be made to accommodate by protecting residences in the agricultural area.
- Mr. Carpenter agreed that the use is good and suggested that perhaps Wellington could find a place in their jurisdiction.
- Ms. Vinikoor added her concern about drugs given to horses getting into the environment. The only way she could recommend is if it is kept away from the AR and AGR. The AP zoning district is more suitable.

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 10-22-15)

#### Minutes of September 30, 2015 Meeting

- Mr. Bailey suggested keeping it in the IL for consistency with industries using chemicals, also there would be more inspections, and adjusting the acreage criterion to less than 5 acres which would make more sites available and help to keep it out of the farm areas. Mr. MacGillis was of the view that such a criterion could be established.

Mr. Chip Coulter, Managing partner for Greenscene Agritek (GSA) South Florida (aka Equine Bedding of Florida), elaborated on the process that was outlined by Mr. McGinley. He emphasized that no chemicals are involved, it is a proprietary dry process, after pasteurization no chemicals remain and 8 years of testing have had good results from all over the country.

- Mr. Wallesky said that some industries are already in the AP and he favored looking at it in that district but not in the AR. Mr. Cross responded that the desire is to stem the increase of new uses in that area.
- Ms. Brinkman supported looking at it further as it is a problem and a solution should be found. Wellington equestrian community brings in a lot of money to the County.

Motion to support staff by Mr. Gulisano, seconded by Ms. Katz. There was a discussion on the motion

Ms. Caldwell clarified that if the Board supports staff's recommendation they would recommend not to support it in the AP and AR, and that the recommendation would not preclude Zoning from looking at it in the Use Regulations Project. As Mr. Bailey suggested, look at what can be done to increase site locations. Zoning is not against it totally.

The Chairman clarified the Motion: not to consider in the Agricultural Production and Agricultural Residential districts and to consider reducing minimum acreage requirements in the Light Industrial (IL) district, as part of the Use Regulations Project. Motion passed (9 – 6). Messrs. Blackman, Rayman, Fischer, Walesky, Plevy and Ms. Brinkman voted Nay.

#### C. PUBLIC COMMENTS

There were no public comments.

#### D. STAFF COMMENTS

##### 1. Digital Signage Pilot Project

Mr. Cross explained that a Power Point presentation was made to the BCC to broach the topic of digital signage. The BCC directed staff to prepare additional backup to initiate amendments to allow for a limited introduction of digital signage as a pilot project for limited areas within the Urban Redevelopment Area (URA). Digital billboards will not be considered at this time. In 2 to 3 months Zoning will update the Board and if the results are satisfactory, the amendment will go forward. After a year or more, staff will provide an update to the BCC to determine if the pilot project should be expanded or discontinued. If expanded, staff advised that the hiring of a consultant would be recommended.

##### 2. Amendment Round 2015-02

Mr. Cross advised that the initiation of Round 2015-02 was postponed. He highlighted a few of the amendments staff were proposing to initiate, including amendments to the Northlake Boulevard Overlay Zone (NBOZ), Article 18 Flood Plain Management, and an update to the County's Billboard Ordinance, which relates to the Billboard settlement agreement, which he briefly explained. He further elaborated that the NBOZ amendments would establish a waiver process to bring the County more in line with how the other partner jurisdictions evaluate redevelopment within the corridor.

##### 3. Landscape Subcommittee

Ms. Cantor invited new Board Member Stuart Fischer, to join the Landscape Subcommittee. Mr. Fischer accepted. Motion to nominate by Ms. Katz, seconded by Mr. Carpenter. Motion passed (15 - 0).

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
(Updated 10-22-15)

**Minutes of September 30, 2015 Meeting**

**4. AGR Contiguity and Indian Trail Groves PUD**

Mr. Cross reminded members that AGR Contiguity amendment is scheduled for adoption on October 26, 2015. He also advised that the LDRAB may be asked to convene a special meeting in December to review the Privately Initiated Amendment for Indian Trail Groves.

**E. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:03 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by:

\_\_\_\_\_   
Zona Case, Zoning Technician

\_\_\_\_\_   
Date

# EXHIBIT B

## ART. 8.H.2, BILLBOARDS SUMMARY OF AMENDMENTS (Updated 10-21-15)

1  
2 **Part 1. ULDC Art. 8.H.2, Billboards (pages 36 to 40 of 40), is hereby amended as follows:**  
3

**Reason for amendments:** [County Attorney/Zoning] Eliminate reference to settlement agreement since it will expire on February 6, 2016; and, clarify the billboard special permit process for maintenance requiring building permits, demolition, relocation, and replacement of billboards.

