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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: TO AMEND **ARTICLE 1** – GENERAL PROVISIONS; CHAPTER E – PRIOR APPROVALS; CHAPTER G – EMINENT DOMAIN; CHAPTER I – DEFINITIONS AND ACRONYMS; **ARTICLE 2** – DEVELOPMENT REVIEW PROCEDURES; CHAPTER A – GENERAL; CHAPTER B – PUBLIC HEARING PROCEDURES; CHAPTER D – ADMINISTRATIVE PROCESSES; **ARTICLE 3** – OVERLAYS AND ZONING DISTRICTS; CHAPTER B – OVERLAYS; CHAPTER C – STANDARD DISTRICTS; CHAPTER D – PROPERTY DEVELOPMENT REGULATIONS (PDRS); CHAPTER E – PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F – TRADITIONAL DEVELOPMENT DISTRICTS (TDDS); **ARTICLE 4** - USE REGULATIONS; CHAPTER A – USE CLASSIFICATION; CHAPTER B – SUPPLEMENTARY USE STANDARDS; CHAPTER D – EXCAVATION; **ARTICLE 5** - SUPPLEMENTARY STANDARDS; CHAPTER B – ACCESSORY AND TEMPORARY USES; CHAPTER C – DESIGN STANDARDS; CHAPTER E – PERFORMANCE STANDARDS; CHAPTER G – DENSITY BONUS PROGRAMS; **ARTICLE 6** - PARKING; CHAPTER A – PARKING; CHAPTER B – LOADING STANDARDS; **ARTICLE 7** - LANDSCAPING; CHAPTER H – ENFORCEMENT; **ARTICLE 8** - SIGNAGE; CHAPTER E – PROCEDURES FOR SIGNAGE; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

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

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

WHEREAS, the BCC desires to further amend the ULDC, based upon public participation and advice from the Palm Beach County Land Development Regulation Advisory Board; and

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

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

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

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

4

5 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
6 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:**

7

8 **Section 1. Adoption**

9 The amendments set forth in Exhibits A, B, C, D E, F, G, H, I, and J attached
10 hereto and made a part hereof, are hereby adopted.

11 **Section 2. Interpretation of Captions**

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

15 **Section 3. Providing for Repeal of Laws in Conflict**

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

18 **Section 4. Providing for a Savings Clause**

19 All development orders, permits, enforcement orders, ongoing enforcement
20 actions, and all other actions of the Board of County Commissioners, the Zoning
21 Commission, the Development Review Committee, Enforcement Boards, all
22 other County decision-making and advisory boards, Special Masters, Hearing
23 Officers, and all other County officials, issued pursuant to the regulations and
24 procedures established prior to the effective date of this Ordinance shall remain
25 in full force and effect.

26 **Section 5. Severability**

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

31

1 **Section 6. Inclusion in the Unified Land Development Code**

2 The provisions of this Ordinance shall be codified in the Unified Land
3 Development Code and may be reorganized, renumbered or relettered to
4 effectuate the codification of this Ordinance.


5 **Section 7. Providing for an Effective Date**

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

8 **APPROVED and ADOPTED** by the Board of County Commissioners of
9 Palm Beach County, Florida, on this 25th day of August,
10 2005.

SHARON R. BOCK, CLERK &
COMPTROLLER

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

By: *Vinnette B. Bock*
Deputy Clerk


By: *Tony Masilotti*
Tony Masilotti, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: *Sharon Bock*
County Attorney

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EFFECTIVE DATE: Filed with the Department of State on the 1st day
of September, 2005.

EXHIBIT A

ARTICLE 1 - GENERAL PROVISIONS

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Part 1. Unified Land Development Code of Palm Beach County (ULDC), Art. 1.G.1.B.8, Density and Intensity (page 24 of 25), is hereby amended as follows:

CHAPTER G EMINENT DOMAIN

Section Properties Affected by Eminent Domain Proceedings

B. Development Standards

8. Density and Intensity

Property conveyed without compensation may be utilized in calculating allowed density or intensity, consistent with subject to the applicable density/intensity restriction provisions in the Plan.

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EXHIBIT B

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES

1
2 Part 1. ULDC, Art. 2.A.1.G.1, General (page 10 of 51), is hereby amended as follows:

3
4 CHAPTER A GENERAL

5 Section 1 Applicability

6 G. Application Procedures

7 1. General

8 An application shall be submitted for all development orders regulated by this Code.
9 Applications require sufficiency review prior to being placed on the agenda for a public
10 hearing or meeting, or proceeding to the subsequent step in the development review process,
11 unless otherwise specified in this Code. ~~An application shall be submitted for all development
12 orders regulated by this Code. Applications require sufficiency review prior to being placed on
13 the agenda for a public hearing or meeting, or proceeding to the subsequent step in the
14 development review process, unless otherwise specified in this Code.~~

15
16
17 Part 2. ULDC, Art. 2.A.1.G.2, Application Form (page 10 of 51), is hereby amended as follows:

18
19 CHAPTER A GENERAL

20 Section 1 Applicability

21 G. Application Procedures

22 2. Application Form Requirements

23 The application form and requirements for a development order shall be ~~in a form~~ submitted
24 as specified by the PBC official responsible for reviewing the application.

