



March 16, 2016

**Department of Planning,  
Zoning & Building**

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West Palm Beach, FL 33411-2741  
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Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
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Executive Office 233-5228  
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**Palm Beach County  
Board of County  
Commissioners**

Mary Lou Berger, Mayor  
Hal R. Valeche, Vice Mayor  
Paulette Burdick  
Shelley Vana  
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: March 23, 2016 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, March 23, 2016.

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: March 23, 2016 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

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# PALM BEACH COUNTY

## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

**MARCH 23, 2016**

### 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)

**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)

**Derek Zeman** (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

**Mary Lou Berger**  
Mayor, District 5

**Hal R. Valeche**  
Vice Mayor, District 1

**Paulette Burdick**  
Commissioner, District 2

**Shelley Vana**  
Commissioner, District 3

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

**Melissa McKinlay**  
Commissioner, District 6

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

**Verdenia C. Baker**  
County Administrator



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2300 North Jog Road, West Palm Beach, Florida 33411 (561) 233-5200



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

**WEDNESDAY, MARCH 23, 2016 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 February 24, 2016 Minutes (Exhibit A)

### **B. ULDC AMENDMENTS**

1. Exhibit B - Height Measurement for Fences, Walls and Hedges
2. Exhibit C - Parks and Recreation
3. Exhibit D – Article 14, Environmental Standards
4. Exhibit E – Article 15, Health Regulations
5. Exhibit F – State Road 7 Economic Development Overlay

### **C. PUBLIC COMMENTS**

### **D. STAFF COMMENTS**

1. Use Regulations Project (URP) Update

### **E. ADJOURN**

**EXHIBIT A**

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

(Updated 3-15-16)

**Minutes of February 24, 2016 LDRAB/LDRC Meeting**

On Wednesday, February 24, 2016 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), also sitting as the Land Development Regulation Commission (LDRC), 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 2:04 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 9**

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Jerome Baumoehl (AIA)  
Frank Gulisano (PBC Board of Realtors)  
Tommy Strowd (Environmental Organization)  
Leo Plevy (Member at Large, Alt.)

**Members Absent: 4**

Stuart R. Fischer (District 6)  
Joni Brinkman (League of Cities)  
Daniel J. Walesky (Gold Coast Build. Assoc.)  
Tommy Strowd (Environmental Organization)

**County Staff Present:**

Jon MacGillis, ASLA Zoning Director  
Maryann Kwok, Deputy Director, Zoning  
William Cross, AICP, Principal Site Planner, Zoning  
Robert P. Banks, Chief Land Use County Attorney  
Bryan Davis, Principal Planner, Planning  
Zona Case, Zoning Technician, Zoning

**Vacancies: 5**

(District 1)  
(District 7)  
(Florida Engineering Society)  
(Florida Society Professional Surveyors)  
(Assoc. General Contractors of America)

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

Mr. Blackman noted the distribution of the amendments to the agenda handout and requested that it be included in the motion to adopt the agenda.

**3. Motion to Adopt Agenda**

Motion to adopt the agenda, as amended, by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (9 - 0).

**4. Annual Election of Chair and Vice Chair**

The Chair opened the nominating process by offering the opportunity to members to elect a new Chair and Vice Chair. Mr. Blackman kindly suggested that others nominate a new Chair, other than the current Chair. Motion to re-elect Wes Blackman as Chair by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (9 -0).

Motion by Ms. Vinikoor to re-elect David Carpenter as Vice-Chair, seconded by Mr. Knight. Motion passed (9 - 0).

**5. Adoption of January 27, 2016 Minutes (Exhibit A)**

Motion to adopt by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (9 - 0).

**B. ULDC AMENDMENTS**

**1. Exhibit B – Florida Power and Light (FPL) Commercial Communication Towers Privately Initiated Amendment (PIA)**

Mr. Cross congratulated Mr. Blackman and Mr. Carpenter on their re-election to Chair and Vice-Chair, respectively.

Mr. Cross recognized the presence of representatives of FPL (which included Messrs. Mike Tammaro, Bruce Barber, Tim Young and Don Kiselewski, and Mr. Josh Long of Gunster Yoakley), who were in attendance to support the application.

Mr. Cross informed Board members that this is the first of two phases for a Privately Initiated Amendment proposed by Florida Power and Light (FPL), and the Board is being asked to perform a cursory evaluation and recommend whether or not the BCC should initiate the amendment. If the BCC directs Zoning to proceed, staff would convene an LDRAB subcommittee as the vehicle for obtaining input from industry and the public, prior to bringing it back to the LDRAB for a final recommendation to the BCC for adoption.

