



LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
ULDC ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES SUB-COMMITTEE

OCTOBER 10, 2017 AGENDA
2300 NORTH JOG ROAD, ROOM VC-2E-12
2:00 PM – 4:00 PM

A. CALL TO ORDER

1. Subcommittee Members, Interested Parties and Staff Introductions
2. Additions, Substitutions and Deletions to Agenda
3. Meeting Summary July 25, 2017 – Exhibit A
4. Motion to Adopt Agenda

B. STATUS UPDATE ON PREVIOUS AMENDMENTS

1. Chapter A, General
2. Chapter B, Public Hearing Processes
3. Chapter C, Administrative Processes
4. Chapter G, Decision Making Bodies

C. REVIEW OF PROPOSED AMENDMENTS DRAFT

1. Exhibit B - Chapter I, Coordinated School Planning (Planning Division)
2. Exhibit C - Chapter D, ULDC Privately Initiated Amendments (Zoning Division)
3. Exhibit D - Miscellaneous Amendments Related to Art. 2 (Zoning Division)

D. INPUT AND COMMENTS

E. ADJOURN



LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
ULDC ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES SUB-COMMITTEE

JULY 25, 2017, 2:00 PM – 4:00 PM
2300 NORTH JOG ROAD, ROOM VC-1E-58

MEETING SUMMARY

A. CALL TO ORDER – 2:04 PM

1. ATTENDANCE:

Subcommittee Members: Jim Knight and Abraham Wiem

Industry Representatives: Yexsy Schlomberg, and Joni Brinkman

Zoning Staff: Maryann Kwok, Barbara Pinkston, Jan Rodriguez, Adam Mendenhall, Monica Cantor, Alan Seaman and Zubida Persaud

2. Meeting Summary June 27, 2017

The meeting summary from June 27, 2017 was reviewed and accepted as presented, Adopted by Mr. Knight, seconded by Mr. Wien.

3. Motion to Adopt the Agenda

Motion by Mr. Knight, seconded Mr. Wiem.

B. REVIEW OF PROPOSED AMENDMENTS DRAFT:

Ms. Kwok provided a handout with the proposed amendments to ULDC Article 2, Chapter C – Administrative Process, and Chapter G – Decision Making Bodies. She also provided a brief review of the changes on each page and explained that most of the changes were to streamline the current processes, reduce redundancies, provide more clarification on the various types of approval processes, and relocation of some sections within these chapters such as the Public Hearing section which is being moved to Chapter B, Public Hearing. She also explained that changes are being made to the Administrative Process to combine the Zoning Review (ZZR) and Zoning Agency Review (ZAR) processes to only support the ZAR process since Zoning is considered one of the agencies to review. As a result, fees will be adjusted based on the number of agencies required to review an application.

Ms. Kwok continue explaining that new tables are being added to the ULDC to simplify the various approval processes. She also explained various timeframes for sufficiency, and resubmittal related to full Development Review Office (DRO) and ZAR. Applicants may refer to the Annual Zoning Calendar which will be referenced in the Code to provide specific timeframes and deadlines.

Mr. Knight questioned the reasoning behind the 5 percent or 5,000 square feet allowed for relocation of square footage. Staff explained that the reason for this limitation was to discourage the number of changes to the BCC approved plans, also to address the issue of compatibility with the modifications.

C. STATUS UPDATE ON PREVIOUS AMENDMENTS -

Ms. Kwok indicated that all suggestions and requests from previous meetings are being taken into consideration and incorporated into other chapters as well. She reviewed some of the changes to Chapter A – General, and Chapter B – Public Hearing Process which include clarification of Pre-application Appointment (PAA) and Pre-application Conference (PAC), and continued stating that PAC is a fee based meeting and is directly related to DRO applications. Also the Zoning Confirmation Letters process and types are being clarified in the code as requested.

D. FUTURE MEETING TOPICS (AUGUST 21, 2017 – 10 AM TO 12 AM)

Ms. Cantor advised that the next meeting staff will bring to their attention proposed language related to ULDC Privately Initiated Amendments (PIA), possibly changes related to the Monitoring chapter, and changes to section on School Concurrency section.

Members asked that the next meeting be rescheduled to 2pm. Monica will confirm and try to change if the room is available.

E. ADJOURN – 3:55 PM

EXHIBIT B

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES CHAPTER F – CONCURRENCY [RELATED TO NEW CHAPTER I, COORDINATED SCHOOL PLANNING] (Updated 8/14/17)

1
2 Part 1. ULDC Art. 1.I, DEFINITIONS & ACRONYMS (pages 45, 56, 61, 64, 70 , 85, 106 and 108 of
3 110), is hereby amended as follows:
4

Reason for amendments: [Planning] The Florida Statutes requires that counties and cities enter into a coordinated planning agreement with the School District and encourages local governments to have a uniform agreement. The County and School District entered into this agreement in December 2015. The Statute has a set of minimum requirements that is met in the agreement. Changes to the ULDC reflects the changes in the new agreement and the Comprehensive Plan. The deleted or revised definitions are outdated, unused, do not reflect the current Statute requirements or are addressed in the interlocal agreement.

5 CHAPTER I DEFINITIONS & ACRONYMS

6 7 C. Terms defined herein or referenced Article shall have the following meanings:

8
9
10 66. **Concurrency, Public Facilities** - capital facilities including, but not limited to, roads, parks and
11 recreation, fire-rescue, library law enforcement, and public buildings, ~~and school sites.~~

12 ~~70. **Concurrency Service Area (CSA)** - the specific geographic unit within a school district in which
13 school concurrency is applied and measured.~~

14 [Renumber Accordingly]

15 F. Terms defined herein or referenced Article shall have the following meanings:

16
17
18 ~~43. **Florida Inventory of School Houses (FISH)** - for the purposes of Art. 2, the report of the
19 capacity of existing facilities. The FISH capacity is the number of students that may be housed
20 in a facility (school) at any given time based on using a percentage of the number of existing
21 satisfactory student stations and a designated size for each program. In PBC, permanent
22 capacity does not include the use of relocatables unless they meet the standards for long-term
23 use pursuant to F.S. §235.061.~~

24 I. Terms defined herein or referenced Article shall have the following meanings:

25
26
27 ~~28. **Interlocal Agreement** - Agreement between the BCC, the municipalities of PBC, and the PBC
28 School Board effective January 25, 2001, and recorded in the Official Records Book 12272,
29 Page 973, Public Records, PBC, Florida; **[Ord. 2010-022]**~~

30 L. Terms defined herein or referenced Article shall have the following meanings:

31
32
33 23. **Level of Service (LOS)** -
34 a. ~~For the purposes of Art. 2, the measure of the utilization, expressed as a percentage, which
35 is the result of comparing the number of students enrolled in any school with the
36 satisfactory student stations (FISH capacity) at a given location or within a designated area
37 (i.e., a CSA), e.g., a facility with 1,000 students and a FISH capacity of 970, has a LOS of
38 103 percent. Also referred to as the utilization of a facility.~~
39 b. For the purposes of Art. 12, the measure of the functional and operational characteristics
40 of a roadway based upon traffic volume in relation to road capacity or the amount of vehicle
41 delay or average speed.

42 M. Terms defined herein or referenced Article shall have the following meanings:

43
44
45 ~~53. **Municipalities** - for the purposes of Art. 2, all municipalities in PBC, except those that are
46 exempt from participating in the school concurrency program, pursuant to F.S. §163.3180.~~

47 S. Terms defined herein or referenced Article shall have the following meanings:

48
49
50 ~~9. **School District Five Year Capital Facilities Plan** - for the purposes of Art. 2, the School
51 District of PBC Five Year Work Plan and Capital Budget as authorized by F.S. §235.185.~~
52
53
54

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EXHIBIT B

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES CHAPTER F – CONCURRENCY [RELATED TO NEW CHAPTER I, COORDINATED SCHOOL PLANNING] (Updated 8/14/17)

1 **Reason for amendments:** [Planning] The interlocal agreement defines the necessary acronyms and definitions. The following acronyms are no longer necessary in the Code.

2
3 **Section 3 Abbreviations and Acronyms**

4
5 ~~FISH—Florida Inventory of School House~~

6
7 ~~SCS—School Capacity Study~~

8
9
10 **Part 2. ULDC Art. 2.F, CONCURRENCY [Related to Public School Concurrency] (page 60-62, 67-**
11 **69 of 87), is hereby amended as follows:**
12

13 **Reason for amendments:** [Planning] The Florida Statutes requires that counties and cities enter into a coordinated planning agreement with the School District and encourages local governments to have a uniform agreement. The County and School District entered into this agreement in December 2015. The Statute has a set of minimum requirements that is met in the agreement. The School Capacity Availability Determination letter sets forth the findings and recommendations of the School District, specifically for the capacity, or lack thereof, of existing facilities or planned facilities in the current School District to serve additional students. The agreement provides the ability to conduct an analysis on the direct impact of new development on schools. Changes to the ULDC reflect the new agreement.