25
26
27 Part 3. ULDC, Art. 2.A.1.G.3.b, Insufficiency (page 10 of 51), is hereby amended as follows:

28
29 CHAPTER A GENERAL

30 Section 1 Applicability

31 G. Application Procedures

32 3. Sufficiency Review

33 The appropriate PBC official responsible for reviewing the application shall determine
34 whether or not the ~~if an~~ application is complete sufficient or insufficient within ten days of
35 submittal by reviewing the information required in the application and any additional data
36 necessary to evaluate the application.

37 a. Sufficiency

38 If the application is determined to be sufficient, ~~within ten days of submittal~~ it shall be
39 reviewed by the appropriate PBC official pursuant to the procedures and standards of this
40 Article. The application shall then be placed on the next available agenda consistent with
41 the established dates published in the a Annual Zoning e Calendar, or proceed to the next
42 subsequent step in the development review process. The agenda shall be made available
43 to the public no less than five days prior to the applicable hearing or review date.

44 b. Insufficiency

45 If an application is determined to be insufficient, staff shall provide a written notice to the
46 applicant specifying the deficiencies. The notice shall be mailed within ten days of
47 receipt of the application.

- 48 1) No further action shall be taken on the application until the deficiencies are remedied.
49 2) If amended and determined to be sufficient, the application shall be processed in
50 accordance with Art. 2.A.1.G.3.a, Sufficiency.
51 3) If the deficiencies are not remedied within 20 days the application shall be
52 considered withdrawn.

53
54
55 Part 4. ULDC, Art. 2.A.1.I.3.a, Resubmittal Requirements (page 11 of 51), is hereby amended
56 as follows:

57
58 CHAPTER A GENERAL

59 Section I Review and Certification

Notes:

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EXHIBIT B

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES

3. Non-certification

a. Resubmittal Requirements

The applicant shall provide a written response addressing all outstanding certification issues in a manner and form acceptable to the Zoning Division. The revised documents shall be submitted to all DRO agencies for review and comment a minimum of 15 working calendar days prior to the next scheduled DRO review date.

Part 5. ULDC, Art. 2.A.1.L.5.a, BCC, ZC, BA (page 14 of 51), is hereby amended as follows:

CHAPTER A GENERAL

Section 1 Applicability

L. Actions by Decision Making Bodies or Persons

5. Continuance or Postponement

a. BCC, ZC, BA

The body conducting the public hearing may, on its own motion or at the request of an applicant, continue the public hearing to a fixed date, time and place. An applicant shall be granted one postponement to the next regularly scheduled hearing if requested in writing five working days prior to the hearing. The body conducting the hearing shall determine if an application shall be postponed when an applicant fails to submit a request for postponement five days prior to the hearing. All subsequent request for continuance or postponement shall be granted at the discretion of the decision making body.

Part 6. ULDC, Art. 2.B.1, Official Zoning Map Amendment (Rezoning) (page 18 of 51), is hereby amended as follows:

CHAPTER B PUBLIC HEARING PROCEDURES

Section 1 Official Zoning Map Amendment (Rezoning)

D. Development Order Amendment to a PDD, TDD or COZ

A development order for a PDD, TDD or COZ may be amended, extended, varied or altered either pursuant to the conditions established with its original approval, or as otherwise set forth in this Code. Prior to any PDD, TDD or COZ being amended, extended, varied or altered, the applicant shall demonstrate and the ZC/BCC must find that a change of circumstances or conditions has occurred which make it necessary or reasonable to amend, extend, vary or alter the PDD, TDD or COZ.

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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS

1 Part 1. ULDC, Art. 3.B.15.E.2, Commercial Districts (page 29 of 125), is hereby amended as
2 follows:

3
4 CHAPTER B OVERLAYS

5 Section 15 WCRAO, Westgate Community Redevelopment Agency

6 E. Official Zoning Map Amendments

7 1. Industrial Districts

8 2. Commercial Districts

9 Any request to rezone parcels in the WCRAO that were not designated commercial on the
10 FLUA as of the Plan's August 31, 1989 adoption to a commercial district or PDD shall not
11 require an amendment to the FLUA of the Plan, provided the following criteria are met:

12
13
14 Part 2. ULDC, Art. 3.D.1.A, PDRs (page 40 of 125), is hereby amended as follows:

15
16 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

17 Section 1 PDRs for Standard Zoning Districts

18 A. PDRs

19 The minimum lot dimensions, minimum and maximum density, maximum FAR, maximum building
20 coverage, and minimum setbacks in each standard zoning district are indicated in Table 3.D.1.A-
21 5, Property Development Regulations unless otherwise stated. Front, side, side street and rear
22 setbacks shall be applied in accordance with the lot orientation as defined by lot frontage.