4 **CHAPTER H OFF-SITE SIGNS**

5 **Section 2 Billboards**

6 **A. Purpose and Intent**

7 It is the purpose and intent of the BCC to ~~restrict prohibit~~ billboards and similar off-site signs in  
8 order to improve the aesthetic appearance of unincorporated PBC ~~and. It is also the purpose and~~  
9 ~~intent of the BCC to remove and amortize all billboards and similar large off-site signs in order to~~  
10 ~~curb minimize~~ the visual and aesthetic degradation caused by these structures and to achieve the  
11 goal of an aesthetically improved built environment. It is the purpose and intent of this Section to  
12 leave the regulations that were adopted consistent with the Billboard Stipulated Settlement  
13 Agreement in place after the expiration of the agreement. Existing billboards with valid billboard  
14 registrations permits may be relocated or replaced subject to the requirements of this Section.  
15 No new billboards are permitted in unincorporated Palm Beach County other than those relocated  
16 or replaced pursuant to this Section.

17 **B. WCRAO Prohibitions**

18 Billboard signs are prohibited in the WCRAO, unless existing as of January 10, 2004 and the  
19 subject of a valid billboard registration permit issued pursuant to this Section. Billboards may not  
20 be relocated within the WCRAO, at the time of this amendment and identified in the stipulated  
21 billboard settlement agreement, Art. 8.H.2, Billboards. [Ord. 2006-004]

- 22 ~~1. Each billboard company shall be provided with a complete copy of the 1988 billboard~~  
23 ~~inventory.~~
- 24 ~~2. The 1988 billboard inventory shall be revised by each billboard company to reflect the current~~  
25 ~~status of billboards it owns or controls.~~
- 26 ~~3. The revised billboard inventory shall include the location, height, size, and number of~~  
27 ~~billboard faces.~~

28 **C. Annual Billboard Registration Renewal Registration Permits**

29 ~~The Zoning Division shall establish a system of billboard registration permits. The 1998 Billboard~~  
30 ~~inventory of registered billboards is required to be renewed annually by the respective owner(s) in~~  
31 ~~A registration permit shall be issued for each billboard not to be removed pursuant to the billboard~~  
32 ~~stipulated settlement agreement. Billboard registration permits shall be issued as special permits,~~  
33 ~~as provided in Article 2.D.2, Special Permit. Billboard registration permits shall be issued as~~  
34 ~~provided below.~~

- 35 ~~1. An application for a billboard registration permit shall include the following information:~~
  - 36 ~~a. name, address, and telephone number of the billboard company owning or controlling the~~  
37 ~~billboard;~~
  - 38 ~~b. name of applicant;~~
  - 39 ~~c. agent's authorization for the applicant to act on behalf of a billboard company;~~
  - 40 ~~d. location, height, number of sign faces, and size of sign faces; and~~
  - 41 ~~e. permit number or other acceptable evidence the billboard was lawfully erected.~~
- 42 ~~2. Billboard registration permits shall be issued annually.~~
- 43 ~~3. Applications for initial billboard registration permits shall be submitted no later than January 1,~~  
44 ~~1998 with the exception of registration permits for lawfully erected billboards located on~~  
45 ~~federal aid primary highways. Applications for permits for the unregistered billboards on~~  
46 ~~federal aid primary highways described above shall be submitted no later than January 10,~~  
47 ~~2004.~~
- 48 ~~4. Billboard registration permits shall be valid for a period of one year and shall be renewed~~  
49 ~~annually upon compliance with the terms of this Section, and the billboard stipulated~~  
50 ~~settlement agreement.~~
- 51 ~~51. Renewals for billboard registrations permits shall be submitted by the Billboard Owners at~~  
52 ~~least 60 days prior to expiration date of the existing registration Permit. The Owners have the~~  
53 ~~responsibility to notify the County of any billboards that have been annexed or are otherwise~~  
54 ~~removed from the registration list in a format acceptable to the Zoning Director.~~
- 55 ~~62. PBC may establish charge a fee of \$50.00 by resolution in the Official Schedule of Fees to be~~  
56 ~~charged for the renewal of each registered Billboard. for the issuance of each billboard~~  
57 ~~registration permit. This fee may be increased by the BCC from time to time.~~
- 58 ~~73. Billboard registration permits shall be transferable if ownership of the billboard or Billboard~~  
59 ~~Company changes.~~

**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.

## EXHIBIT B

### ART. 8.H.2, BILLBOARDS SUMMARY OF AMENDMENTS (Updated 10-21-15)

1 ~~84.~~ This billboard registration system shall not require "tagging" of the billboards structure by the  
2 owner. ~~of the Bbillboard structure.~~

3 ~~95.~~ Violations

4 a. If a ~~permit-registration~~ holder fails to submit fees required by this ~~s~~Section prior to or upon  
5 the annual expiration date, PZB shall:

6 1) Immediately issue a notice of violation as specified below; and

7 2) Suspend acceptance of any applications for Special Permit for demolition, relocation,  
8 replacement, or maintenance of billboards off-premises signs from the same  
9 ~~registration permit~~ holder. No new ~~Special P~~ermit applications shall be accepted  
10 from the same permit holder until final resolution of any disputes arising from the  
11 PZB's actions.