14 **CHAPTER F CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARD)**

15 **Section 1 General**

16 **A. Purpose and Intent**

17 The purpose and intent of this Section is to ensure that adequate potable water, sanitary sewer,
18 solid waste, drainage, ~~public school,~~ park, road and mass transit public facilities and fire-rescue are
19 available to accommodate development concurrent with the impact of development on such public
20 facilities, consistent with the LOS standards for those public facilities adopted in the Plan. This
21 objective is accomplished by (1) establishing a management and monitoring system to evaluate
22 and coordinate the timing and provision of the necessary public facilities to service development,
23 and (2) by establishing a regulatory program that ensures that each public facility is available to
24 serve development concurrent with the impacts of development on public facilities.

25

26 **Reason for amendments:** [Planning] See Part 2 above.

27
28 **Section 3 Review For Adequate Public Facilities**

29
30 **A. General**

31 To ensure that adequate potable water, sanitary sewer, solid waste, drainage, ~~public school,~~ parks
32 and recreation, road, mass transit, and fire-rescue public facilities are available concurrent with the
33 impacts of development on each public facility, PBC shall establish the following development
34 review procedures. ~~To ensure public schools are available concurrent with the impacts of~~
35 ~~development, PBC has adopted the "Public School Concurrency Ordinance of PBC" which is~~
36 ~~codified in Article 2.F.6, Public School Concurrency.~~

37

38 **C. Standards for Review of Application for Adequate Public Facilities Determination and**
39 **Concurrency Reservation**

40

41 **5. Public School Facilities**

42 ~~The public school component for the proposed development shall be subject to the~~
43 ~~application and review procedures set forth in the Public School Concurrency Ordinance of~~
44 ~~PBC, which is codified in Article 2.F.6, Public School Concurrency.~~

45

46
47
48 (This space intentionally left blank)

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EXHIBIT B

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES CHAPTER F – CONCURRENCY [RELATED TO NEW CHAPTER I, COORDINATED SCHOOL PLANNING] (Updated 8/14/17)

1 Part 4. ULDC Art. 2.F, CONCURRENCY [Related to Public School Concurrency] (pages 67 to 69
2 of 87), is hereby amended as follows:
3

4 Reason for amendments: [Planning] See Part 2 above.

5 **Section 6 Public School Concurrency**

6 **A. Short Title**

7 This Section shall be known as, and may be cited as, “the Public School Concurrency Ordinance
8 of PBC, Florida.”

9 **B. Authority**

10 The BCC of PBC has the authority to adopt this ordinance pursuant to the PBC Charter; F.S.
11 Chapter 125 and F.S. Chapter 163, and the Agreement.

12 **C. Definitions**

13 See Article 1.I, Definitions and Acronyms, for Public School Concurrency definition specific to
14 Article 2.F.6, Public School Concurrency.

15 **D. Applicability**

16 **1. Area of Jurisdiction**

- 17 a. This Section shall apply in the unincorporated area of PBC.
18 b. This Section shall also apply within those Municipalities that have opted into this Section
19 by not adopting an implementing ordinance within the time frame specified in the
20 agreement. Any such Municipality may opt out of this Section at any time by adopting its
21 own implementing ordinance consistent with the agreement. Once a Municipality has
22 opted out of this Section, this Section shall not apply within that Municipality.

23 **2. Time of Application of Ordinance**

- 24 a. This Section shall not apply to Proposed New Residential Development until the
25 commencement of the school concurrency program as specified in Art. V, Section A, of the
26 Agreement.
27 b. This Section shall not apply to Proposed New Residential Development whenever and
28 wherever the school concurrency program is suspended pursuant to the terms of the
29 Agreement.
30 c. This Section shall terminate, or its effect shall be suspended; in the event termination or
31 suspension of the school concurrency program occurs as set forth in the Agreement.

32 **3. Applications Requiring Concurrency Review**

33 Unless otherwise provided herein, this Section shall apply to all Site Specific development
34 orders for Proposed New Residential Development.

35 **4. Exemptions**

- 36 The following are exempt from the school concurrency requirements contained in this Section:
37 a. Single family lots of record, existing as such at the time this Section is adopted.
38 b. Any Residential Development that received final approval of a Site Specific development
39 order prior to the commencement of the school concurrency program, as specified in Art.
40 V, Section A, of the Agreement, is considered vested for that which was previously
41 approved and shall not be considered as Proposed New Residential Development for
42 purposes of school concurrency. Any Residential Development which is exempt from
43 school concurrency under Local Government’s concurrency regulations shall not be
44 considered as Proposed New Residential Development for purposes of school
45 concurrency.
46 c. Any Proposed New Residential Development that has filed a complete application prior to
47 the commencement of the school concurrency program, as specified in Art. V, Section A
48 of the Agreement.
49 d. Any amendment to any previously approved Residential Development which does not
50 increase the density of the development.
51 e. Any previously approved Residential Development or any other previously approved
52 Development with a residential component located within any existing “Transportation
53 Concurrency Exception Area,” as defined in F.S. §163.3180(5).

54 **E. Standard**

55 **1. LOS**

56 The PBC Public School Facilities Element, the Municipalities’ Plans, and the agreement
57 establish the adopted LOS set forth below. The actual LOS (utilization) for all schools of each
58 type of school in each CSA and each individual school shall be established each year by the
59 first student count of the second semester.

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EXHIBIT B

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES CHAPTER F – CONCURRENCY [RELATED TO NEW CHAPTER I, COORDINATED SCHOOL PLANNING] (Updated 8/14/17)

- 1 a. Tiered LOS shall be in force pursuant to the Tiered LOS Table in the public school facilities
2 element until August 1, 2004. Individual schools of each type may exceed the tiered LOS
3 during the period in which tiered LOS are in effect, provided that the CSA's tiered LOS is
4 not exceeded. However, each individual school's LOS which exceeds the tiered LOS,
5 during the time that the tiered LOS is in effect, shall not exceed the utilization standards for
6 that school type as shown in the maximum utilization table of the public school facilities
7 element. During the time that the tiered LOS standard is in effect, the School District shall
8 initiate necessary program and/or boundary adjustments so that the tiered LOS is not
9 exceeded in each CSA.
- 10 b. After August 1, 2004, the following LOS standards shall be established for all schools of
11 each type within each CSA and each individual school:
12 1) Ten percent of capacity (utilization) as determined by the (FISH); or
13 2) A higher LOS up to 120 percent of FISH capacity (utilization/LOS) for individual schools
14 if a school capacity study (SCS) undertaken pursuant to the agreement determines
15 that the school can operate at the higher LOS.
- 16 **2. Concurrence Service Areas**
17 School concurrency shall be measured and applied on the basis of 21 CSA's as described in
18 the public school facilities element.
- 19 **3. Three Year Rule**
20 In determining whether capacity is available, the School District shall consider any new capacity
21 which will be in place or under actual construction in the first three years of the School District
22 5-Year Capital Facilities Plan.
- 23 **4. Adjacent CSA Capacity**
24 In determining whether capacity is available, the School District shall consider adjacent CSA
25 capacity as specified in the agreement.
- 26 **F. Review of Residential Development**
- 27 **1. Application**
28 At the time of and in conjunction with the application for an adequate public facilities review in
29 accordance with the Code, or in the case of a Municipality, in accordance with its public facilities
30 review process, the applicant for a Proposed New Residential Development shall submit to the
31 appropriate Local Government a request for a school concurrency determination.
- 32 a. The request for school concurrency determination shall contain the following information:
33 location of the development; the build out time frame of the development; and the number,
34 type and size of all the residential units anticipated to be occupied each calendar year. The
35 applicant shall include with its request for school concurrency determination, a non-
36 refundable fee established by the School District. PBC, or any Municipality that provides
37 initial review, shall review the request for completeness and shall in addition determine
38 whether the project is exempt from school concurrency as set forth in Article 2.F.1.D,
39 Exemptions. Notwithstanding the foregoing, this fee shall be returned to the applicant if
40 PBC, or any Municipality that provides initial review, determines that the applicant is
41 exempt and that no further review is required by the School District.
- 42 b. If the project is in the unincorporated area and found not exempt PBC, PBC shall review
43 the request for completeness and submit the request to the School District within ten days
44 of finding the request complete. The PBC shall collect the required fees submitted with all
45 requests for school concurrency determination and shall transmit these fees, less two
46 percent for administrative costs, to the School District on a monthly basis. For projects
47 located within a Municipality, the Municipality may follow the same process set forth in the
48 sentence above. In the alternative, the Municipality may, after reviewing the request for
49 completeness and determining that the project is not exempt, instruct the applicant to
50 submit the request and the required fee directly to the School District.
- 51 c. The School District shall review the application in accordance with the provisions of Art. V,
52 Section A of the Agreement.
- 53 d. Within the times set forth in Art. V, Section F, of the Agreement, the School District shall
54 review the application and notify the applicant and the local Government of its
55 determination. For projects located in the unincorporated area, notice by the School
56 District determining the development to be in compliance shall specify that the date of
57 issuance of the letter of determination of school concurrency shall be the same as the date
58 of issuance of PBCs concurrency reservation, adequate public facilities agreement, or
59 equivalency determination, as appropriate. Letter of determination of school concurrency
60 determining the development to be in compliance shall be valid for one year from the date
61 of issuance. Once the local Government site-specific development order is issued, the
62 concurrency determination shall run with the development order.