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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS

1 **Part 3. ULDC, Table 3.D.1.A.5, Property Development Regulations (page 41 of 125), is hereby**
 2 **amended as follows:**
 3

Table 3.D.1.A-5 - Property Development Regulations

Zoning District	Lot Dimensions			Min. Lot Area		Min. Lot Area (sq. ft.)	Min. Lot Area (acres)	Setbacks (ft.)			
	Size	Width and Frontage	Depth	Min.	Max.			Front	Side	Rear	Yard
Agriculture/Conservation											
PC	1 ac.	-	-	-	-	-	-	50	50	50	50
AP	10 ac.	300	300	-	-1 (1)	-10	10%	100	50	80	100
AGR	5 ac.	300	300	-	-2	-15	15%	100	50	80	100
Residential											
AR	(2) (3)(4)	300	300	-	-(5)	.15	15%	100	50	80	100
RE	2.5 ac.	200	200	-	-0.4	-	20%	50	40	50	50
RT (LR-1)	20,000	100	125	-	-2.0	-	30%	25	15	25	25
RT (LR-2/LR-3)	14,000										
RS	6,000	65	75	-	-5.0	-	40%	25	7.5	15	15
RM	(6)	65	75	5.0	-	-	40%	25	15	25	15(11)
Commercial											
CN	0.5 ac.	100	100	-	-	-.25	25%	30	30	(9)	30
CC	1 ac.	100	200	-	-	-.35	25%	30	30	(9)	30
CG	1 ac.	100	200	-	-	-.35	25%	50	15	(9)	20
CLO	1 ac.	100	200	-	-	-.25	25%	30	15	(9)	20
CHO	1 ac.	100	200	-	-	-.35	25%	40	15	(9)	20
CRE	3 ac.	200	300	-	-	-.60	40%	80	50	80	50
Industrial											
IL	1 ac.	100	200	-	-	-.45	45%	40	15	25	20
IG	2 ac.	200	200	-	-	-.45	45%	45	20	45	20
Institutional/Civic											
IPF	1 ac.	100	200	-	-	-.35	25%	50	15	25	20
PO	-	-	-	-	-	-	-	-	-	-	-

[Ord. 2005 – 002]

Notes for Table 3.D.1.A-5:

1. The only density allowed in the AP zoning district is for properties in the LR-1 FLU category located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point, in the Glades Tier only. [Ord. 2005 – 002]
2. The minimum lot size in the AR district corresponds to the FLU category as follows: RR20 – 20 acres; RR10 – 10 acres; RR5 – 5 Acres; RR2.5 – 2.5 acres; U/S Tier – 5 acres.
3. Nonconforming lots in the AR district may use the setback provisions in Art.1.F.4, Nonconforming Lots.
4. AR lots in the RR-2.5-FLU designation may use the RE PDR's. [Ord. 2005 – 002]
5. The maximum density in the AR district corresponds to the FLU category as follows: RR20 – 1 unit/20 acres; RR10 – 1 unit/10 acres; RR5 – 1 unit/5 acres; RR2.5 – 1 unit/2.5 acres; U/S Tier – 1 unit/5 acres. [Ord. 2005 – 002]
6. Density is determined by the FLU designation on each parcel of land in the Plan. The number of units permitted on a parcel of land which complies with the applicable property development regulations and design standards, therefore, is an acceptable minimum lot size. [Ord. 2005 – 002]
7. The minimum and maximum allowable densities shall be in accordance with Table 2.1-1 of the Plan, and other related provisions, unless otherwise noted. The minimum allowable density may be less if a project is granted a minimum density exception pursuant to the Plan. [Ord. 2005 – 002]
8. The maximum FAR shall be in accordance with Table 2.1-2 of the Plan, and other related provisions, unless otherwise noted. The .15 FAR for the AR district is applicable where the primary use of a lot is residential. The maximum allowable density may be greater if the project is granted the right to develop above the standard density pursuant to the applicable provisions in the Plan or this Code, such as WHP, TDR, or a provision in an Overlay. [Ord. 2005 – 002]
9. Setback equal to width of R-O-W buffer pursuant to Art. 7, Landscaping. [Ord. 2005 – 002]
10. Buildings over 35 feet in height may be permitted in accordance with Article 3.D.1.E, Multifamily, Non-residential Districts and PDD's. [Ord. 2005 – 002]
11. Property previously developed with a RM or RH rear setback of 12' shall be considered conforming and subject to Art. 1.E, Prior Approvals. [Ord. 2005 – 002]

4
 5
 6 **Part 4. ULDC, Art. 3.D.1.B, General Exceptions (page 41 of 125), is hereby amended as**
 7 **follows:**
 8

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 1 PDRs for Standard Zoning Districts

B. General Exceptions

4. PO District

Development in the PO district shall be exempt from Art. 3.D.1, PDRs for Standard Zoning Districts. However, the PO district shall be subject to the FAR requirements of the Plan.