## EXHIBIT A

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

(Updated 3-15-16)

#### Minutes of February 24, 2016 LDRAB/LDRC Meeting

Mr. Cross explained that Florida Power and Light (FPL) submitted two PIA's for inter-related amendments to the ULDC, which would expand upon existing provisions to allow for the collocation of cellular equipment on utility transmission lines and substations. He provided a Power Point presentation showing various transmission lines and sub-station sites, etc., briefly elaborating on them, and outlined the proposed amendments as follows:

- Responding to the increase in cellular usage, FPL is looking for opportunities to collocate cellular equipment with utility infrastructure through its subsidiary, FPL Fibernet. County staff recognizes these industry trends and together with FPL representatives, have identified opportunities where collocation on existing structures could be accommodated by updating or expanding existing regulations.
- The two inter-related amendments from FPL would initiate updates to Commercial Communication Tower regulations specific to modified public utility structures and relate to 1) transmission lines (PIA 2015-02125, and 2) substations (PIA 2015-02125). Although the same terminology applies to both, each is being evaluated independently due to differences in regulatory provisions, typical locations, and differences in height of utility infrastructure.
- The amendments also seek to allow for increased heights to utility infrastructure, without being classified as Commercial Communication Towers. Staff advised FPL that, increased height for the purpose of enhancing collocating cellular equipment, would categorize it as a Commercial Communication Tower.
- Each request allows for three general tower classifications: Camouflage (typically involves modifying existing structures to accommodate cellular equipment), Stealth (essentially a Commercial Communication Tower disguised as another type of structure such as a clock tower, flagpole, etc.), or Full Array (visually noticeable panels typically added to an existing structure).

Mr. Josh Long of Gunster Yoakley provided additional details on the proposed amendments, explaining the need for substations and transmission lines to respond to the great demand for band width, and clarified that in providing structures, the goal is to be mindful of good construction as well as aesthetics. There are locations where service is already established and utility poles and wires are already part of the environment and consequently are not noticeable. He summarized that the proposed amendments to the ULDC addresses:

- The establishment of new definitions to support the proposed "Electrical Communication Structures and Poles – Transmission Lines and Substations".
- Replacing existing text on "Transmission Line streets" with new text that relates to the utility structures, their construction, permitted locations and approval processes.
- Tables that address height, setbacks, separation standards and approval processes in and adjacent to residential and non-residential districts.

Mr. Cross explained that staff originally indicated support for 15% deminimus increase in height but is willing to support increases up to 25% or even 50% in some instances. The concerns are FPL's proposed reduction to setbacks from residential zoning (50 feet in some instances) and the proposed change to the method of measurement from property line to residential structure, which would further diminish existing setback standards, but otherwise re-affirmed that there is a lot of common ground on the topic.

Zoning Staff is recommending that the BCC direct staff to initiate both PIA application requests, PIA-2015-02125 (Transmission Lines) and PIA-2015-02123 (Substations), to be processed as a stand-alone Ordinance with its own timeline, including but not limited to the following suggested requirements:

- Requests for significant increases in height or reduced setbacks within residential areas should be reviewed by the BCC as a Class A Conditional Use, to allow for public participation. Establish regulations to safeguard the balance between increases in height and reduced setbacks from residential or other areas of aesthetic concern, and match with an appropriate approval process.
- Staff has concerns with the proposed camouflage (partial array) and "full array" towers within developed areas of the County, but otherwise generally supports administrative approvals consistent with existing provisions for similar Camouflage or Stealth Communication Towers.

## EXHIBIT A

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

(Updated 3-15-16)

#### Minutes of February 24, 2016 LDRAB/LDRC Meeting

- The PIA classification should be Type II, which requires establishing an LDRAB Subcommittee, to take advantage of their expertise, and allow for increased industry or public participation.
- Independent confirmation of future requirements of the cellular industry, including the need for additional towers or other equipment, and that the use of existing structures will mitigate the need for additional standalone cell towers. Feedback from other sectors of the cell tower industry should be solicited to ensure that the final amendments are fair and balanced. Notwithstanding the fact that the ULDC requires documentation to substantiate the need for new cellular towers, staff sees the need to evaluate whether other forms of communication infrastructure should be considered prior to approving.
- Staff has concerns with proposals to locate equipment sheds in the front setbacks of properties abutting transmission lines running parallel to streets. Additional standards may be required to address aesthetics including architecture or landscaping and safety issues.
- Facilities Development & Operations (FD&O) has requested assurance that the proposed amendments will not result in adverse impacts to the County's communication infrastructure.

Mr. Cross estimated that Phase 2 would require approximately 4 to 6 months to complete, noting that resolution of an outstanding Code Enforcement issue is pending adoption of these amendments.