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EXHIBIT B

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES CHAPTER F – CONCURRENCY [RELATED TO NEW CHAPTER I, COORDINATED SCHOOL PLANNING] (Updated 8/14/17)

G. Development Order Approval

- ~~1. No development order for a Proposed New Residential Development shall be approved unless there is a valid letter of determination of concurrency from the School District finding the Development in compliance.~~
- ~~2. If the letter of determination of concurrency requires conditions or mitigation to be placed on the development, the development order issued by PBC or the Municipality shall incorporate those conditions.~~
- ~~3. If the letter of determination of concurrency requires the development to be phased to mitigation, the conditions of approval of the development order shall implement the phasing requirements by specifying that Building Permits will be withheld if the conditions are not fulfilled.~~

H. Appeals

~~Applicants seeking relief from School District decisions shall appeal such decisions as provided for by law.~~

[Renumber Accordingly]

Part 5. New ULDC Art. 2.H, COORDINATED SCHOOL PLANNING (pages 87 of 87), is hereby established as follows:

Reason for amendments: [Planning] The Florida Statutes requires that counties and cities enter into a coordinated planning agreement with the School District and encourages local governments to have a uniform agreement. The County and School District entered into this agreement in December 2015. The Statute has a set of minimum requirements that is met in the agreement. The School Capacity Availability Determination letter sets forth the findings and recommendations of the School District, specifically for the capacity, or lack thereof, of existing facilities or planned facilities in the current School District to serve additional students. The agreement provides the ability to conduct an analysis on the direct impact of new development on schools. Changes to the ULDC reflect the new agreement.

CHAPTER H COORDINATED SCHOOL PLANNING

SECTION 1 Purpose

The purpose of this Chapter is to establish a mechanism for collaborative planning and decision making with the Palm Beach County School District to measure district school capacity available to accommodate new development.

SECTION 2 Authority

The Board of County Commissioners has the authority to adopt this chapter pursuant to the Palm Beach County Charter, and Florida Statutes §163.01, Florida Statutes §163.3177(6)(h), Florida Statutes §1013.33, the Palm Beach County Comprehensive Plan and the Interlocal Agreement for School Coordinated Planning (R-2015-1864).

SECTION 3 Standard

The requirements of the Interlocal Agreement for School Coordinated Planning, as amended, will apply to all development orders for the safe, convenient, orderly and adequate provision of public school facilities.

SECTION 4 School Capacity Availability Determination

Pursuant to the Interlocal Agreement for School Coordinated Planning, at least 30 days prior to a transmittal hearing for any Comprehensive Plan amendment to the FLUE or hearing for rezoning that modifies or adds any residential designation or increase in residential density, the County will transmit to School District all applicable support material, and the date, time, and place of the applicable public meeting. Within 20 days of receipt, the School District shall submit to the County a school capacity availability determination providing the District's findings and recommendations.

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EXHIBIT C

ART. 2, DEVELOPMENT REVIEW PROCEDURES PRIVATELY INITIATED AMENDMENT (PIA) SUMMARY OF AMENDMENTS

(Updated 10/6/17)

1
2 Part 1. ULDC Art. 2, Development Review Procedures, is hereby amended to add new Art. 2.D,
3 ULDC Privately Initiated Amendment (PIA), as follows:
4

5 **Background and Summary:**

6
7 On January 26, 2012, the Zoning Director advised the Board of County Commissioners (BCC) of staff
8 recommendations to expand opportunities for public or private sector applications to initiate amendments
9 to the County's Unified Land Development Code (ULDC), through creation of a Privately Initiated
10 Amendment (PIA) application process.

11
12 Prior to 2012, ULDC amendments were initiated by staff, other County agencies, or by BCC direction,
13 primarily in response to Comprehensive Plan amendments, changes in Federal or State laws, or changes
14 in industry trends, land development practices, identification of new use types, or other similar. The latter
15 oftentimes resulted from staff collaboration with a broad array of customers, including development
16 professionals, environmentalists, neighborhood associations, and interested citizens, among others.
17 However, while this collaboration oftentimes produced satisfactory results, in many instances staff could
18 not support requested amendments due to inconsistencies with the Comprehensive Plan, prior BCC
19 direction, or insufficient staffing or resources to perform research necessary to development amendments.
20 While the Zoning Director typically sought BCC input on these types of inquiries at BCC Zoning Hearings,
21 occasionally industry or persons unfamiliar with the process lobbied Commissioners directly, or sought
22 initiation during Regular BCC Hearings under comments by the public. This approach did not ensure all
23 parties were afforded an opportunity to convey objections or support for an amendment, appropriate staff
24 were not present to advise the Board on the sufficiency of a request, and staff efforts to clarify Board
25 direction or ascertain the viability of a request, created a number of inefficiencies, adversely impacting staff
26 performance.
27

28 Implementation of the PIA process has generally been successful with minimal refinements since 2012,
29 accomplishing the intended goals of enhancing transparency, allowing for prioritization of staff resources,
30 and improving predictability for applicants by establishing timeframes, among other benefits. While staff
31 will continue to collaborate with interested persons to identify amendments that should be staff initiated, an
32 added benefit of the PIA process is improved dialogue and sharing of information, oftentimes allowing for
33 staff to collaborate on refining an amendment proposal that was not originally deemed acceptable to being
34 initiated by staff.
35

36 The PIA process is comprised of two-phases, the first (Phase 1) establishes a simplified and streamlined
37 approach, resulting in presentation of Land Development Regulation Advisory Board (LDRAB), or other
38 applicable advisory board, and recommendations to the BCC at a monthly Zoning Hearing, allowing for
39 public input and confirmation of BCC direction, which may include but is not limited to:

- 40
- 41 ▪ Take no action;
 - 42 ▪ Initiate more detailed research and evaluation for future presentation at a BCC Workshop; or
 - 43 ▪ Proceed to Phase 2, with any additional specific direction, including whether or not to process the
44 amendment within one of the two annually scheduled ULDC Amendment Rounds, or as a
45 standalone Ordinance.
46

47 Incorporating these PIA requirements and procedures into the ULDC will serve to further enhance
48 transparency in the process, while allowing for ongoing refinements to in consideration of different types of
49 amendment requests, including those that are inter-related with privately initiated amendments to the
50 Comprehensive Plan.
51

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EXHIBIT C

ART. 2, DEVELOPMENT REVIEW PROCEDURES PRIVATELY INITIATED AMENDMENT (PIA) SUMMARY OF AMENDMENTS (Updated 10/6/17)

Amendments:

Reasons for Amendments: [Zoning]

1. Establish new Chapter D, whereas amendments to the ULDC are subject to Legislative Public Hearing proceedings, necessitating a distinction from other Public Hearing procedures, including Notification requirements, established elsewhere within Art. 2. In several instances, standards for PIA's mirror those established elsewhere in Art. 2 for similar Public Hearing procedures, but are reiterated herein for ease of use, to allow calibration to reflect minor differences in Hearing requirements or recognize that there are multiple "responsible PBC Officials" with authority over parts of the ULDC.

CHAPTER D ULDC PRIVATELY INITIATED AMENDMENT (PIA)

Section 1 Purpose and Intent

The PIA is a discretionary process based on BCC authority to initiate, hear, consider or approve amendments to the ULDC. The BCC or responsible PBC Official, as specified in Art. 1.B.1.A, Authority, initiate ULDC amendments, which typically includes input or requests from other governmental entities, industry or the public.

The PIA is established to provide for a transparent application process to allow for outside entities to lobby the BCC to initiate amendments to the ULDC, in scenarios where the responsible PBC Official does not support initiating the amendment, or recommends addressing at a later date than that preferred by the applicant.

The PIA process is comprised of two phases, the first of which serves to minimize both applicant and staff resources, by allowing for an abbreviated application for initial staff and LDRAB review, or other advisory board where applicable, and presentation to the BCC to confirm or deny a request to initiate an amendment. If initiated, the second stage typically requires additional specificity and supporting information be provided by the applicant, coordination with staff and any interested parties to refine and calibrate the request, but otherwise follows the standard procedure for the processing of ULDC amendments.