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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS

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Part 5. ULDC, Art. 3.D.1.D.5.a, Structures Projections and Improvements Permitted in Setbacks (page 45 of 125), is hereby amended as follows:

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 1 PDRs for Standard Zoning Districts

D. Setbacks

5. Setback Exceptions

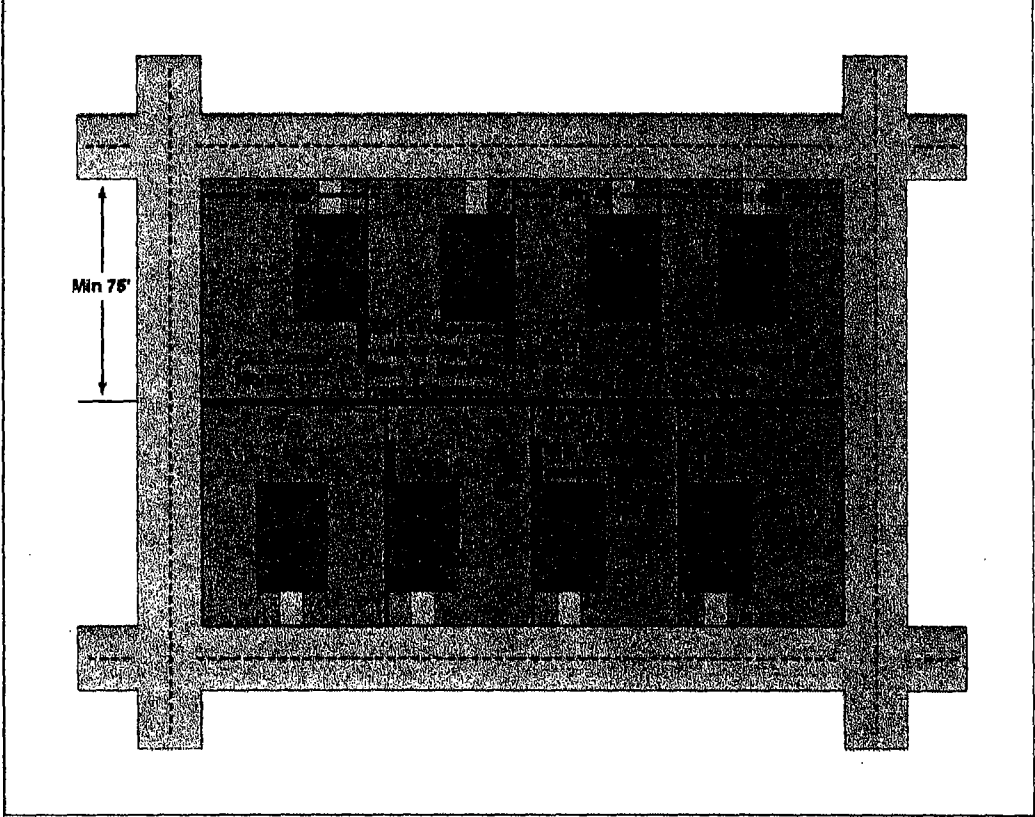
The following structures, projections, and improvements shall be allowed within required setbacks:

a. Structures, Projections and Improvements Permitted in Setbacks

- 1) Arbors and trellises less than ten feet in height, subject to a minimum three foot setback;
- 2) Balconies projecting a maximum of three feet into the front setback of a SFD or ZLL home, subject to the following limitations:
 - a) Limited to the front setback only, not including reduced setbacks allowed for side loading garages;
 - b) Total combined width of balconies projecting into front setback shall not exceed 25 percent of the total width of the front façade;
 - c) ZLL homes with balconies projecting into the front setback shall have a minimum ten foot side setback from the ZLL; and,
 - d) Excluding side loading garages.

Part 6. ULDC, Art. 3.D.2.B, Zero Lot Line (ZLL) (page 47 of 125), is hereby amended as follows:

Figure 3.D.2.B-3, Typical Example of ZLL and Side Street Home



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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS

1 **Part 7. ULDC, Table 3.D.2.B-7, ZLL Property Development Regulations (page 47 of 125), is**
 2 **hereby amended as follows:**
 3

Table 3.D.2.B-7 - ZLL Property Development Regulations

Size	Width and Frontage	Depth	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Front Setback
4500 sf	45 – interior 50 – corner 55 – floater side street home	75	35	50%	10 – unit 25 – front loading garage 10 – side loading garage	0	10	10	10

4
 5
 6 **Part 8. ULDC, Art. 3.D.2.C.8, Permitted Openings and Attachments (page 50 of 125), is hereby**
 7 **amended as follows:**
 8

9 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS**

10 **Section 2 PDRs for Specific Housing Types**

11 **C. ZLL Design Standards**

12 **8. Permitted Openings and Attachments**

13 **e. Privacy Walls or Fences**

14 **1) ZLL Home Wall**

15 A minimum five foot high opaque wall or fence shall be provided along the ZLL of a
 16 ZLL home, beginning at the end of the home with a zero setback and extending a
 17 minimum distance of ten feet beyond the rear of the home toward the rear property
 18 line.