Board discussion followed:

Ms. Vinikoor expressed concern about the electro-magnetic and microwaves associated with the towers, and the close proximity to residential properties that could be hazardous to adjacent residences if the tower falls. She also suggested that Camouflage be changed to Barbed Stealth to better represent the appearance of the actual structure.

Mr. Gulisano stressed the importance of the method of measurement and recommended the distance be measured from the property line, which would be protective to all parties. He also expressed the view that a 100 foot pole seemed out of proportion in relation to an adjacent single family house.

Mr. Long replied that the transmission corridors and houses are already there.

In response to Mr. Carpenter's question on the height at which the tower would trigger the requirement of aircraft warning lights, Mr. Long said he would inquire and respond at a later date.

Mr. Baumohl indicated an inclination to let the engineers decide on their need, design the structure, and develop architecture to make it functionally perfect and architecturally pleasing.

Replying to Mr. Knight's suggestion that it would be worthwhile to look at converting to underground structures, Mr. Kiselewski responded that it is too costly at \$1 million per mile.

Mr. Blackman inquired whether health and public welfare have been taken into consideration and Mr. Banks responded that regulation of these issues is pre-empted by the Federal Government (editors note: under the Federal Telecommunications Act, as amended).

Mr. Blackman asked members if there was a decision on how to proceed with the amendments.

Motion by Ms. Vinikoor, seconded by Ms. Katz, to move forward with the process of reviewing the two items, substations and towers according to staff's recommendation. Included in the motion: a suggestion to change the name of Camouflage to Barbed Stealth; to address the height at which aircraft warning lights are required; and, the distance from residential in case a tower falls. Motion passed (9 - 0).

**EXHIBIT A**

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

(Updated 3-15-16)

**Minutes of February 24, 2016 LDRAB/LDRC Meeting**

**C. ANNUAL ORGANIZATION DISCUSSION**

Mr. Cross presented the following annual organization reports:

- Internet links to LDRAB/LDRC rules and regulations applicable to members;
- 2015 LDRAB members attendance report;
- Summary of ULDC amendments adopted in Rounds 2015-01 and 2015-02;
- Current LDRAB members list and schedule of 2016 LDRAB meeting dates;
- Zoning Director's memo on deadlines for agencies and privately initiated amendments;
- Proposed amendments for Round 2016-01, and,
- Update on active subcommittees, including the ongoing Use Regulations Project (URP) and Landscape Subcommittees.

During the presentation Mr. Cross updated the Board on pending re-appointments and clarified that the term of office is three years, with a maximum of three consecutive terms.

Ms. Katz and Mr. Gulisano volunteered to be part of the FPL subcommittee when convened.

**E. PUBLIC COMMENTS**

There were no public comments.

**F. STAFF COMMENTS**

There were no staff comments.

**G. BOARD MEMBER COMMENTS**

Ms. Vinikoor requested that Zoning staff review the Use Matrix relative to Light Industrial (IL) in the Agricultural Reserve. She cited the recent BCC's and Planning Commission approvals to transmit a Future Land Use Atlas (FLUA) amendment for a parcel west of State Road 441 in the AGR Tier. She recommended that consideration be given to having a separate use matrix for the Agricultural Reserve.

Mr. Bryan Davis, Principal Planner, Planning Division commented that the FLUA for Commercial with underlying Industrial is pending, and not yet approved.

**H. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:35 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

# HEIGHT MEASUREMENT FOR FENCES, WALLS AND HEDGES SUMMARY OF AMENDMENTS

(Updated 3-11-16)

1  
2 Part 1. ULDC Art. 7.D.3.B.1, Height Measurement (page 20 of 50), is hereby amended as  
3 follows:  
4

**Reason for amendments:** [Zoning] Scrivener's error, previously approved text inadvertently omitted from final Ordinance. The amended text below was presented to the LDRAB/LDRC on November 18, 2015, and adopted by the BCC on January 28, 2016, as part of broader amendments for Height Measurement for Fences and Walls. The text was included in the Exhibit for BCC Adoption, but was inadvertently omitted from the final signed Ordinance [Ord. 2016-016].