In addition to any required BCC Public Hearings, LDRAB or LDRC meetings, transparency is accomplished by minimizing lobbying to County Officials, ensuring that appropriate staff are present for any meetings or Hearings where the amendment is discussed, and through establishment of application procedures that result in a public record.

The PIA is intended to be the option of last resort after confirming that all other options have been evaluated, subject to the discretion of the responsible PBC Official charged within interpreting the applicable ULDC provision, as specified below under Authority.

Under no circumstance will a PIA be processed that is in violation of State, Federal or other applicable local government laws, or where inconsistent with the Comprehensive Plan, except where submitted with a concurrent amendment to the Plan.

Reasons for Amendments: [Zoning]

2. As previously noted, there are multiple responsible PBC Officials with authority over different provisions contained within the ULDC, necessitating a Section to clarify Authority.
3. Establish requirement for other "responsible PBC Official" to consult the Zoning Director, which ensures that such Officials are aware of the procedures for processing a PIA, in addition to confirming potential timeframes available for presentation to the LDRAB or BCC. The Zoning Director is responsible for administering the LDRAB and BCC Zoning Hearings, will advise other Officials of available LDRAB or BCC Zoning Hearing dates, and the submittal deadlines and other requirements necessary for placement on an agenda.
4. Oftentimes, an application to amend the Comprehensive Plan may require a concurrent or subsequent PIA to amend the ULDC. While the PIA process outlined within this Chapter only applies to applications to amend the ULDC, it's critical that the specified types of Plan amendments include consultation with the respective PBC Official responsible subject ULDC provisions.

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EXHIBIT C

ART. 2, DEVELOPMENT REVIEW PROCEDURES PRIVATELY INITIATED AMENDMENT (PIA) SUMMARY OF AMENDMENTS (Updated 10/6/17)

Section 2 Authority

Acceptance of a PIA application to amend the ULDC shall be at the discretion of the responsible PBC Official as specified in Art. 1.B.1.A, Authority, in consultation with the Zoning Director. Any private application to amend the Comprehensive Plan that will require a concurrent or subsequent amendment to the ULDC, shall comply with the following:

- A. The applicant shall include documentation confirming that the responsible PBC Official and PZB E has been consulted prior to submittal of an amendment to the Comprehensive Plan; and,
- B. Submittal of a concurrent PIA application to amend the ULDC, unless the responsible PBC Official specifies an alternative submittal deadline. The responsible PBC Official, in consultation with the Zoning Director, shall have the discretion to waive the Phase 1 PIA requirement, provided that this is specified in the initiation requests to the Planning Commission and BCC.

Section 3 Standards

Evaluation of a PIA shall include consideration of the following standards:

- A. Extent to which any other alternatives have been evaluated, a summary of any recommendations or direction provided by County staff in prior meetings, and where applicable, why the amendment is being requested in lieu of such alternatives.
- B. Does not violate State, Federal or other local government laws;
- C. Will be consistent with the Comprehensive Plan, or will otherwise be submitted pursuant to or concurrent with an application to amend the Plan;
- D. Will not be in conflict with any other ULDC provisions;
- E. The request has been demonstrated to be a new industry trend not anticipated by the Comprehensive Plan or ULDC; and,
- F. Identification of examples of similar land development regulations adopted in other jurisdictions under the same circumstances, such as similar FLU designation or Zoning districts, compatibility, buffering, roadway frontage and other similar site considerations.

Reasons for Amendments: [Zoning]

- 5. Establishes reasonably straightforward requirement for a pre-application appointment for consistency with the Purpose and Intent cited above for the PIA process, to ensure that applications are not premature, which includes confirmation that all other reasonable options have been considered, consistency with the Plan and any other applicable laws, potential for staff initiation, among others.

Section 4 Mandatory Pre-Application Appointment (PAA)

A. Applicability

A PAA is mandatory for any request for a PIA, or for any proposed Plan amendment that will require an amendment to the ULDC.

B. Purpose

The purpose of the PAA is to confirm that a potential applicant has coordinated with staff to evaluate or exhaust all other potential options and has performed sufficient due diligence to ascertain the viability of the request.

C. Pre-Application Appointment Requirements

The applicant shall provide a Justification Statement and any necessary supporting documentation outlining the rationale for the proposed amendment, to include a preliminary evaluation of the Standards cited above.

D. Decision

Upon completion of a PAA, the applicable responsible PBC Official shall provide a written response within seven working days affirming if a PIA will be accepted, denied, or if additional follow up is required by the applicant. Other options may be applicable, including where the applicant and responsible PBC Official may agree to a staff initiated amendment.

Section 5 Application Procedures

Upon completion of the mandatory PAA and favorable decision by the responsible PBC Official, a PIA application may be submitted in accordance with the following Application Procedures.

A. General Overview

The PIA is comprised of two phases as outlined under Purpose and Intent above.

1. Phase 1

The Phase 1 PIA allows an applicant to submit a preliminary request for staff evaluation and recommendation, presentation to the LDRAB for recommendation, and final presentation to the

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EXHIBIT C

ART. 2, DEVELOPMENT REVIEW PROCEDURES PRIVATELY INITIATED AMENDMENT (PIA) SUMMARY OF AMENDMENTS (Updated 10/6/17)

BCC to deny the request, or direct the responsible PBC Official to accept a request for a Phase 2 PIA, or other direction including scheduling, limitations or other similar.

2. Phase 2

The Phase 2 PIA requires the applicant to coordinate with staff and any interested parties, and may require a more detailed analysis and supporting documentation to substantiate the request. Upon certification, the application shall be presented to the LDRAB or other applicable advisory board to solicit a recommendation, and the LDRC, to obtain a final recommendation and determination of consistency with the Comprehensive Plan, prior to being scheduled for presentation to the BCC for Request for Permission to Advertise. Pursuant to approval of the request, one or more duly noticed Public Hearings are required, in accordance with F.S. 125.66.

B. Application Fees

Fees shall be established in accordance with the Zoning Division fee schedule. Additional public notice costs may be required by applicants seeking to process a PIA amendment outside of the scheduled ULDC Amendment Rounds.

C. Application Requirements

Applications shall be in a form established by the responsible PBC Official, in consultation with the Zoning Director, but at a minimum shall include an updated Justification Statement in accordance with the standards specified for a Phase 1 PIA.

D. Sufficiency Review

Notification of sufficiency or insufficiency shall be forwarded to the applicant within ten days of receipt of a Phase 1 or 2 PIA application.

1. Sufficiency

If the application is determined to be sufficient by the applicable PBC Official, it shall be reviewed and evaluated pursuant to the procedures and standards of this Chapter.

2. Insufficiency

In an application is determined to be insufficient, staff shall provide written notification to the applicant summarizing the deficiencies.

a. No further action may be taken on the application until the deficiencies are remedied.

b. Revised applications shall be subject to the above timeframe to determine sufficiency or insufficiency.

c. If amended and determined to be sufficient, the application may be processed.

d. If the deficiencies are not remedied within 20 days from the date of the insufficiency notification, the application shall be administratively withdrawn.

3. Exception

As the PIA is a discretionary process, acceptance of an application is typically determined through a higher level of collaboration between the applicant and applicable PBC Official, or designee. Exceptions to an insufficiency may be allowed at the discretion of the applicable PBC Official, in cases where the applicant can justify that resolution of the insufficiency requires further collaboration with staff, the public or interested parties, emphasis on where there is a concurrent Plan PIA, or an LDRAB Subcommittee has been established.

Reasons for Amendments: [Zoning]

6. Establish general criteria and timeframes required for a PIA to be placed on an LDRAB agenda, further emphasizing need for ongoing consultation with the Zoning Director, emphasis on scenarios where significant time may have passed since initial consultation required under Authority.

E. Review

The applicant shall demonstrate that the application has met the Standards cited above, in addition to responding to input provided by the LDRAB, BCC, LDRAB Subcommittee where applicable, and staff comments, or other issues identified through the amendment process.

1. LDRAB Scheduling

Applications may be placed on an agenda by the responsible PBC Official, in consultation with the Zoning Director, a minimum of 15 days prior to the next available LDRAB meeting, or a subsequent meeting as mutually agreed upon by the applicant and responsible PBC Official.

2. Staff Report and Recommendation

The responsible PBC Official reviewing the application shall prepare a report for both Phase 1 and 2 PIA applications, which incorporates an analysis of the Standards cited above, confirmation of consistency with the Plan, and evaluation of any other issues identified through the amendment process, and make a recommendation of approval, denial, or an alternative amendment. In the case of a Phase 1 PIA, the recommendation for approval may be limited to indicating that the request merits consideration. The report shall be made available to the public at least five days prior to the hearing date.