19 **a) Exception**

20 A wall or fence shall not be required if the ZLL side is adjacent to dedicated open
 21 space a minimum of 50 feet in width.
 22
 23

24 **Part 9. ULDC, Art. 3.D.2.C.8.f, Side Street Home (page 50 of 125), is hereby amended as**
 25 **follows:**
 26

27 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS**

28 **Section 2 PDRs for Specific Housing Types**

29 **C. ZLL Design Standards**

30 **8. Permitted Openings and Attachments**

31 **f. Side Street Home**

32 A side street home (aka floater) may be located on a lot having a street, a minimum of 50 feet
 33 of open space, or combination along two sides. A side street home shall comply with the
 34 minimum setback requirements in Table 3.D.2.A-7, ZLL Property Development Regulations.
 35 A side street home shall be exempt from the design standards in Art. 3.D.2.C, ZLL Design
 36 Standards, unless expressly stated therein.
 37
 38

39 **Part 10. ULDC, Art. 3.E.1.B.3, Uses Allowed (page 53 of 125), is hereby amended as follows:**
 40

41 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)**

42 **Section 1 General**

43 **B. Future Land Uses and Density**

44 **3. Uses Allowed**

45 Uses allowed in a PDD shall be pursuant to Table 3.E.1.B-10, PDD Use Matrix. Previously
 46 approved planned developments shall be governed by the underlying FLU designation in the
 47 Plan or pod designation on the most recent approved master plan for purpose of determining
 48 the uses allowed and applicability of this Code. Previously approved additional requested
 49 uses shall be considered conforming uses, and any expansion, relocation or increase in
 50 intensity shall be subject to BCC approval.
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Notes:

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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS

Part 11. ULDC, Art. 3.E.2.C.1, Thresholds (page 69 of 125), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2 Planned Unit Development (PUD)

C. Thresholds

1. Thresholds

A PUD shall meet the minimum acreage indicated in Table 3.E.2.C-14, PUD Minimum Acres. Any residential project equal to or greater than either 50 acres or 250 units shall be approved as a PUD unless submitted as a MHPD or TDD.

Table 3.E.2.C-14 – PUD Minimum Acres

	AGE	RF	RF	RF	RF	RF	RF	RF	RF
MIN	40 (80/20)	100	12	12	12	12	10	10	10
	250 (60/40)								

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EXHIBIT D

ARTICLE 4 – USE REGULATIONS

1
2 Part 1. ULDC, Table 4.A.3.A-1, Use Matrix (page of 13 of 149), is hereby amended as follows:
3

Table 4.A.3.A-1 – Use Matrix

Use Type	Approach/Consideration																122		
	Agriculture			Residential				Commercial					Industrial					A	
	P	A	A	AR		R	R	R	R	C	C	C	C	C	C	I			I
C	G	P	R	U	E	T	S	M	N	L	C	H	G	R	L	G	O		P
				S	S							O	O	E				F	
				A	A														
Single Family		P		P	P	P	P	P	P									A	122
Zero Lot Line Home								D	D									A	142
Townhouse								D	D									A	132
Multi-Family									P									A	87
Mobile Home Dwelling		S	S	S															85
Accessory Dwelling		S	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>										1
Congregate Living Facility, Type 1				P	P	P	P	P	P									P	34
Congregate Living facility, Type 2				A	A			A	B	B		B						B	34
Congregate Living Facility, Type 3								A	A	A		A		A				A	34
Estate Kitchen		P	P	P	P	P	P	P	P										48
Farm Residence		P	P																50
Farm Workers Quarters		S	S																51
Garage Sale		P		P	P	P	P	P	P										60
Guest Cottage		P		P	P	P	P	P	P										66
Home Occupation		P	P	P	P	P	P	P	P										70
Nursing Convalescent Facility								A	A	A		A		A				B	90
Security or Caretaker Quarters		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	119

(Ord. 2005-002)
Key:

P	Permitted by right
D	Permitted subject to approval by the DRO
S	Permitted in the district only if approved by Special Permit
B	Permitted in the district only if approved by the Zoning Commission (ZC)
A	Permitted in the district only if approved by the Board of County Commissioners (BCC)

4
5
6 Part 2. ULDC, Art. 4.B.1.A.1, Accessory Dwelling (page 20 of 149), is hereby amended as follows:
7
8

9 CHAPTER B Supplementary Use Standards

10 Section 1 Uses

11 A. Definitions and Supplementary Standards for Specific Uses

12 1. Accessory Dwelling

13 An accessory dwelling unit located on the same lot as a principal single family dwelling. An
14 accessory dwelling is a complete, independent living facility equipped with a kitchen and
15 provisions for sanitation and sleeping.

16 a. Number of Units

17 A maximum of one accessory dwelling may be permitted as an accessory use to a
18 principal single family dwelling unit which is owner occupied. The accessory dwelling may
19 be attached to the principal dwelling or freestanding.

20 b. Maximum Floor Area

21 1) On less than one acre: 800 square feet.