12 b. In the event that disputes arise regarding the amount of annual license fees charged, the  
13 permit holder may establish an escrow account into which he/she shall pay an amount  
14 equal to that portion of fees and other charges assessed by PZB which is in dispute. PZB  
15 shall be named as the beneficiary of the escrow account. This escrow account shall be  
16 established prior to the annual expiration date and shall remain in effect until final  
17 resolution of the dispute. Affected ~~billboards off-premises signs~~ shall continue to be  
18 treated as illegal signs; however, as long as the escrow account remains in effect, they  
19 shall not be removed as provided in this subsection.

20 c. The notice of violation in accordance with Article 10.B.1.A, shall be sent by certified mail,  
21 return receipt requested. At a minimum, it shall:

22 1) Indicate the total amount of annual fees due.

23 2) Indicate that the ~~registration permit~~ holder has 30 days from the date of mailing in  
24 which to pay the total fee due.

25 3) Assess an additional delinquency fee equal to 25 percent of the amount due.

26 4) Inform the ~~registration permit~~ holder that failure to pay all required fees within the  
27 time allowed shall constitute a violation of this ~~chapter Section~~ and his/her billboard  
28 ~~off-premises signs~~ shall thereupon be considered to be illegal.

29 5) Inform the ~~registration permit~~ holder of the process established by this chapter for the  
30 removal of illegal signs.

31 6) Inform the ~~registration permit~~ holder of his right to appeal the action of PZB, as  
32 provided in this subsection.

33 d. A copy of the notice of violation may also be prominently affixed to each billboard off-  
34 premises sign.

#### 35 ~~D. Billboard Owners Not Party to the Stipulated Settlement Agreement~~

36 ~~Any firm or individual owning billboards may become eligible to utilize the provisions of this~~  
37 ~~Section provided they execute an agreement consistent with the stipulated billboard settlement~~  
38 ~~agreement. Such firms or individuals shall execute an agreement as approved by the County~~  
39 ~~Attorney's Office.~~

#### 40 ~~E. Removal of Billboard Sign Faces~~

41 ~~Each billboard company that has signed or agreed to the stipulated billboard settlement~~  
42 ~~agreement, or similar agreement as approved by the County Attorney, shall permanently remove~~  
43 ~~ten percent of the total of sign faces it owns or controls. Billboard companies that have signed the~~  
44 ~~stipulated settlement agreement shall remove the sign faces within one year following adoption of~~  
45 ~~this amendment to the ULDC. Billboard companies that execute an agreement approved by the~~  
46 ~~County Attorney shall remove the sign faces within one year following execution of the~~  
47 ~~agreement.~~

48 ~~1. The total amount of sign faces to be removed shall be calculated utilizing the billboard~~  
49 ~~inventory. The sign faces shall be removed utilizing the procedure set forth below.~~

50 ~~2. The sign faces to be removed shall be identified in Exhibit "A" of the billboard stipulated~~  
51 ~~settlement agreement or similar agreement. However, the sign faces to be removed as~~  
52 ~~identified in Exhibit "A" may be substituted for reasons established in the stipulated billboard~~  
53 ~~settlement agreement.~~

54 ~~3. The Building Division, with the written approval of the Zoning Division, shall issue a~~  
55 ~~demolition permit for each sign face to be removed.~~

56 ~~4. The demolition permit shall be in a form prepared by the Zoning Division, and shall include~~  
57 ~~the location, permit number, name of billboard company, and date when such sign face is to~~  
58 ~~be removed.~~

59 ~~5. Each billboard company shall provide a statement, in a form approved by the PBC Attorney's~~  
60 ~~Office, certifying the removal of a sign face. Removal of the sign face shall include the entire~~  
61 ~~billboard structure.~~

#### 62 ~~DF. Demolition, Relocation, Replacement or Maintenance of Billboards~~

63 ~~Billboards maintenance requiring building permits, and billboard demolition, may be relocated~~  
64 ~~relocation, or replacement shall be~~ subject to the provisions of the ~~billboard stipulated settlement~~  
65 ~~agreement or similar agreement. Billboard relocation shall occur as~~ indicated below:

#### 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.

## EXHIBIT B

### ART. 8.H.2, BILLBOARDS SUMMARY OF AMENDMENTS

(Updated 10-21-15)

#### 1. Submittal Process

- 1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13
- ~~1. A billboard company shall submit an application for a Special Permit to notify the Zoning Division requesting its intent for demolition, relocation, replacement, or maintenance of a billboard in the format acceptable to the Zoning Director. ~~in writing of its intent to relocate a billboard.~~ The application written notification shall be submitted provided at least 30 days prior to the ~~requested intended~~ date for the ~~Special Permit of demolition and relocation,~~ ~~unless otherwise waived by the Zoning Director.~~ Each Special Permit application shall include the registration issued in 1998 that is associated with the subject billboard.~~
- ~~2. Each billboard to be relocated shall be assigned a billboard registration permit. The Zoning Division shall verify the request for relocation, subject to the billboard stipulated settlement agreement. Upon verification of the request for relocation, the Building Division shall issue a demolition permit for removal of the affected billboard.~~