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EXHIBIT C

ART. 2, DEVELOPMENT REVIEW PROCEDURES PRIVATELY INITIATED AMENDMENT (PIA) SUMMARY OF AMENDMENTS (Updated 10/6/17)

3. Application Modification After Certification

Applications shall not be modified after certification, unless requested or agreed to by the responsible PBC Official, the latter of which may be subject to postponement of any scheduled meetings or Hearings. Modifications after presentation to the LDRAB/LDRC may not be permitted where substantially different from what the LDRAB reviewed, or where such may alter the original LDRC consistency determination.

F. Scheduling

Applications for a Phase 1 or 2 PIA shall be submitted a minimum of 5 weeks prior to presentation to the applicable advisory board, or other time as may be determined by the responsible PBC Official, in consultation with the Zoning Director. Additional time may be required by the responsible PBC Official, where an LDRAB Subcommittee has been convened, additional public meetings are scheduled, or where there is a concurrent Plan PIA, among others. Once an application has been certified, the responsible PBC Official shall schedule advisory board meetings and BCC Public Hearings, as follows:

1. Phase I

A Phase I PIA shall be scheduled for presentation to the applicable advisory board to obtain a preliminary recommendation, and to the BCC at a Public Hearing for direction on initiating the amendment.

2. Phase 2

A Phase 2 PIA shall be scheduled for presentation to the applicable advisory board to obtain a recommendation, the LDRC for a consistency determination with the Plan, and the BCC for Request for Permission to Advertise, and one or more Public Hearings, in accordance with F.S. 125.66.

a. Scheduling Options

Applicants are encouraged to process a PIA within the timeframes for Amendment Rounds established annually by the Zoning Division. Applicants may opt to request that a PIA be scheduled for the first available advisory board, LDRC or BCC Zoning Hearings, but this may result in additional fees to cover required notifications.

Reasons for Amendments: [Zoning]

7. Clarify notification requirements applicable to Phase 2 PIAs, in accordance with County procedures and State law. State law does not establish notification requirements for the LDRAB or when the LDRAB sits as the Land Development Regulation Commission (LDRC), for purposes of determining that proposed ULDC amendments are consistent with the Comprehensive Plan. However, the County has established that notice shall be provided in a newspaper of general circulation a minimum of 10 days prior to the LDRC meeting. Additionally, while BCC Public Hearings to consider Ordinances amendment the ULDC are required by State law to provide notification in a newspaper of general circulation, depending on the scope of the amendment. While the latter is based on the same F.S. 125.66, applicable to some Development Orders subject to BCC Public Hearing approval, ULDC amendments are not subject to other Notification requirements.

Section 6 Notification

A. Applicability

Public notification is required for LDRC meetings and BCC Public Hearings, excluding Requests for Permission to Advertise for Public Hearings.

B. Newspaper Publication

Notice shall be posted in a newspaper of general circulation in PBC, as follows:

1. LDRC Meeting

In accordance with PBC PPM CW-L-038.

2. BCC Public Hearings

In accordance with F.S. 125.66.

C. Postponements

All applications postponed for three or more consecutive LDRC meetings or Public Hearings, shall require that the newspaper notification be republished.

Section 7 Action by Advisory Board and LDRC

A. Advisory Board

The LDRAB is the designated advisory board for the majority of the ULDC; however, there may be other entities tasked with reviewing specific ULDC provisions. All ULDC amendments are subject to LDRC review.

1. Meeting

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EXHIBIT C

ART. 2, DEVELOPMENT REVIEW PROCEDURES PRIVATELY INITIATED AMENDMENT (PIA) SUMMARY OF AMENDMENTS (Updated 10/6/17)

- 1 The advisory board shall consider the application, staff report, relevant support materials, and
2 public testimony given at the meeting.
- 3 **2. Recommendation**
4 In concluding that portion of the meeting designated on the agenda for a PIA, the advisory
5 board shall recommend to the BCC that the application be approved, approved with
6 modifications, or denied, based on the standards for a PIA, unless the applicant and
7 responsible PBC Official agrees to a continuance or postponement.
- 8 **B. LDRC**
9 A Phase 2 PIA shall be presented to the LDRC, which shall make a determination of consistency
10 with the Plan.
- 11 **Section 8. Action by the BCC**
- 12 After review and recommendation by the advisory board, including LDRC consistency determination for a
13 Phase 2 PIA, the application shall be considered at the next available regularly scheduled Public Hearing
14 by the BCC, or such time as is mutually agreed upon between the applicant and responsible PBC Official.
- 15 **A. Public Hearing**
16 At the public hearing(s), the BCC shall consider the application, staff report, relevant support
17 materials, the recommendation of the advisory board, the testimony given and the evidence
18 introduced into the record at the public hearing(s).
- 19 **B. Postponements, Continuance or Remand**
20 The BCC shall have the discretion to postpone or continue any PIA application at any time, or
21 remand the application back to the applicable advisory board.
- 22 **C. Decision**
23 **1. Phase 1**
24 At the conclusion of the hearing, the BCC may elect to initiate the amendment, initiate with
25 additional modifications or stipulations, or deny the request.
- 26 **2. Phase 2**
27 A Phase 2 PIA shall require a Public Hearing to Request for Permission to Advertise required
28 Public Hearings, and one or more Public Hearings in compliance with F.S. 125.66. At the
29 conclusion of the final Public Hearing, the BCC may approve, approved with conditions, modify,
30 or deny the PIA application.
- 31 **D. Conduct at Hearing**
32 Shall be in accordance with Art. 2.B.6.D, Conduct of Hearing
- 33 **Section 9 Appeals**
- 34 The PIA process is discretionary and not subject to appeals.

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EXHIBIT D

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2
SUMMARY OF AMENDMENTS

(Updated 10/06/17)

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Part 1. ULDC Art. 1.F.2.E.2, Non-Residential Development & or Residential Development Other Than Single Family (page 21 of 110), is hereby amended as follows:

Reason for amendments: [ZONING]
1. Proposed to replace Type 1A Variance with Type 1 Waiver. Staff has determined that the Type 1 Waiver is a more appropriate process than the Variance process for those applications requesting minor deviation of code requirements . Since Type 1A Variance is replaced by the Waiver process; therefore, Type 1B can be renamed to Type 1 Variance.
2. Format – replace all Roman numeral to Arabic numeral, e.g. II to 2.

CHAPTER F NONCONFORMITIES

Section 2 Nonconforming Lot

E. Non-Residential Development & or Residential Development Other Than Single Family

....
2. All other ~~property development regulations~~ PDRs, supplemental development regulations and setbacks for the use are met, or variances are obtained pursuant to the requirements of Art. 2.B-3.7.E, Type ~~II~~ 2 Variance, or ~~Art. 2.D.3, Type 1A and Art.2.C.5.D,~~ Type 1B Administrative Variances, ~~and Art. 2.C.5.E, Type 1 Waiver.~~ [Ord. 2008-037] [Ord. 2010-005] [Ord. 2010-022]

Part 2. ULDC Art. 1.I.2.D., Definitions (pages 50, 90-91 of 110), is hereby amended as follows:

Reason for amendments: [Zoning] Replace Special Permit Uses with Temporary Uses. Special Permit is not a type of use and it is no longer an approval process as it was replaced with Zoning Agency Review.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

S. Terms defined herein or referenced Article shall have the following meanings:

....
62. ~~Special Permit~~ Temporary Uses - are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, configuration and intensity and density of use, buildings and structures, and may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location. These uses are generally ~~temporary~~ provisional for a specified, fixed period of time.
....

Part 3. ULDC Art. 3.B.4.D.2.a, General [Related to Administrative Approvals in the Glades Area Overlay] (page 25 of 210), is hereby amended as follows:

Reason for amendments: [Zoning] Delete Special Permit reference as that process is replaced with DRO approval, more particularly the Zoning Agency Review (ZAR) process.

CHAPTER B OVERLAYS

Section 4 GAO, Glades Area Overlay

D. Approval Process

2. Administrative Approvals

a. General

Uses shown in a Use Matrix as Permitted by Right (P), ~~Special Permit (S),~~ or Development Review Officer (DRO) shall remain subject to the same approval process shown in the Use Matrix. [Ord. 2014-025]

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EXHIBIT D

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2
SUMMARY OF AMENDMENTS

(Updated 10/06/17)

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Part 4. ULDC Art. 3.B.6.C, Use Regulations [Related to LOSTO, Lake Okeechobee Scenic Trail Overlay] (page 30 of 210), is hereby amended as follows:

Reason for amendments: [Zoning] See reason under Part 3.