Notes:

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EXHIBIT D

ARTICLE 4 – USE REGULATIONS

- 1 2) On one acre or more: 1000 square feet.
- 2 3) The floor area calculation shall include only the living area of the accessory dwelling
- 3 under a solid roof.
- 4 c. **Additional Floor Area**
- 5 Floor area under a solid roof that is utilized as a porch, patio, porte cohere, carport, or
- 6 garage shall not exceed 500 square feet.
- 7 d. **Maximum Number of Bedrooms/Baths**
- 8 One bedroom and one bathroom.
- 9 e. **Compatibility**
- 10 The accessory dwelling shall be architecturally compatible in character and materials with
- 11 the principal dwelling.
- 12 f. **Property Development Regulations (PDRs)**
- 13 The accessory dwelling shall comply with the PDRs applicable to the principal dwelling.
- 14 g. **No Separate Ownership**
- 15 The accessory dwelling shall remain accessory to and under the same ownership as the
- 16 principal dwelling and shall not be subdivided or sold as a condominium.
- 17 h. **Kitchen Removal**
- 18 An agreement to remove all kitchen equipment shall be executed for the dwelling unit
- 19 prior to the issuance of a Special Building Permit. The agreement shall require the
- 20 kitchen to be removed if the principal dwelling is no longer owner occupied.
- 21 i. **No Separate Electrical Service**
- 22 Both the principal single family dwelling and the accessory dwelling shall be connected to
- 23 the same meter. Separate electric service shall be prohibited.

26 **Part 3. ULDC, Art. 4.B.1.A.29, Church or Place of Worship (page 37 of 149), is hereby amended**
27 **as follows:**

29 **CHAPTER B Supplementary Use Standards**

30 **Section 1 Uses**

31 **A. Definitions and Supplementary Standards for Specific Uses**

32 **29. Church or Place of Worship**

33 Means a A premise or site including a retreat, convent, seminary or other similar facility,
34 owned, or operated, or leased by a tax-exempt religious group which that is used periodically,
35 primarily or exclusively for religious worship, activities and related services. A church or
36 place of worship may include collocated facilities. Collocated facilities that which require
37 additional approval, except as provided below by F.S., include a day care, school, cemetery,
38 or CLF, or other bed based use such as a convent, seminary, dormitory, or retreat.
39

42 **Part 4. ULDC, Art. 4.B.1.A.83, Medical or Dental Office (page 56 of 149), is hereby amended as**
43 **follows:**

45 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

46 **Section 1 Uses**

47 **A. Definitions and Supplementary Standards for Specific Uses**

48 **83. Medical or Dental Office**

49 An establishment where patients, who are not lodged overnight, are admitted for examination
50 or treatment by persons practicing any form of healing or health-building services whether
51 such persons be medical doctors, chiropractors, osteopaths, chiropractists, naturopaths,
52 optometrists, dentists, or any such profession, the practice of which is lawful in the State of
53 Florida.

54 **a. CN District**

55 May exceed 3,000 square feet of GFA if approved as a Class A conditional use.

56 **b. AP and AGR Districts**

57 Must ~~Shall~~ be limited to public health or government owned clinics serving the rural or
58 agricultural community.

59 **c. Ambulatory Surgical Center**

60 Ambulatory surgical centers licensed by the Florida Agency for Health Care
61 Administration (AHCA), under the authority of F.S. Chapter 395, Part 1, and FAC Chapter
62 59A-5, limited to the provision of elective same day surgical care, where patients are
63 ambulatory.

64 **1) Floor Area**

Notes:

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EXHIBIT D

ARTICLE 4 – USE REGULATIONS

- a) An ambulatory surgical center up to 10,000 square feet of GFA may be permitted subject to the approval process for a medical or dental office.
- b) An ambulatory surgical center greater than 10,000 square feet of GFA is only permitted in developments with a CH FLU designation, subject to BCC approval as a Class A or Requested Use.

2) **Elective Surgical Care**

Ambulatory surgical centers must not be designed to accept patients requiring emergency care, including the provision of ambulance drop off areas; however, ambulatory surgical centers may be permitted to incorporate ambulance loading zones and related emergency facilities necessary to address any complications that may arise during normal procedures, as required by AHCA or Florida Statute.

Part 5. **ULDC, Table 4.B.1.A-6, Residential Districts in the U/S Tier (page 59 of 149), is hereby amended as follows:**

Table 4.B.1.A-6 - Residential Districts in the U/S USA Tier

Residential Districts in the U/S USA Tier	
Special Permit	Five acres or less.
DRO	More than five but less than 20 acres.
Class B conditional use or Requested Use	20 or more acres.

Part 6. **ULDC, Art. 4.B.1.A.b.1)a)(4) (page of 63 of 149), is hereby amended as follows:**

CHAPTER B Supplementary Use Standards

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

101. Produce Stand

b. Temporary Stands

1) Use Limitations

A temporary stand used for the retail sale of agricultural products not necessarily grown on the site. A temporary produce stand shall consist exclusively of fresh unprocessed fruit, vegetables, flowers, and containerized interior houseplants.

a) Location Criteria

The stand and accessory area shall be located:

- (1) on an arterial street designated on the PBC Thoroughfare Plan;
- (2) a minimum of 100 feet from an intersection of an arterial and any other dedicated R-O-W;
- (3) at least 600 feet from any other agricultural stand permitted in accordance with these provisions; if located in a zoning district other than a commercial district;
- (4) at least 500 feet from adjacent residential uses ~~the property line of an existing primary residential structure, and~~
- (5) located on a legal lot of record no less than one acre in size.