## ARTICLE 7, LANDSCAPING

### CHAPTER D GENERAL STANDARDS

#### Section 3 Shrubs and Hedges

##### B. Hedges

##### 1. Height Measurement

##### b. Grade Change

Height may be increased when the hedge abuts a retaining wall, subject to the following:  
[Ord. 2016-016]

##### 1) Residential

The height of the hedge located within the front, side or rear setback of a lot supporting a single family dwelling unit, may be increased when located adjacent to a lot having a different grade when a retaining wall is installed along the property line, in accordance with the following: [Ord. 2016-016]

##### a) Grade Measurement

The difference in grade shall be determined by measuring the elevation of the retaining wall and the elevation of the abutting lot at the property line. [Ord. 2016-016]

##### b) Maximum Height Increase

The height of the hedge may be increased by the difference in grade up to a maximum of two feet, whichever is less, as follows: [Ord. 2016-016]

(1) Within the required front setback: Up to a maximum of six feet. [Ord. 2016-016]

(2) Within a side or rear setback: Up to a maximum of ten feet. [Ord. 2016-016]

(3) A guardrail shall be installed on the retaining wall if required by Florida Building Code, subject to the height limitations for fences and walls.

##### 2) PDD or Non-residential

Height may be increased when the hedge abuts a retaining wall subject to the requirements of Art. 7.F.10, Perimeter Buffers with Grade Changes.

....

55  
56 U:\Zoning\CODEREV\2016\LDRAB\Meetings\3-23-16\4 - Final Packet\Exh. B - Height Measurement for Fences Walls and  
57 Hedges.docx

#### Notes:

- Underlined indicates **new** text.
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# EXHIBIT C

## PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

1  
2 **Part 1. ULDC Art. 5.D.2.B.2, Calculation of Required Recreation [Related to Community and**  
3 **Neighborhood Park Recreation Standards] (page 49 of 100), is hereby amended as**  
4 **follows:**  
5

<b>Reason for amendments:</b> [Parks & Recreation] Update the Person Per Household (PPH) rate to reflect the 2010 Census PPH rate of 2.39 as provided by the United States Census Bureau.
---

6 **CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS**

7 **Section 2 Types of Parks**

8 **B. Community and Neighborhood Park Recreation Standards**

9 **2. Calculation of Required Recreation**

10 The required recreation area shall be the equivalent of two and one-half acres of developed  
11 land per 1,000 people population, based on ~~2.32~~ the 2010 Census average Person Per  
12 Household (PPH) rate of 2.39 people per unit. Development of recreational facilities shall be  
13 of a type suitable for general neighborhood or community park use. The dollar amount to be  
14 spent on recreational improvements per acre shall be no less than 75 percent of PBC's  
15 average cost per acre for developing community and neighborhood park type facilities as  
16 calculated by the Park and Recreation Department based on the current PBC cost per acre to  
17 develop Community or Neighborhood park facilities. The minimum dollar amount to be spent  
18 on recreation facilities shall be determined by the Parks and Recreation Department at the  
19 time of final site plan submission.

20 **a. WCRAO**

21 The required recreation area shall be the equivalent of one and one quarter acres of  
22 developed land per 1,000 people population, based on ~~2.32~~ 2.39 people per unit. **[Ord.**  
23 **2008-037]**  
24

25  
26 **Part 2. ULDC Art. 5.D.2.B.9, Other Credits [Related to Community and Neighborhood Park**  
27 **Recreation Standards] (page 50 of 100), is hereby amended as follows:**  
28

<b>Reason for amendments:</b>
-------------------------------

1. [Parks & Recreation] Modify the Recreation Standards to allow for underground easements within recreation parcels as long as the utility of the site is not adversely impacted. Recognize placing utility, drainage and lake maintenance easements within recreation parcels allows greater flexibility in site design enhancing a project's livability, while not adversely impacting the recreation parcel's utility.
--

2. Allow for an exception to the Recreation Standards for Congregate Living Facilities (CLF), to recognize the recreational needs of CLF residents can often be satisfied by recreational facilities that are more passive in nature and are often provided in part by indoor recreational areas. Allowing an exception to the minimum parcel size and minimum dimensions allows greater flexibility in design, and provides the opportunity for the creation of walking paths and outdoor seating area.
--

29 **CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS**

30 **Section 2 Types of Parks**

31 **B. Community and Neighborhood Park Recreation Standards**

32 **9. Other Credits**

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

35 **a. Minimum Parcel Size**

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

38 **b. Minimum Parcel Width**

39 Minimum parcel width shall average 75 feet with no dimension less than 50 feet. **[Ord.**  
40 **2006-004]**

41 **c. Minimum Parcel Depth**

42 Minimum parcel depth shall average 100 feet with no dimension less than 75 feet. **[Ord.**  
43 **2006-004]**

44 **d. Waiver of Minimum Parcel Dimensions**

45 The Parks and Recreation Department may reduce the minimum recreation parcel  
46 dimensions by not more than ten percent when considering location, abutting land uses,

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**Notes:**

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# EXHIBIT C

## PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

accessibility, recreation facilities to be offered and the parcels function in the overall recreation and open space network of the development. [Ord. 2006-004]

**e. Underground Easements**

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

**f. Exceptions**

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

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

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

**Reason for amendments:** [Parks & Recreation] Recognize the requirement to complete and open the recreational facilities by the time 40% of the building permits are pulled is a hardship for the builders of multifamily and congregate living facilities. Completing the recreational facilities as required by the ULDC often results in recreation areas complete and open several months prior to the first occupancy.

### CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

#### Section 2 Types of Parks

##### F. Phasing

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

**1. Single Phasing**

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

**2. Multiple Phasing**

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

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

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

**3. Multifamily and Congregate Living Facilities**

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

**Part 4. ULDC Art. 3.E.2.C.2, Land Use Mix (page 160 of 232), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Calibrate standard for Planned Development District Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, to allow for alternatives for complying with minimum recreation needs for Congregate Living Facilities (CLF).

### CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

#### Notes:

- Underlined indicates **new** text.
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# EXHIBIT C

## PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

1 **Section 2 Planned Unit Development (PUD)**

2 **C. Thresholds**

3 **2. Land Use Mix**

4 Table 3.E.2.C, PUD Land Use Mix, indicates the minimum and maximum percentage of each  
5 land use allowed in a PUD.  
6

**Table 3.E.2.C - PUD Land Use Mix**

	Res.	Civic (1)	Comm.	Rec. (2)	OS (32)	Preserve Area	Dev. Area
<b>MIN</b>	60%	2% (1)	-	.006 acre <u>per du</u>	40%	80/20 AGR – 80% 60//40 AGR – 60%	-
<b>MAX</b>	-	65%	1%	-	-	-	80/20 AGR –25% (43) 60/40 AGR – 40%
<b>[Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-001]</b>							
<b>Notes:</b>							
1. Minimum civic pod requirement may be waived, subject to the following: <b>[Ord. 2011-001]</b> Public civic may not be required where two percent of the gross acreage of a PDD is less than 1.5 acres in size, subject to FD&O approval; and, <b>[Ord. 2011-001]</b> If located in a CCRT area, shall be labeled as private civic unless waived by the BCC. <b>[Ord. 2011-001]</b>							
2. <u>Minimum recreation area required for a CLF may be reduced in accordance with Art. 5.D.2.B.9, Exceptions.</u>							
32. Calculation of open space may include recreation pods, civic pod and open space areas within residential. <b>[Ord. 2006-004]</b>							
43. See 80/20 option exception.							

7  
8  
9 **Part 5. ULDC Table 3.E.2.D, PUD Property Development Regulations (page 161 of 232), is**  
10 **hereby amended as follows:**  
11

<b>Reason for amendments:</b> [Zoning]
1. Calibrate property development regulations for Planned Development District (PDD*) Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, which may allow for alternative methods for providing recreational amenities for Congregate Living Facilities more appropriate to the clientele served (e.g. indoor alternatives, walking paths, etc.) in lieu of traditional recreational pods.
2. Recognize need for exemption from “frontage” required for Recreation pods located in PDDs for specific uses such as Multi-family Residential, CLFs, or other similar uses, which typically do not provide internal streets necessary to comply with the frontage requirement. Locations for recreation amenities for these types of uses have historically been appropriately located through the development review process, which further considers additional Parks and Recreation standards, among others, to ensure proper location and function.
* Note, Recreation Pod standards for Planned Unit Developments (PUD) typically apply to all other PDDs with residential uses, as well as some forms of development within Traditional Development Districts (TDD).

12 **Table 3.E.2.D - PUD Property Development Regulations**

POD	Lot Dimensions			Density		FAR (2)	Building Coverage	Setbacks			
	Size	Width and Frontage	Depth	Min.	Max.			Front	Side	Side Street	Rear
****											
<b>Recreation</b>											
Recreation Pod (3)	-	65	75	-	-	-	30 percent	25	15	25	15
****											
<b>Preservation (1)</b>											
<b>[Ord. 2005-002] [Ord. 2007-001] [Ord. 2008-037]</b>											
<b>Notes:</b>											
****											
3. <u>Recreation pods required for multi-family units, CLFs, or other similar uses may be exempt from the following:</u>											
a) <u>Minimum frontage requirement, where internal street frontages are not available in the area required for recreation amenities, upon demonstration that access is provided by frontage on internal access ways, the pedestrian network other as maybe approved by Parks and Recreation; and,</u>											
b) <u>Minimum PDRs may be reduced proportionate to or in accordance with Art. 5.D.2.B.9, Exceptions</u>											

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  - \*\*\*\* A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT C

## PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

1 Part 6. ULDC Art. 3.E.2.E, Recreation Pod (page 163 of 232), is hereby amended as follows:  
2

**Reason for amendments:** [Zoning] Calibrate standard for Planned Development District Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, to allow for alternatives for complying with minimum recreation needs for Congregate Living Facilities (CLF).