#### 2. Demolition

- 14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35
- ~~a3. For each billboard demolished, demolition Special Permit issued by the Zoning Division, a the billboard company owner shall also submit an application to the Building Division requesting a provide verification of the demolition permit. The application shall include the Zoning Division's Demolition Special Permit. Upon demolition of the billboard, a A Certificate of Completion of Demolition ~~from~~ issued by the Building Division shall act as the verification of the demolition. A copy of the Certificate of Completion shall be submitted to the Zoning Division. [Ord. 2005 – 002]~~
- ~~b4. Each billboard demolished subject to this Section may be relocated. The combination of a proof of billboard registration from the Zoning Division, a billboard demolition ~~s~~Special ~~p~~Permit from the Zoning Division, and a Certificate of Completion of Demolition from the Building Division shall be required prior to submitting application for a billboard relocation ~~s~~Special ~~p~~Permit. [Ord. 2005 - 002]~~
- ~~c5. A billboard relocation ~~s~~Special ~~p~~Permit application shall be submitted within four years from the issuance of the Certificate of Completion of demolition from the Building Division. The relocation of the billboard shall be confirmed with a Building Department Certificate of Completion submitted to the Zoning Division no later than the end of the fifth year. Failure of the applicant to submit to the Zoning Division the Certificate of Completion from the Building Division for the relocation of the billboard by the end of the fifth year, or by date specified in a condition of approval in the ~~s~~Special ~~p~~Permit, shall result in the relocation ~~s~~Special ~~p~~Permit becoming null and void. This requirement shall not be applicable to previously completed billboard relocations. [Ord. 2005 - 002]~~

#### 3. Relocation

- 36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63
- ~~a6. A billboard relocation ~~s~~Special ~~p~~Permit ~~permit~~ shall allow construction of a billboard with the same or lesser number of faces as contained on the demolished billboard. Two relocated single face, single billboard structures may be combined into a new two-face billboard structure.~~
- ~~b7. A relocated billboard may be constructed only within the following comprehensive plan land use categories: "CH" (Commercial High), "CL" (Commercial Low), or "I" (Industrial).~~
- ~~c8. Within the CH, CL, and I future land use plan categories, a relocated billboard may only be located within the following zoning districts: CG, CC, IL, IG, MUPD, and PIPD.~~
- ~~d9. Any billboard proposed for relocation within a conditional use, planned development, or similar project with an approved signage plan shall obtain approval for the relocation from the BCC, which shall retain the same discretion it exercised when granting the original development approval. If the billboard relocation requires modification of a signage plan that does not require BCC approval, the relocation shall be approved by the DRO, subject to the requirements of this Section and the billboard stipulated settlement agreement.~~
- ~~e40. Relocation of a billboard to a PDD shall comply with the height and setback requirements for structures approved in the master plan. If modification of signage located within a PDD does not require BCC approval, such modification of signage shall be approved by the DRO.~~
- ~~f44. A relocated billboard shall not be relocated on property assigned a residential, agricultural, or conservation zoning designation. For the purposes of this Section, residential, agricultural, and conservation zoning districts ~~shall be as described in the billboard stipulated settlement agreement.~~ are the corresponding zoning districts to the residential, agricultural, or conservation FLU designations as indicated in Tables 3.A.3.B and 3.A.3.C. of the ULDC. For purposes of this Section, Traditional Development Districts are considered residential districts. Billboards may not be relocated to property assigned a Traditional Development District. Billboards may not be relocated to the residential, recreational and civic pods of a PIPD.~~

---

#### 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.

## EXHIBIT B

### ART. 8.H.2, BILLBOARDS SUMMARY OF AMENDMENTS

(Updated 10-21-15)