Part 7. **ULDC, Art. 4.D.5.F.3.a (page 132 of 149), is hereby amended as follows:**

CHAPTER D EXCAVATION

Section 5 Excavation Standards

F. Type III Excavations

3. Location

A Type III excavation may be permitted in accordance with Table 4.A.3.A-1, Use Matrix. Mining may be permitted with limitations in the districts identified below.

a. AP District in the AP FLU Designation

~~The use of material mined in the AP zoning district~~ Mining shall be limited to the support of public road construction projects, agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the SFWMD or the U.S. Army Corps of Engineers where such uses provide viable alternative technologies for water management. ~~only and~~ Mining shall demonstrate compliance with standards ~~the~~ in Art. 4.D.5.F.7, Compatibility Standards.

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS

Part 1. ULDC, Art. 5.B.1.A.2.e.1), [Related to Residential Districts] (page 12 of 63), is hereby amended as follows:

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 General

A. Purpose and Intent

2. Fences, Walls and Hedges

e. Residential Districts

The maximum height for a fence or wall on or adjacent to a lot line or in a landscape buffer shall be as follows:

1) Within required front setback:

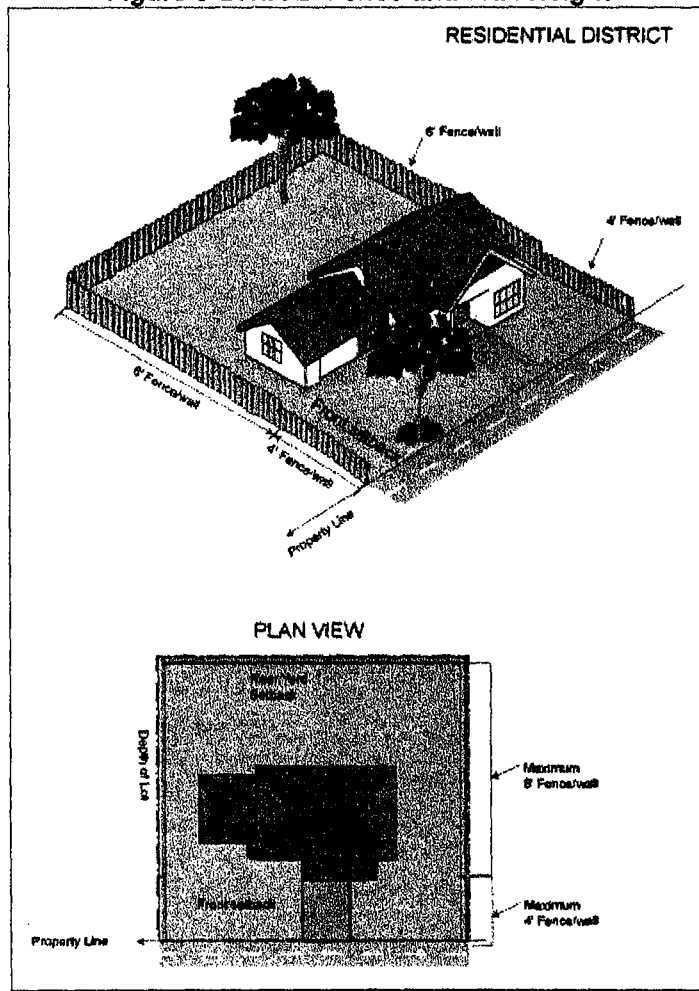
a) four feet, or

b) six feet for property owned by Palm Beach County for preservation or conservation purposes.

2) Within required side, side street, and rear setback: six feet.

Part 2. Repealing ULDC, Figure 5-B.1.A-2, Fence and Wall Height (page 12 of 63), and adopting in its place a new Figure 5-B.1.A-2, Fence and Wall Height:

Figure 5-B.1.A-2- Fence and Wall Height



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Notes:

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS

Part 3. ULDC, Art. 5.B.1.A.16.c.6), Limitation (page 25 of 63), is hereby amended as follows:

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

16. Neighborhood Commercial Development (NCD)

c. Criteria

6) Limitation

Uses shall be limited to the regulations of the CN district, excluding real estate sales offices.

Part 4. ULDC, Art. 5.E.3.A.5, Exemptions [Related to Nuisances] (page 40 of 63), is hereby amended as follows:

CHAPTER E PERFORMANCE STANDARDS

Section 3 Nuisances

A. General

5. Exemptions

f. AGR District

Noise, vibration, smoke, emissions, particulate matter, and odors, ~~and outdoor lighting~~ by farm operations conforming to generally accepted agricultural and management practices in the AGR district.

g. Temporary, Portable Power Generators

Sound generated by temporary, portable power generators used only during periods of electrical power outages in utility distribution systems maintained by the utility service provider.