CHAPTER B OVERLAYS

Section 6 LOSTO, Lake Okeechobee Scenic Trail Overlay

C. Use Regulations

-
- 4. Office, Business or Professional; [Ord. 2017-007]
Within the LOSTO, an office limited to a maximum of 1,500 square feet of GFA and for the sole purpose of arranging nature or heritage based activities, such as bicycle tours and bus tours to natural, agricultural, or historic points of interest of the area, shall be allowed subject to ZAR process approval of a Special Permit. [Ord. 2017-007]
-
- 6. Retail Sales. [Ord. 2017-007]
Additional standards for Retail Sales shall be limited to specialty shops selling merchandise such as hand-crafted items, nature books, prepackaged meals, snacks, and non-alcoholic beverages for consumption off the premises, hiking supplies such as backpacks and walking sticks, and outfitters renting equipment for recreational use including bicycles, skates, canoes, and kayaks and 3,000 square feet of total floor area shall be allowed subject to ZAR process approval of a Special Permit.
-

Part 5. ULDC Art. 3.B.11.C., Uses Regulations [Related to SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay] (pages 38-39 of 210), is hereby amended as follows:

Reason for amendments: [Zoning] See reason under Part 3.

CHAPTER B OVERLAYS

Section 11 SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay

C. Use Regulations

The following uses may be permitted in the SCGCFO, subject to Article 4, Use Regulations, and the following: [Ord. 2004-040] [Ord. 2017-007]

Uses Permitted by Right:	DRO Uses:
....	
Class A Conditional Uses:	Special Permit: <u>ZAR</u>
Electrical Power Plant	Produce stand, Temporary
Livestock raising (more than five animals per acre)	Caretakers Quarters
Sugar mill or refinery	
[Ord. 2013-001] [Ord. 2017-007]	

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Part 6. ULDC Art. 3.B.14, WCRAO, Westgate Community Redevelopment Area Overlay (pages 42, 54 of 216), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Change approval process for the expansion of existing non-conforming parking from Class A Conditional Use to Type 2 Waiver. In both cases, it is subject to BCC's approval but a Type 2 Waiver is subject to different evaluation Standards.

CHAPTER B OVERLAYS

Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

B. General Development Standards

- 1. Nonconformities
 - a. Expansion of Existing Non-conforming Parking

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EXHIBIT D

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2
SUMMARY OF AMENDMENTS

(Updated 10/06/17)

The addition of parking to a non-conforming structure, and that does not meet the location requirements of this Section, ~~that is included in the expansion of a non-conforming structure~~ shall be permitted subject to a Type 2 Waiver approval.~~BCC approval of a Class A Conditional Use.~~ [Ord. 2006-004]

....
H. Density Bonus Programs

....
2. Other Density Bonus Programs

~~Requests for approval of other residential density through Art. 5.G., Density Bonus Programs~~
The Applicant may request to wave modify or reduce the landscape requirements pursuant to Article 7, Landscaping subject to a Type 2 Waiver process. ~~compatibility and additional landscaping required, The request shall be if consistent with the Plan, subject to and~~ a WCRA recommendation for approval ~~and BCC approval of a Class A or Requested Use .~~ [Ord. 2006-004]

....
Part 8. ULDC Art. 3.B.15.F.6.e.4.a, Residential Setbacks,(page 75 of 216), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Change approval for setback provision pertaining to outdoor uses in the Infill Redevelopment Overlay (IRO) from Class A Conditional Use to Type 2 Waiver. In both cases, it is subject to BCC's approval but a Type 2 Waiver is subject to different evaluation Standards.

CHAPTER B OVERLAYS

Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)

F. Design and Development Standards

6. Building Standards

e. Additional Building Standards

4) Outdoor Uses

a) Residential Setbacks

Outdoor uses shall be setback a minimum of 200 feet from any abutting residential use or parcel with a residential future land use designation, unless approved through a Type 2 Waiver process by the BCC as a Class A Conditional Use. This shall include vehicular access and parking for vehicular related uses such as gasoline sales, car washes, or drive through facilities. [Ord. 2010-005]

....
Part 9. ULDC Art. 3.B.16.E.3.a., Residential Setbacks [Related to Outdoor Uses] (page 88 of 216), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Format – replace all Roman numeral to Arabic numeral, e.g. II to 2.

CHAPTER B OVERLAYS

Section 16 Urban Redevelopment Area Overlay (URAO)

E. Additional PRA Use Regulations

3. Outdoor Uses

a. Residential Setbacks

Outdoor uses shall be setback a minimum of 200 feet from any abutting non-PRA residential use or parcel with a residential future land use designation, unless approved by the BCC as through a Type ~~II~~ 2 ~~URAO~~ Waiver ~~or in conjunction with a Conditional Use approval.~~ This shall include vehicular access and parking for vehicular related uses such as gasoline sales, car washes, or drive through facilities, but shall not include drive through facilities for Financial Institutions or ATM lanes. [Ord. 2010-022] [Ord. 2011-016]

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EXHIBIT D

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2
SUMMARY OF AMENDMENTS

(Updated 10/06/17)

1 Part 10. ULDC Art. 3.C.1.A.2.a.2., Permitted Contiguous Development (page 114 of 216), is hereby
2 amended as follows:
3

Reason for amendments: [Zoning]
1. Specify the type of approval process by the BCC. In this case, a Class A Conditional Use is required for such requests.

4 CHAPTER C STANDARD DISTRICTS

5 Section 1 General

6 A. Agricultural Districts

7 2. AGR, Agricultural Reserve District

8 a. Exempted Residential Uses

9 2) Permitted Contiguous Development

10 An exception shall be permitted in accordance with FLUE Policy 1.5-c, whereas Delray
11 Lakes Estates, Willis Glider Port and Snow Ranch Estates (a.k.a Horseshoe Acres)
12 may expand, subject to ~~BCC-a Class A Conditional Use~~ approval, to allow development
13 of contiguous residual parcels at a density that is consistent with the existing
14 development, where it would serve to establish uniform boundaries. Expansion shall
15 be subject to Table 3.C., AGR Contiguous Development PDRs. [Ord. 2006-004] [Ord.
16 2007-001]

17

18
19
20 Part 11. ULDC Art. 4.A.7.C.2, Development Review Officer, (page 10 of 204), is hereby amended
21 as follows:
22

Reason for amendments: [Zoning]
1. Delete Special Permit reference in Article 4 as the approval has been replaced with the DRO more particular to the Zoning Agency Review (ZAR) process. Special Permit is no longer available as a process, except for Billboards.

23 CHAPTER A USER GUIDE AND GENERAL PROVISIONS

24 Section 7 Determining Approval Process

25 C. Use Matrix

26 ...

27 ~~3. Special Permit~~

28 ~~Uses identified with an "S" are allowed in the zoning district only if approved by the Zoning~~
29 ~~Director in accordance with Article 2.D.2, Special Permit. Most of the Uses subject to Special~~
30 ~~Permit are under the Temporary Use Classification.~~

31 [ReNUMBER Accordingly]

32
33 C. Definitions and Supplementary Use Standards for Specific Uses

34 1. Agriculture, Bona Fide

35

36 i. Agriculture Marketplace

37

38 4) Use Limitations and Sale of Products

39

40 c) Collocated Uses

41

42 (3) Retail Sales, Mobile or Temporary and Special Event

43 Mobile sales shall be permitted subject to approval of a ~~Special Permit~~
44 Temporary Use through the ZAR process.

45 ~~(4) Special Event~~

46 ~~Subject to approval of a Special Permit~~

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MISCELLANEOUS AMENDMENTS RELATED TO ART. 2 SUMMARY OF AMENDMENTS

(Updated 10/06/17)

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14. Nursery, Wholesale

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b. Approval Process

Table 4.B.6.C - Residential Districts in the USA

Residential Districts in the USA	
Special Permit ZAR (1)	Five acres or less.
DRO	More than five but less than 20 acres.
Class B Conditional Use	20 or more acres.
(1) If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.	

Table 4.B.6.C. – AR District in RSA

AR District in RSA	
Permitted	Ten acres or less.
Special Permit ZAR (1)	More than ten but less than 40 acres.
DRO	40 or more acres.
(1) If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.	

....

Part 12. ULDC Art. 4.B.11, Temporary Uses (page 13 of 204), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Replace the Special Permit process with the Zoning Agency Review (ZAR) process. The review and decision making person for the ZAR is the DRO.
2. Include temporary structures under temporary uses to clarify that Zoning Division review and make a decision on the temporary use; however, the structures shall be subject to Building Permit review, and applicable requirements such as number of temporary structures, setbacks, etc. may be reviewed at permit application.