- 1 g12. All relocated billboards shall be located within an area containing a front dimension  
2 containing at least 500 linear feet. This linear dimension may include property abutting a  
3 public R-O-W.
- 4 h13. The height of any relocated billboard shall not exceed 40 feet above finished grade,  
5 excluding temporary embellishments.
- 6 i14. A relocated billboard shall comply with the setbacks listed below:  
7 1)a- Front: the lesser of 15 feet or the required district setback.  
8 2)b- Side: the lesser of the billboard's previous setback or the required district setback.  
9 3)c- Rear: the lesser of the billboard's previous setback or the required district setback.  
10 4)d- Side corner: the lesser of the billboard's previous setback or the required district  
11 setback. If applicable, the required district side corner setback may be reduced to 15  
12 feet when the specific lot configuration makes relocation of the sign structure  
13 impossible based on application of the required district setback.
- 14 j15. A relocated billboard shall not be constructed within a lateral distance of at least 250 feet  
15 of any residential zoning district located on the same side of the street. The lateral  
16 distance shall be measured along the street R-O-W, and shall include public R-O-W. This  
17 requirement shall supersede any other setback requirements established by this Section.
- 18 k16. When a relocated billboard will be placed on a public R-O-W which:  
19 1)a- is designated by PBC for an ultimate width of 120 feet less, and,  
20 2)b- abuts a residential zoning district across the street, then a residential "clear zone"  
21 shall be established.
- 22 l17. The "clear zone" shall extend at least 170 feet from the front setback of the billboard.  
23 The "clear zone" shall be the public R-O-W. Any portion of the "clear zone" located within  
24 the abutting residential district shall not contain any existing or proposed residential use.
- 25 m18. When a relocated billboard will be placed on a public R-O-W which:  
26 1)a- is designated by PBC for an ultimate width of more than 120 feet but less than 170  
27 feet, and,  
28 2)b- abuts a residential zoning district across the street;  
29 3)c- then a residential "clear zone" shall be established;  
30 4)d- the "clear zone" shall extend at least 170 feet from the front setback of the billboard.  
31 The "clear zone" shall be include the public R-O-W. Any portion of the "clear zone"  
32 located within the abutting residential district shall not contain any existing or  
33 proposed residential use.
- 34 n19. When a relocated billboard will be placed on a public R-O-W which:  
35 1)a- is designated by PBC for an ultimate width of more than 170 feet, and;  
36 2)b- abuts a residential zoning district across the street, then a residential "clear zone" is  
37 not required.
- 38 o20. For the purposes of this Section, a residential "clear zone" may include such uses as  
39 landscaping, perimeter buffers, vegetation preservation areas, drainage facilities, roads,  
40 recreational areas, and similar nonresidential uses.
- 41 p24. A relocated billboard shall not be placed within 120 feet of any residential zoning district  
42 located across from, but not directly abutting, a public R-O-W. For the purposes of this  
43 Section, the 120 feet distance shall be measured from the rear of the billboard to the  
44 nearest point of the residential zoning district.
- 45 q22. For relocated billboards, the setback shall be measured from the property line.
- 46 r23. A billboard shall not be relocated to a site on a road with an R-O-W width of less than 80  
47 feet.
- 48 ~~24. The number of billboards to be relocated during any 12-month period shall be limited by the~~  
49 ~~stipulated billboard settlement agreement.~~
- 50 s25. A minimum separation of at least 500 feet from any other existing or relocated billboard  
51 that is not on the same structure must be maintained.
- 52 **4G. Billboard Replacement**
- 53 A replacement for an existing billboard may be constructed consistent with the provisions of  
54 this Section.
- 55 a1. Shall be located within the permitted billboard location.
- 56 b2. A replacement billboard shall remain on the same side of the public R-O-W.
- 57 c3. Existing billboard or the setbacks provided by the zoning district.
- 58 d4. For replacement billboards, the front setback shall be measured from the property line.
- 59 e5. A replacement billboard may be constructed at the same or lesser height of the existing  
60 billboard.
- 61 f6. The sign face or faces of the replacement billboard shall not exceed the size of the sign  
62 face or faces of the existing billboard.
- 63 g7. A replacement billboard shall contain the same number, or lesser number, of sign faces  
64 as the existing billboard.

---

#### 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.

# EXHIBIT B

## ART. 8.H.2, BILLBOARDS SUMMARY OF AMENDMENTS

(Updated 10-21-15)

1 h8. When an existing billboard is located on property that is being or has been acquired for  
2 public road R-O-W purposes, the billboard location criteria of this Section may be waived  
3 subject to approval of a Type I Waiver. The DRO may approve the Type I Waiver for  
4 billboard location criteria when the width of the R-O-W to be acquired will not allow  
5 billboard replacement consistent with the intent of this Section. **[Ord. 2012-027]**

6 ~~1)a.~~ Supplemental billboard regulations.

7 ~~a4)~~ Roof-mounted billboards are prohibited.

8 ~~b2)~~ Billboards shall not be relocated to a site on a road with an R-O-W width of less  
9 than 80 feet.

10 ~~3) The number of billboards to be relocated during any 12-month period shall be limited~~  
11 ~~by the stipulated billboard settlement agreement.~~

12 ~~c4)~~ Billboard illumination shall be directed only towards the billboard face.

13 ~~d5) Following execution of the stipulated billboard settlement agreement, b~~ Billboards  
14 ~~with valid registration permits~~ shall be legal, conforming structures, and may be  
15 repaired and maintained as provided by the applicable building codes of PBC.  
16 ~~Billboards to be removed by the operation of the stipulated billboard settlement~~  
17 ~~agreement may be repaired and maintained as legal structures. However, any~~  
18 ~~expenses incurred for such repair and maintenance shall be the sole responsibility~~  
19 ~~of the billboard owner, and PBC shall incur no liability for such expenses.~~

20 ~~e6) Registered b~~ Billboards registration permits may be sold, transferred, or  
21 exchanged ~~without regard to participation in the stipulated billboard settlement~~  
22 ~~agreement.~~

### EH. Repair and Maintenance of Billboards

23 All billboards shall be maintained in good repair. Repair and maintenance of billboards shall be  
24 exempt from the limitations of Article 1.F, NONCONFORMITIES. Repair and maintenance of  
25 billboards shall not include any improvement which increases the height, size, or number of  
26 billboard faces. Temporary embellishments may be included as part of normal maintenance and  
27 repair of billboards.