3 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

4 Section 2 Planned Unit Development (PUD)

5 E. Pods

6 3. Recreation Pod

7 Recreation areas shall be designated on the Master Plan as recreation pods, except where in  
8 conflict with Art. 5.D.2.B.9, Exceptions, and shall comply with Art. 5.B.1.A.9, Neighborhood  
9 Recreation Facility, and Art. 5.D, Parks and Recreation Standards, in addition to the  
10 requirements of this section. [Ord. 2011-001] [Ord. 2013-001]  
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**EXHIBIT D**  
**ARTICLE 14**  
**ENVIRONMENTAL STANDARDS**  
(Updated 2/10/16)

1  
2 **Part 1. ULDC Art. 14, Appendix 9 (page 51 of 52), is hereby amended as follows:**  
3

**Reason for amendments:** [ERM] The purpose of this amendment is to update the list on palm Beach County Natural areas by adding new natural areas and revised location data for existing natural areas.

**APPENDIX 9 NATURAL AREAS**

4  
5 The following are ultimate boundaries of natural areas acquired under the 1991 Sensitive Lands or 1999  
6 Conservation Lands bond issues as listed in Resolution 99-1073 as well as natural areas acquired by  
7 other governmental entities in PBC. Maps of each area are designated by Range, Township and **Chapter**  
8 **Section** with its associated 500 foot buffer and are on file at ERM for inspection.  
9

**Incorporated Palm Beach County**

<b>Boca Raton:</b>	Blazing Star Preserve (R42 T47 S25) <b>[Ord. 2006-036]</b>
	Cypress Knee Slough Preserve (R42 T47 S23-24)
	Florida Atlantic University Ecological Site (R42 T47 S12/13; R43 T47 S07/18)
	Gopher Tortoise Preserve (R43 T46 S32)
	Gumbo Limbo Environmental Complex & Red Reef Park Dune (R43 T47 16/21)
	<del>Pond Hawk Pondhawk</del> Natural Area (R42 T47 S12)
	Rosemary Ridge Preserve (R43 T46 S32)
	Serenoa Glade Preserve (R42 T47 S24)
	South Beach Park Dune (R43 T47 S21)
	Yamato Scrub Natural Area (R43 T46 S31; R43 T47 S06)
<b>Boynton Beach:</b>	Rosemary Scrub Natural Area (R43 T45 S09/16)
	Seacrest Scrub Natural Area (R43 T46 S04)
<b>Delray:</b>	Delray Oaks Natural Area (R43 T46 S30)
	Leon Weeks Preserve (R43 T46 S29)
<b>Highland Beach:</b>	Highland Beach Mangrove Preserve (R43 T46 S33)
<b>Hypoluxo:</b>	Hypoluxo Scrub Natural Area (R43 T45 S10)
<b>Juno:</b>	Juno Dunes Natural Area (R43 T41 S20/21/28/29)
<b>Jupiter:</b>	Delaware Scrub Natural Area (R42 T41 S02) <b>[Ord. 2006-036]</b>
	Jupiter Ridge Natural Area (R43 T41 S07/08/17/18)
	Limestone Creek Natural Area (R42 T41 S03)
	North Jupiter Flatwoods Natural Area (R42 T40 S32/33)
	Riverbend Park (R42 T40 S32/33; R42 T41 S05/06/07/08/17)
<b>Lake Park:</b>	Lake Park Scrub Natural Area (R43 T42 S20)
<del><b>Lantana:</b></del>	<del>Lantana Scrub Natural Area (R43 T44 S32)</del>
<b>North Palm Beach:</b>	John D. MacArthur Beach State Park (R43 T42 S10/15)
<b>Ocean Ridge:</b>	<del>N. Ocean Ridge Hammock Park Mangroves</del> (R43 T45 S22)
	Ocean Ridge Natural Area (R43 T45 S27) <b>[Ord. 2008-040]</b>
<b>Palm Beach:</b>	Palm Beach Island Sanctuaries (R43 T43 S34; R43 T44 S03/10/15)
<b>Palm Beach Gardens:</b>	Frenchman's Forest Natural Area (R43 T41 S32; <b>R43 T42 S05</b> )
	Hungryland Slough Natural Area (R41 T41 S <b>19/20/28/29/30/31/32/33</b> )
	Loxahatchee Slough Natural Area -includes Sandhill Crane (R41 T41 S23/24/25/26/27/ <b>28</b> /34/35/36; R41 T42 S01/02/11/12/13; R42 T41 S19/ <b>20/21</b> /28/29/30/31/32; R42 T42 S05/06/07/08/09/16/17)
	<del>Prosperity Oaks Natural Area (R43 T42 S05)</del>
<b>Royal Palm Beach:</b>	Royal Palm Beach Pines Natural Area (R41 T43 S15/16)
<b>West Palm Beach:</b>	Winding Waters Natural Area (R42 T42 S35; <b>R42 T43 S02</b> )
	Grassy Waters Preserve (R42 T42 07/08/16/17/18/19/20/21/28/29/30/31/ 32/33; R42 T43 03/04/05/06/07/08/09/10/15/16/17/18)
<b>[Ord.</b>	