11 **CHAPTER B USE CLASSIFICATION**
12 **Section 11 Temporary Uses**
13 **A. Temporary Use Matrix**

Notes:
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EXHIBIT D

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2
SUMMARY OF AMENDMENTS
(Updated 10/06/17)

TABLE 4.B.11.A - TEMPORARY USE MATRIX

STANDARD DISTRICTS														Use Type	# Supplementary Use Standards (1)	PLANNED DEVELOPMENT DISTRICTS (PDDs)												TRADITIONAL DEV. DISTRICTS (TDDs)									
AG/ CON		RESIDENTIAL					COMMERCIAL									IND	INST	PUD			MUPD				MXPD	PIPD		M	R	LCC	TND		TMD				
P	A	A	AR	R	R	R	R	R	C	C	C	C	C			C	U	U	U	U	U	I	I	I	I	I	I	P	P	H	V	C	C	TND	TMD		
C	G	P	R	U	E	T	S	M	N	L	C	H	G			R	U	U	U	U	U	L	L	L	L	L	L	P	H	P	P	L	C	U/S	EX/ RURAL	U	E
			S	S					O	O	O	O	O	O	1	2	3	1	2	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O
			A	A																																	
			S	S																																	
			A	A																																	
Temporary Uses																																					
-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	-	-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Communication Cell Sites on Wheels (COW)																																					
-	-	-	-	-	-	-	-	-	-	-	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
Day Camp																																					
-	-	-	-	-	-	-	-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Mobile Retail Sales																																					
-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Real Estate Sales Model, Non-PDD																																					
-	-	-	-	-	-	-	-	-	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
Recycling Drop-Off Bin																																					
-	-	D	D	D	-	-	-	-	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
Special Event																																					
-	<u>S</u>	<u>D</u>	-	-	-	-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Temporary Green Market																																					
-	<u>S</u>	<u>D</u>	-	-	-	-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Temporary Retail Sales																																					
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Temporary Vehicle Sales																																					

Use approval process key:

P Permitted by Right	D Subject to DRO Approval (Zoning Agency Review [ZAR] Process)	A Subject to BCC Approval (Class A Conditional Use)
<u>S</u> Subject to Special Permit Approval	B Subject to Zoning Commission Approval (Class B Conditional Use)	- Prohibited use, unless stated otherwise within Supplementary Use Standards

(1) Supplementary Use Standards for each use must be reviewed regardless the approval process set forth in the Use Matrix. Refer to the numbers in the Supplementary Use Standard column.

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EXHIBIT C

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2 SUMMARY OF AMENDMENTS

(Updated 10/10/17)

Reason for amendments: [Zoning]

3. Update multiple references to delete Special Permit process as it was replaced to DRO and update references to Art. 2 to reflect changes made to that article.

B. General Standards and Application Requirements

1. Design Standards

- a. All Temporary Uses, which includes all related activities, structures, vehicles, and equipment shall not be located in a manner that distracts motor vehicle operators, or causes any vehicles to stop or park in violation of the law or official traffic-control devices.
- b. All Temporary Uses and temporary structures shall not be located in the required setbacks, parking, driveway aisles or loading areas, vehicular maneuvering areas, fire lanes, landscape buffers, sidewalks or ADA accessible routes, unless stated otherwise herein.

....

5. Additional Submittal Requirements

In addition to the requirements pursuant to Art. 2. C.5.C, Development Review Procedures Temporary Use, the following documentation shall be provided by the Applicant:

C. Definitions and Supplementary Use Standards for Specific Uses

....

3. Mobile Retail Sales

a. Definition

General retail sales from a mobile vehicle or a portable trailer without a fixed or permanent location.

....
~~##### c. Renewal~~

~~The Special Permit shall be renewed annually pursuant to Art. 2.D.2, Special Permit.~~

~~##### dc. Location~~

- 1) Sites must comply with parking space requirements outlined in Table 6.A.1.B - Minimum Off Street Parking and Loading Requirements prior to applying ~~for a Special Permit~~ for Mobile Retail Sales.

....

4. Real Estate Sales Model, Non-PDD

....

b. Duration

The ~~Special Permit~~ DO shall be valid for five years from the date of issuance and may be renewed for an additional five years.

....

5. Recycling Drop-Off Bin

a. Definition

A totally enclosed temporary structure or portable container within which the following pre-sorted, recyclable materials are collected: glass, aluminum, steel, and plastic containers no greater than six gallons in capacity, and paper.

~~##### b. Approval Process~~

~~If a DRO Site Plan is not on file with the Zoning Division, a Special Permit shall be required, and may be renewed annually pursuant to Art. 2.D.2, Special Permit.~~

....

g. Operation

- 1) The bin and adjacent area shall be maintained and free from litter, debris, and residue on a daily basis. Failure to maintain the bin and adjacent area may result in the revocation of the DO ~~DRO approval or Special Permit~~.

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EXHIBIT C

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2 SUMMARY OF AMENDMENTS

(Updated 10/10/17)

Reason for amendments: [Zoning]

3. Clarify special events occurring in road right of ways and contained in Art. 12, Traffic Performance Standard are not the same as those Special Events regulated in Art. 4.B.11, Temporary Uses.

6. Special Event

a. Definition

A temporary activity which may include rides, amusements, food, games, crafts, and performances.

b. Typical Special Events

Typical Special Events may include but are not limited to carnivals, circuses, temporary auctions, rallies, and revivals. This use shall not apply to those special events that are located in street R-O-Ws pursuant to Art. 12.A.3.C.4, Special Events.

c. Approval Process

The use shall be subject to Special Permit ZAR if the event is projected to attract less than 1,000 patrons on a site less than two acres. Project attendance shall be specified in the application.

e. Zoning District - Residential

Special Events that are prohibited in residential zoning districts may be allowed subject to a Special Permit DRO approval if the, and the following standards are met:

- 1) Shall be collocated with a Place of Worship;
- 2) Hours of operation shall be from 9:00 a.m. to 5:00 p.m.; and,
- 3) Special Events and religious services operating during the same time are required to provide parking for both activities or comply with the off-site parking provisions in Art. 6, Parking.

7. Temporary Green Market

a. Definition

A temporary gathering of vendors, primarily for the purpose of selling fresh unprocessed fruit, vegetables, flowers, and consumable items such as coffee, bread and prepared food.

~~c. Renewal~~

~~The Special Permit may be renewed annually, pursuant to Art. 2.D.2, Special Permit.~~

8. Temporary Retail Sales

a. Definition

General retail sales without a fixed or permanent location.

g. Operation

All debris shall be completely removed from the site, and the property shall be returned to its original condition, within 24 hours of the expiration of the DO Special Permit or the removal of the activities associated with Special Event.

h. Special Provisions for Sparklers

Shall comply with the following additional requirements:

1) Zoning Districts

Shall be limited to CG and IL.

2) Seasonal Limitations

Shall only be allowed June 20 through July 5 and December 10 through January 2 of each year.

3) Additional Application Requirements

The Special Permit application shall include the following information:

....

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EXHIBIT C

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2 SUMMARY OF AMENDMENTS

(Updated 10/10/17)

1
2 Part 13. ULDC Art. 5.B.1.B, Temporary Structures
3

Reason for amendments: [Zoning]
1. Consolidate Emergency and Temporary Structures for Government entities and Utility companies under one Section in Article 5. Clarify different types of temporary structures are utilized for different situations: for those State of Emergency situations and for construction activities for government entities (such as FDOT, SFWMD) and utility companies (such as FPL).
2. Emergency structures may not be subject to any review process and can be waived by the Executive Director of PZ&B since it is mainly for disaster recoveries; and other non-disaster structures will be subject to review through a Zoning Agency Review.

4
5 CHAPTER B ACCESSORY USES AND STRUCTURES

6 Section 1 Supplementary Regulations

7 B. ~~Temporary Structures-Emergency or Temporary Government or Utility Structures~~

8 ~~1. Emergency or Temporary Government Structures and Uses~~

9 ~~This Section is intended to To allow the placement or construction of structures or facilities that are~~
10 ~~temporary to government uses, facilities, and infrastructure improvements that address an~~
11 ~~immediate public need and ensure health, safety and welfare concerns for the State of Emergency~~
12 ~~resulting from natural or pending disasters; or Construction staging activities for infrastructure~~
13 ~~improvements, which includes but not limited to a R-O-W construction staging area that is utilized~~
14 ~~for the temporary overnight storage of materials used during infrastructure improvement. [Partially~~
15 ~~relocated from Art. 5.B.1.B.3.e, Construction Staging Areas for Right of Ways (R-O-W)]~~

16 Typical uses ~~include, but are not limited to, may include:~~ fire stations, hurricane shelters, ~~or~~ utility
17 facilities; ~~or construction staging areas.~~ [Ord. 2011-001]

18 ~~a.1. Review and Approval Process~~

19 ~~Emergency or temporary structures shall be subject to the approval by the DRO through a ZAR~~
20 ~~process. The ZAR process may be waived by the Executive Director of PZB as stated below:~~

21 ~~1)a. Emergency Uses or Structures~~

22 The Executive Director of PZB may ~~waive the ZAR process, and~~ authorize the issuance of
23 a building permit for a temporary structure upon determination that a public emergency,
24 pending natural disaster, or actual natural disaster, exists. [Ord. 2011-001]

25 ~~2)b. Temporary Structures~~

26 ~~(a) DRO Pre-Application Conference or BCC Direction~~

27 The Zoning Director may require a ~~pre-application conference~~ PAC with the DRO in order
28 to seek input from the various County Agencies on the temporary structure, or may seek
29 direction from the BCC ~~through an AI~~. The Zoning Director shall consider documentation
30 from the ~~a~~ Applicant and any other input from County Agencies before issuance of a ~~DO~~
31 ~~Special Permit~~. [Ord. 2011-001] [Ord. 2011-016] [Ord. 2017-007]