### FI. Effect of Annexation

28 1. Any billboard ~~included within the billboard stipulated settlement agreement~~ that is annexed  
29 shall not be eligible for relocation into ~~any the~~ unincorporated area.

30 2. ~~Any registered The~~ billboard ~~registration permit for any billboard included within the billboard~~  
31 ~~stipulated settlement agreement~~ that is annexed shall be void upon annexation.

### GJ. Appeals

32 Appeals of any decision by the Zoning Director or Building Director regarding interpretation or  
33 implementation of this Section ~~or the billboard stipulated settlement agreement~~ shall be made to  
34 ~~the BCC a Hearing Officer~~ in accordance with Article 2.A.1.S, Appeal 1.B, INTERPRETATION OF  
35 THE CODE of the ULDC.

36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65 U:\Zoning\CODEREV\2015\LDRAB\Meetings\10-28-15\4- Final Packet\Exh. B - Art. 8.H.2, Billboards.docx

#### 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.

# EXHIBIT C

## NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ) SUMMARY OF AMENDMENTS

(Updated 10/23/15)

1  
2 Part 1. ULDC Art. 2.D.6, Type I Waiver (pages 45-46 of 87), is hereby amended as follows:  
3

<b>Reason for amendments:</b> [Zoning] Reference new Type I Waiver provisions proposed for the Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines outlined in Part 2 of this Exhibit.
--

### 4 CHAPTER D ADMINISTRATIVE PROCESS

#### 5 Section 6 Type I Waiver

##### 6 A. Purpose

7 The purpose of Type I Waivers is to allow flexibility for mixed use or infill redevelopment projects,  
8 or site design or layout, where alternative solutions can be permitted, subject to performance  
9 criteria or limitations. Waivers are not intended to relieve specific financial hardship nor  
10 circumvent the intent of this Code. A Waiver may not be granted if it conflicts with other sections  
11 of this Code, or the Florida Building Code. [Ord. 2011-016]

##### 12 B. Applicability

13 Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC:  
14 [Ord. 2011-016] [Ord. 2012-027]  
15

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

Type I Waiver Summary List
Glades Area Overlay (GAO)
<u>Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines</u>
Infill Redevelopment Overlay (IRO)
Urban Redevelopment Overlay (URAO)
Lifestyle Commercial Center (LCC)
Required Parking for Location Criteria Exception in Type I Restaurant with Drive Through
Commercial Greenhouse Loading Zones
Solid Waste Transfer Station Landscape Buffer Planting
Screening for Room Mounted Mechanical Equipment
Green Architecture
Eliminate or Reduce Loading Standards
Requirements for Walls or Fences Where Adjacent to Existing Walls
Billboard Replacement – Billboard Location Criteria
Required Parking for Community Vegetable Garden
Incompatibility Buffers for Recreation or Civic Pods, Areas or Tracts
PUD Informational Signs
[Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031]

##### 16 C. Standards

17 When considering whether to approve, approve with conditions, or deny a Type I Waiver request,  
18 the DRO shall consider the following standards in addition to any other standards applicable to  
19 the specific Waiver as contained in this Code: [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027]

- 20 1. The Waiver does not create additional conflicts with other requirements of the ULDC, and is  
21 consistent with the stated purpose and intent for the Zoning district or Overlay; [Ord. 2010-  
22 022] [Ord. 2011-016] [Ord. 2012-027]
- 23 2. The Waiver will not cause a detrimental effect on the overall design and development  
24 standards of the project, and will be in harmony with the general site layout and design  
25 details of the development; and, [Ord. 2010-022] [Ord. 2012-027]
- 26 3. The alternative design option recommended as part of the Waiver approval, if granted, will  
27 not adversely impact adjacent properties. [Ord. 2010-022] [Ord. 2012-027]

28  
29  
30  
31  
32  
33  
34  
35  
36  
This space intentionally left blank.

#### 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.

# EXHIBIT C

## NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ) SUMMARY OF AMENDMENTS

(Updated 10/23/15)

1  
2  
3  
4

**Part 2. ULDC Art. 3.B.8, Northlake Boulevard Overlay Zone (NBOZ) (pages 30-32 of 234), is hereby amended as follows:**

**Reason for amendments:** [Zoning] The Northlake Boulevard Overlay Zone (NBOZ) is based on an Inter-local Agreement between Lake Park, North Palm Beach, Palm Beach Gardens, and Palm Beach County. The proposed amendments will better align the County's application of the NBOZ Design Guidelines with partner municipalities. Palm Beach County is the last participant in the NBOZ Inter-local to retain a deadline for compliance with the Design Guidelines, which has oft been cited as a burden for affected unincorporated area property owners (17 remaining as of 2015), and some of the municipalities allow for greater flexibility through provisions allowing for use of Waivers.