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**EXHIBIT D**  
**ARTICLE 14**  
**ENVIRONMENTAL STANDARDS**  
(Updated 2/10/16)

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**Unincorporated Palm Beach County**

Acreage Pines Natural Area (R41 T42 S32)
Arthur R. Marshall Loxahatchee NWR (R39 T44 S12/13/23/24/25/26/27/34/35/36; R39 T45 S01/02/03/10-15/22-27/34-36/L1/L2/L3; R39 T46 S01-03/10-14/23-25; R40 T43 S32/L5; R40 T44 S04-09/15-36; R40 T45 S01-42; R40 T46 S01-36; R40 T47 S01-06/08-14; R41 T44 S30-32/40-42; R41 T45 S04-10/14-23/26-35; R41 T46 S02-11/14-23/26-35; R41 T47 S03-10/15-19)
C-18 Triangle Natural Area (R42 T41 S08)
Cypress Creek Natural Area (R41 T40 S <del>3435/36</del> ; <b>R42 T40 S31/32; R42 T41 S06</b> )
Daggerwing Nature Center Preserve (R41 T47 S11/14)
Donald Ross Road at the ICW (R43 T41 S29)
DuPuis Management Area (R38 T40 S31-36; R38 T41 S01-06/08-12/13-16/22-26/36; R39 T41 S19/30-31)
East Conservation Area (R41 T45 S14/ <del>23/24</del> ) <b>[Ord. 2006-036]</b>
High Ridge Scrub Natural Area (R43 T45 S09)
<b><u>Hungryland Slough Natural Area (R41 T41 S19/20/29/30/31/32)</u></b>
<b><u>Jackson Riverfront Pines (R42 T40 S25)</u></b>
<b><u>Jupiter Inlet (R43 T40 S31)</u></b>
<b><u>J.W. Corbett/ LoxRefuge Connector (R40 T43 S05/06/08)</u></b>
J.W. Corbett Wildlife Management Area (R39 T40 S31-36; R39 T41 S01-36; R39 T42 S01-06/08-16; R40 T40 S31-32, R40 T41 S05-08/18-36, R40 T42 S01-18/21-22; R41 T41 S31; R41 T42 S06-07/18)
<b><u>Lake Okeechobee Connector (R37 T40 S35/36)</u></b>
Loxahatchee Mitigation Bank (R41 T46 S14/23/25-26/35; R41 T47 S02)
<b><u>Loxahatchee River Natural Area (R42 T40 S31)</u></b>
Sweetbay Natural Area (R41 T41 S34; R41 T42 S01/02/03) <b>[Ord. 2006-036]</b>
Okeehelée Nature Center Preserve (R42 T44 S04-05)
Pine Glades Natural Area (R40 T40 <del>S31/32</del> 33/35/36; R40 T41 S01/02/03/04/10/11/12/13; <del>R41 T40 S31/32</del> ; R41 T41 S01/05/06/07/08/09) <b>[Ord. 2006-036]</b>
Paw-Paw Preserve Natural Area (R43 T42 S04)
Pine Jog Environmental Education Center (R42 T44 S03)
Pond Cypress Natural Area (R41 T43 S01/12/13/24)
Riverbend Park (Reese Property) - See Riverbend Park under Jupiter Municipality
Royal Palm Beach Pines Natural Area (R41 T43 S <del>15/16</del> )
Strazzulla Tract (R41 T44 S34/39-40; R41 T45 S03-04/10/11/14-15)
<b>[Ord.</b>