32 ~~b) Special Permit~~

33 ~~A Special Permit approval of the temporary structure pursuant to Article 2.D.2.~~
34 ~~Special Permit, must be obtained prior to the issuance of a building permit. [Ord.~~
35 ~~2011-001] [Ord. 2017-007]~~

36 ~~(c)1) Duration~~

37 The ~~Special Permit~~ DO shall be valid for up to a period of six months from date of
38 issuance, with one three month extension by the Zoning Director. The BCC may
39 extend the timeframe through an ~~Administrative Inquiry~~ AI by the Zoning Director. [Ord.
40 2011-001]

41 ~~2) Construction Staging Areas for Right of Ways (R-O-W)~~

42 In addition to the requirements listed above, the following ~~shall apply to those~~
43 ~~construction staging areas located on or adjacent to residentially zoned parcels. [Ord.~~
44 ~~2008-003] [Relocated from Art. 5.B.3.e., Construction Staging Areas for Right of~~
45 ~~Ways (R-O-W)]~~

46 ~~a. Hours of Operation~~

47 ~~Activity on the site shall not commence prior to 7:00 a.m. and must be completed~~
48 ~~prior to 10:00 p.m. A Type 1 Variance may be applied for to request modification~~
49 ~~from this provision. [Ord. 2008-003] [Relocated from Art. 5.B.3.e.3),~~
50 ~~Construction Staging Areas for Right of Ways (R-O-W), Hours of~~
51 ~~Operation/Use]~~

52 ~~b. Setbacks or Separations~~

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EXHIBIT C

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2
SUMMARY OF AMENDMENTS

(Updated 10/10/17)

Stored materials shall not be located within the required minimum district setback. **[Ord. 2008-003]** [Relocated from Art. 5.B.3.e.4), Construction Staging Areas for Right of Ways (R-O-W, Setbacks/Separations)]

c. Screening

Temporary screening material, a minimum of five feet in height and 85 percent opacity, shall be provided around the perimeter of the staging area, adjacent to residential uses, to mitigate visual impact. **[Ord. 2008-003]** [Relocated from Art. 5.B.3.e.5), Construction Staging Areas for Right of Ways (R-O-W), Screening]

d. Dust Control

Appropriate measures shall be taken, pursuant to Health Department requirements, to control dust or other airborne particulate matter. **[Ord. 2008-003]** [Relocated from Art. 5.B.3.e.6), Construction Staging Areas for Right of Ways (R-O-W), Dust Control]

e. Exceptions

Projects with a duration of 30 days or less shall be exempt from the requirements of this section. **[Ord. 2008-003]** [Relocated from Art. 5.B.3.e.7), Construction Staging Areas for Right of Ways (R-O-W), Exceptions]

....

~~**e. Construction Staging Areas for Right of Ways (R-O-W)**~~

~~This section shall only apply to staging areas located on or adjacent to residentially-zoned parcels. **[Ord. 2008-003]**~~

~~**1) Use**~~

~~A R-O-W construction staging area shall be utilized for the temporary overnight storage of materials used during infrastructure improvement. **[Ord. 2008-003]**~~

~~**2) Special Permit**~~

~~A Special Permit shall be obtained from the Zoning Division prior to utilizing a site for staging. A site plan may be submitted in lieu of the survey. **[Ord. 2008-003]**~~

~~**3) Hours of Operation / Use**~~

~~Activity on the site shall not commence prior to 7:00 a.m. and must be completed prior to 10:00 p.m. A Type 1B Administrative Variance may be applied for to request deviation from this provision. **[Ord. 2008-003]**~~

~~**4) Setbacks / Separations**~~

~~Stored materials shall not be located within the required minimum district setback. **[Ord. 2008-003]**~~

~~**5) Screening**~~

~~Temporary screening material, a minimum of five feet in height and 85 percent opacity, shall be provided around the perimeter of the staging area, adjacent to residential uses, to mitigate visual impact. **[Ord. 2008-003]**~~

~~**6) Dust Control**~~

~~Appropriate measures shall be taken, pursuant to Health Department requirements, to control dust or other airborne particulate matter. **[Ord. 2008-003]**~~

~~**7) Exceptions**~~

~~Projects with a duration of 30 days or less shall be exempt from the requirements of this section. **[Ord. 2008-003]**~~

....

Part 14. ULDC Art. 5.C.1, Architectural Guidelines (page 51-52 of 107), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Clarify that Class A Conditional Use approval is the specific BCC approval process that applies to request an increase of square footage of a single tenant in CH FLU designation of a Large Scale Commercial Development.

CHAPTER C DESIGN STANDARDS

Section 1 Architectural Guidelines

I. Large Scale Commercial Development

1. Single Tenant Limit

Variances from these requirements shall be prohibited. **[Ord. 2005 – 002]** **[Ord. 2011-001]**

b. CH FLU

1) Exception

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EXHIBIT C

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2 SUMMARY OF AMENDMENTS

(Updated 10/10/17)

1 An additional 10,000 square feet shall be permitted, for a total of 210,000 gross square
2 feet, subject to ~~BCC Class A Conditional Use~~ approval and the following requirements:
3 [Ord. 2005 – 002]

4

7 Part 15. ULDC Art. 6.A.1.D., Off-Street Parking (pages 15,19 and 33 of 40), is hereby amended as
8 follows:

9 Reason for amendments: [Zoning] See reason under Part 3.

10 CHAPTER A PARKING

11 Section 1 General

12 D. Off-Street Parking

13 3. Use of Required Off-Street Parking

14 a. Temporary Parking

15 1) The Zoning Director may consider a ~~Special Permit ZAR process~~ for temporary off-site
16 parking. [Ord. 2017-007]

17

18 5) In the event an off-site parking area is not under the same ownership as the site of the
19 ~~Special Permit Temporary Use site~~, a written agreement between the applicant and all
20 owners of record of the parking area shall be required prior to permit approval. A copy
21 of the agreement shall be subject to review and approval of the Zoning Division, and
22 at a minimum shall contain the following: [Ord. 2017-007]

23 24 13. Valet Parking

25 26 d. Approval

27 Valet parking for commercial uses over 20,000 square feet shall be subject to ~~approval of~~
28 ~~a Special Permit ZAR process~~.

29 30 19. Parking of Equipment, Vehicles, Boats or Vessels and Trailers in Residential Districts

31 b. Exemptions

32 5) Outdoor Storage

33

34 g) one vehicle which does not meet the requirements above may be approved
35 ~~through ZAR process by Special Permit~~ upon demonstration that:

36 (1) The property owner, family member or legal tenant has a physical disability
37 which requires a vehicle which cannot meet these requirements.

40 Part 16. ULDC Art. 8.C.1., Banners, Streamers, Pennants, or Balloons (page 12 of 42), is hereby
41 amended as follows:

42 Reason for amendments: [Zoning] Replace Special Permit with Development Order (DO) as it is the
appropriate term to indicate a valid development permit.

43 CHAPTER C PROHIBITIONS

44 Section 1 Banners, Streamers, Pennants, or Balloons

45 Banners, streamers, pennants, balloons and other signs made of lightweight fabric, plastic or similar
46 material, except any sign with a valid ~~special permit DO~~, or where otherwise stated in this Article. [Ord.
47 2007-001] [Ord. 2007-013] [Ord. 2008-003]

48
49
50 (This space intentionally left blank)

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EXHIBIT C

MISCELLANEOUS AMENDMENTS RELATED TO ART. 2 SUMMARY OF AMENDMENTS

(Updated 10/10/17)

1
2 Part 17. ULDC Art. 8.G, Standards for Specific Sign Types (page 25 and 32 of 42), is hereby
3 amended as follows:
4

Reason for amendments: [Zoning]
--

- | |
|--|
| 1. Clarify that Class A Conditional Use approval is the specific approval process that allows uses by the Board of County Commissioners. |
|--|

5 **CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES**

6 **Section 1 Building Mounted Signs**

7
8

D. Marquee Signs

9 Marquee signs are allowed for theaters, stadiums, auditoriums, and similar uses subject to ~~BCC~~
10 Class A Conditional Use approval. Marquee signs are not subject to wall sign area limits, but the
11 maximum sign area shall not exceed one square foot for each foot of building wall. Marquee signs
12 may be electronic message signs, subject to Article 8.G.3.B, Electronic Message Signs, and have
13 changeable copy. A marquee sign may project a maximum of six feet above the cornice of a
14 building provided that it is architecturally integrated with the building. [Ord. 2012-027] [Ord. 2014-
15 025]

16

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Other Articles Consolidated for subcommittee 101017.docx

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