**Background and Summary:** As explained in Art. 3.B.8.A, Purpose and Intent (see below), the NBOZ was a multi-jurisdictional effort that sought to improve the overall appearance of properties fronting Northlake Boulevard from U.S. 1 westward to Military Trail. This was to be accomplished through adoption of the NBOZ Design Guidelines, which established a regulatory framework that in most cases strengthened certain development regulations such as sign standards, with the broader purpose of providing a more unified approach to redevelopment along a corridor that is governed by four separate jurisdictions.

The NBOZ Design Guidelines can be found online here:

[http://www.pbcgov.com/pzb/epzb%20uldc/Northlake/DesignGuide Northlake Blvd Ovrly District.pdf](http://www.pbcgov.com/pzb/epzb%20uldc/Northlake/DesignGuide%20Northlake%20Blvd%20Ovrly%20District.pdf)

The "Design Guidelines" is not a stand-alone Code, but is used in combination with each jurisdictions development regulations, which can be difficult for both applicants and staff in some scenarios. When applying the ULDC and Design Guidelines, the more restrictive provision shall prevail. However, since the adoption of the "Design Guidelines" the County has updated various signage, landscaping and architectural standards within the ULDC to reflect an overall trend towards improving the aesthetics of all development or redevelopment within the County. Subsequently, while still less stringent in some instances, most County standards may be generally consistent with, or exceed, the older standards included in the Design Guidelines.

Under Art. I.,4-4.D, Waivers and Variances, the "Design Guidelines" specifically recognize that partner jurisdictions may allow for Waivers or Variances from certain standards. However, Palm Beach County only has provisions that allow for Variances within the NBOZ. Recently, industry approached the County and the NBOZ Task Force requesting consideration of changes that would greatly revise certain signage or landscaping standards, which neither entity supported. In discussing alternative solutions and in recognition of Waiver provisions offered by other jurisdictions, the County proffered a compromise that would establish administrative Waivers from the Design Guidelines, provided that any Waiver granted would further the purpose and intent of the "Design Guidelines."

As the proposed Waivers only apply to the "Design Guidelines", any deviations from the County's ULDC, or other NBOZ Design Guidelines not specified, would require approval of a Variance, or other Waiver, if permitted.

5  
6  
7  
8  
9  
10  
11  
12  
13

(This space intentionally left blank)

---

### 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.

# EXHIBIT C

## NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ) SUMMARY OF AMENDMENTS

(Updated 10/23/15)

1 CHAPTER B OVERLAYS

2 Section 8 NBOZ, Northlake Boulevard Overlay Zone

3 A. Purpose and Intent

4 The purpose and intent of the NBOZ is to encourage improvement, enhancement, renovation,  
5 and/or redevelopment of the Northlake Boulevard Corridor and to provide criteria by which to  
6 review development/redevelopment within the Overlay Zoning District. The criteria outlined in  
7 "Design Guidelines: Northlake Boulevard Overlay Zoning District (NBOZ)" will serve to unify  
8 commercial development along the corridor and provide a positive collective identity for the  
9 corridor. These regulations were prepared under the guidance of the Northlake Boulevard  
10 Corridor Task Force (NBCTF) – an intergovernmental task force created by Interlocal agreement  
11 composed of two representatives each from PBC, the Town of Lake Park, the Village of North  
12 Palm Beach and the City of Palm Beach Gardens. [Ord. 2011-016]

13 B. Applicability

14 The provisions of the NBOZ, as outlined in "Design Guidelines: Northlake Boulevard Overlay  
15 Zoning District (NBOZ)" prepared by Michael Redd & Associates, and dated March 11, 2002,  
16 which are incorporated herein by reference, shall apply to all proposed development order  
17 applications within the boundaries of the NBOZ, as described in Article 3.B.89.C, Boundaries.

18 C. Boundaries

19 The NBOZ includes the public R-O-W for Northlake Boulevard and all properties along Northlake  
20 Boulevard from Military Trail to U.S. Highway One for one property depth north and south of  
21 Northlake Boulevard, including the street intersection properties at U.S. Highway One and at  
22 Military Trail. Unincorporated portions of the NBOZ include portions of Section 18, Township 42,  
23 Range 43; Section 17, Township 42, Range 43; Section 24, Township 42, Range 42; and Section  
24 19, Township 42, Range 43, as indicated in the Official Zoning Map.