**Part 2. ULDC Art. 14, Appendix 10 (page 52 of 52), is hereby amended as follows:**

**Reason for amendments:** [ERM] The purpose of this amendment is to correct several minor spelling errors.

**APPENDIX 10**  
**Prohibited Vegetation Removal Schedule**

Common Name	Scientific Name	Year
climbing fern (non-native)	<i>Lygodium ssp.</i>	2004
Air Potato vine	<i>Dioscorea bulbifera</i>	
Melaleuca, Punk Tree	<i>Melaleuca quinquenervia</i>	2006
Brazilian pepper	<i>Schinus terebinthifolius</i>	2008
Carrotwood	<i>Cupaniopsis anacardioides</i>	
Earleaf acacia	<i>Acacia auriculiformis</i>	2010
Schefflera	<i>Schefflera actinophylla</i>	
Australian pine	<i>Casuarina spp.</i>	2012
Kudzu	<i>Pueraria montana var. lobata</i>	

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**EXHIBIT E**  
**HEALTH REGULATIONS**  
**SUMMARY OF AMENDMENTS**  
**(Updated 1/20/16)**

1  
2 **Part 1. ULDC Art. 15.B.8.A.9.c, [Related to Construction and Design Requirements] (page 12 of**  
3 **24), is hereby deleted as follows:**  
4

<b>Reason for amendments:</b> [Health] To make the ULDC more consistent with other agency regulations related to water wells.
---

5  
6 **ARTICLE 15, HEALTH REGULATIONS**

7 **CHAPTER B (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS**  
8 This Article shall be designated as "PBC Environmental Control Rule II Drinking Water Supply Systems."

9 **Section 8 Construction and Design Requirements**

10 **A. Design Criteria**

11 Approval for construction, extension, expansion or use of any community, non-transient non-  
12 community, transient non-community and limited use water supply system shall be based on the  
13 criteria below, in addition to the design criteria specified in Chapters 62-532, 62-555, 64E-8,  
14 F.A.C., and the standards considered as modern engineering practices. Criteria in the references  
15 listed below are incorporated into this Code. If any differences in design criteria exist, the more  
16 stringent standard shall be used. **[Ord. 2011-002]**

- 17 1. Lead pipes, solder and flux are prohibited for use in the installation or repair of any drinking  
18 water system. This does not apply to leaded joints necessary for the repair of cast iron pipes.  
19 Solders and fluxes must contain not more than 0.2 percent lead and fittings not more than 8.0  
20 percent lead.
- 21 2. A minimum of two drinking water supply wells and pumps shall be provided for each  
22 community water system that will serve 350 or more persons or 150 or more service  
23 connections upon completion of construction. **[Ord. 2005 – 003]**
- 24 3. All water wells shall be constructed by a water well contractor licensed by the SFWMD in  
25 accordance with Chapter 62-531, F.A.C., as applicable.
- 26 4. All water wells shall be constructed in accordance with Chapters 40E-3, 62-532, 62-555 and  
27 64E-8 F.A.C., as applicable.
- 28 5. For private and multi-family water wells and irrigation wells the casing shall be surrounded at  
29 grade level by a two-inch thick concrete pad extending at least six inches in all directions and  
30 the upper terminus of the well casing shall project at least 12 inches above finished grade.  
31 **[Ord. 2005 – 003]**
- 32 6. Whenever the pump is not set at the vertical casing, the line between the vertical casing and  
33 pump shall be considered an extension of the casing and protected from sanitary hazards in  
34 a similar manner as the casing.
- 35 7. For community, non-community and non-transient non-community water systems having  
36 OSTDS wells shall be located as specified in Chapter 62- 555, F.A.C.
- 37 8. Limited use wells shall be placed a minimum distance of 100 feet from any OSTDS.
- 38 9. Private and multi-family water wells shall be placed a minimum distance of 75 feet from any  
39 OSTDS or brine disposal area.
  - 40 a. 75 feet from any OSTDS or brine disposal area. **[Ord. 2005 – 003]**
  - 41 b. 50 feet from any non-potable water well, pond, canal or other body of water. **[Ord. 2005**  
42 **– 003]**
  - 43 ~~c. 25 feet from poisoned soils, including but not limited to building foundations. This~~  
44 ~~distance may be reduced to 15 feet for wells having the uppermost 20 feet of casing~~  
45 ~~grouted with a minimum 2 inch thickness of cement grout. **[Ord. 2005 – 003]**~~

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# EXHIBIT F

## STATE ROAD 7 ECONOMIC DEVELOPMENT OVERLAY SUMMARY OF AMENDMENTS

(Updated 3-11-16)

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Part 1. ULDC Art. 3.B.18, SR-7 Economic Development Overlay (pages 115 – 118 of 232), is hereby deleted.

**Reason for amendments:** [Zoning] Affected area annexed by the Village of Royal Palm Beach. Overlay established by Objective 1.10 of the Comprehensive Plan, which will also be amended at a later date.

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