25 D. Conflict

26 In the event of a conflict between the NBOZ and other applicable regulations, the more restrictive  
27 regulation shall prevail.  
28

<p><b>Reason for amendments:</b> [Zoning] Delete deadline to comply with NBOZ Design Guidelines for Signage and Landscaping, for consistency with other jurisdictions participating in the NBOZ Inter-local Agreement. Palm Beach County is the last participant in the NBOZ Inter-local to retain a deadline for compliance.</p>
---

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

~~E. Deadline to Comply with Requirements for Signage and Landscaping~~

~~The deadlines to comply with signage and landscaping requirements contained in the provisions of the Design Guidelines for the NBOZ are hereby extended to July 5, 2016. [Ord. 2011-016] [Ord. 2014-025]~~

~~1. Notice to Property Owners~~

~~Written certified notice shall be provided by PBC Zoning to the property owner at least one year in advance of the July 5, 2016 deadline. [Ord. 2011-016] [Ord. 2014-025]~~

E. Type I Waivers for NBOZ Design Guidelines

An applicant may apply for Type I Waivers for development standards contained within the NBOZ Design Guidelines in accordance with Article 2.D.6, Type I Waivers. Applications for Type I Waivers shall be expressly limited to Sections listed in Table 3.B.8.E, Type I Waivers for NBOZ Design Guidelines. Type I Waiver requests shall be submitted concurrently with any other DRO application request for Public Hearing certification, where applicable.

(This space intentionally left blank)

---

**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.

# EXHIBIT C

## NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ) SUMMARY OF AMENDMENTS

(Updated 10/23/15)

1

**Table 3.B.8.E - Type I Waivers for NBOZ Design Guidelines (1)**

NBOZ Design Guideline	Criteria
<b>Art. III, Architectural Elements</b>	
<u>Sec. 3-1, General Provisions (excluding Sec. 3-1.A, Intent.</u>	<ol style="list-style-type: none"> <li>1. <u>Demonstration that the NBOZ Design Guideline requirement will reduce required parking, or substantially restrict the operation of the existing business or property use.</u></li> <li>2. <u>Proposed Waiver is consistent with NBOZ Design Guidelines Art. I.1-1.A, Purpose and intent, and Article III, Sec. 3-1.A, Intent.</u></li> </ol>
<u>Sec. 3-2, Design Treatments</u>	
<u>Sec. 3-3, Building Façade / Elevation</u>	
<u>Sec. 3-4, Building Color and Finish</u>	
<u>Sec. 3.5, Architectural Elements</u>	
<u>Sec. 3-6, Window / Door Treatments</u>	
<u>Sec. 3-7, Preferred Roof Materials / Styles</u>	
<b>Art. IV Landscape Elements</b>	
<u>Sec 4-3 Non-Conforming landscape area</u>	<ol style="list-style-type: none"> <li>1. <u>Demonstration that the NBOZ Design Guideline requirement will reduce required parking, or substantially restrict the operation of the existing business or property use.</u></li> <li>2. <u>Proposed Waiver is consistent with NBOZ Design Guidelines Art. I.1-1.A, Purpose and intent, and Article IV, 4-1, Intent.</u></li> </ol>
<u>Sec. 4-5, New construction and substantial revision</u>	
<u>Sec. 4-6, Prohibited and standard invasive plants</u>	
<u>Sec. 4-7, Preferred landscape palette</u>	
<u>Sec. 4-8, Minimum landscape requirements</u>	
<u>Sec. 4-9, Miscellaneous landscape elements</u>	
<u>Sec. 4-10, Landscape requirements for off-street parking areas</u>	
<b>Art. IV Landscape Elements (continued)</b>	
<u>Sec. 4-11, Minimum landscape buffer and planting requirements</u>	
<u>Sec. 4-12, Foundation landscaping and plantings</u>	
<u>Sec. 4-15, Pruning</u>	
<b>Art. V, Signage and Outdoor Displays</b>	
<u>Sec. 5-6, Business signs</u>	<ol style="list-style-type: none"> <li>1. <u>Demonstration that the NBOZ Design Guideline requirement will reduce required parking, or substantially restrict the operation of the existing business or property use.</u></li> <li>2. <u>Proposed Waiver is consistent with NBOZ Design Guidelines Art. I.1-1.A, Purpose and intent, and Article V, 5-1.A, Intent.</u></li> </ol>
<u>Sec. 5-8, Measurement determination</u>	
<u>Sec. 5-9, Design, construction, and location standards</u>	
<b>Art. VI, Site Plan Elements</b>	
<u>Sec. 6-1, General design</u>	<ol style="list-style-type: none"> <li>1. <u>Demonstration that the NBOZ Design Guideline requirement will reduce required parking, or substantially restrict the operation of the existing business or property use.</u></li> <li>2. <u>Proposed Waiver is consistent with NBOZ Design Guidelines Art. I.1-1.A, Purpose and intent.</u></li> </ol>
<u>Sec. 6-2, Building orientation and placement</u>	
<u>Sec. 6-3, Off-street parking areas</u>	
<u>Sec. 6-4, Pedestrian amenities</u>	
<u>Sec. 6-5, Site and street furniture</u>	
<b>Notes:</b>	
1. Deviations from the limitations or permissions granted for Waivers shall be prohibited.	

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

U:\Zoning\CODEREV\2015\LDRAB\Meetings\10-28-15\4- Final Packet\Exh. C - Northlake Boulevard Overlay Zone.docx

**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.