Part 5. ULDC, Art. 5.G.2.J.3, Review Process (page 61 of 63), is hereby amended as follows:

CHAPTER G DENSITY BONUS PROGRAMS

Section 2 Transfer of Development of Rights (TDRs) – Special Density Program

J. TDR: Receiving Area Procedure

3. Review Process

The review process for TDR applications is based upon the density and type of residential development proposed.

- a. The transfer of two units per acre or less to a residential subdivision is reviewed by the DRO and shall be subject to the provisions of Art. 2.D.1.C, Review Procedures, except as provided below. Parcels which meet the minimum acreage thresholds for a PDDs or TDD shall not utilize this Chapter option;
- b. The transfer of more than two units per acre to a residential subdivision is reviewed as a Class A conditional use and shall be subject to the provisions of Art. 2.B, Public Hearing Procedures, except as provided below. Parcels which meet the minimum acreage thresholds for a PDDs or TDD are allowed to utilize the option contained in this paragraph, provided the parcel meets the PDDs PDRs contained in Art. 3.E, Planned Development Districts (PDDs), or contained in Art. 3.F, Traditional Development Districts (TDDs);
- c. The transfer of any density to a planned development is reviewed as a requested use and shall be subject to the provisions of Art. 3.E, Planned Development Districts (PDDs), except for SCO PIPD, which shall be approved by the DRO. A general application by a property owner for receiving area status and a density bonus shall be accepted for review and processing pursuant to Art. 2, Development Review Process.
- d. BCC approval is required for any project that is requesting a combined density increase/transfer through the WHP and TDR programs that exceeds two units per acre.

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EXHIBIT F

ARTICLE 6 – PARKING

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

Table 6.A.1.B-1 - Minimum Off-Street Parking and Loading Requirements – Con't.

Use Type: Commercial	Parking	Loading
Landscape service	1 space per 500 sq. ft.; plus 1 space per 2,500 sq. ft. of outdoor storage area	A
Laundry services	1 space per 200 sq. ft.	N/A
Lounge, cocktail	1 space per 3 seats	C
Medical or dental office	1 space per 200 sq. ft.	C
Monument sales, retail	1 space per 500 sq. ft.; plus 1 space per 2,500 sq. ft. of outdoor storage area	E
Office, business or professional	1 space per 200 sq. ft.	C
Pawn Shop	1 space per 200 sq. ft.	C
Personal services	1 space per 200 sq. ft.	N/A
Printing and copying services	1 space per 250 sq. ft.	B
Repair and maintenance, general	1 space per 250 sq. ft.	B
Repair services, limited	1 space per 250 sq. ft.	N/A
Restaurant, fast food	1 space per 3 seats including outdoor seating area	C
Restaurant, high turnover sit-down		C
Restaurant, quality		C
Restaurant, specialty		C
Retail sales, auto parts	1 space per 200 sq. ft.	C
Retail sales, general	1 space per 200 sq. ft.	C
Retail sales, mobile or temporary	Enclosed: 1 space per 200 sq. ft. Open: 50 spaces total or 10 spaces per acre, whichever is greater	N/A
Self-service storage	1 space per 200 storage bays; minimum of 5 customer spaces; security quarters calculated separately	N/A ³
Shopping centers	5 spaces per 1,000 sq. ft. GFA (centers up to 500,000 sq. ft.); 5 spaces per 1,000 sq. ft. of GLA (centers over 500,000 sq. ft.)	B
Theater, drive-in	1 space per 250 sq. ft.	N/A
Theater, indoor	1 space per 3 seats	B
Theater, indoor, in-line	1 space per 3 seats; plus 1 space per employee	B
Theater, indoor, stand alone	1 space per 4 seats; plus 1 space per employee	B
Loading Key:		
Standard "A" - One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.		
Standard "B" - One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.		
Standard "C" - One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.		
Standard "D" - One space for each 50 beds for all facilities containing 20 or more beds.		
Standard "E" - One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.		

Notes for Table 6.A.1.B-1

- 1 In addition to the parking requirements of Table 6.A.1.B-1, Minimum Off-Street Parking and Loading Requirements, uses with company vehicles shall provide one space per company vehicle.
- 2 Government services may request alternative calculation methods for off-street parking pursuant to Art. 6.A.1.C.1.h, Government Services.
- 3 Nurseries requiring fewer than 20 parking spaces may construct surface parking lots with shellrock or other similar materials subject to Art. 6.A.1.D.14.b.4.a, Shellrock, or grassed subject to Art. 6.A.1.D.12, Grass Parking, except for the required handicapped parking space(s).
- 4 Nurseries requiring 20 or more parking spaces may construct surface parking lots with 50 percent of the required spaces as shellrock or other similar materials subject to Art. 6.A.1.D.14.b.4.a, Shellrock, or grassed subject to Art. 6.A.1.D.12, Grass Parking.
- 5 Assembly, nonprofit, institutional uses in the Redevelopment and Revitalization Overlay may calculate parking at a rate of one space per employee.
- 6 Limited access facilities must provide off-street loading spaces as indicated in Art. 4.B.1.A.120.d.2), Loading.

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EXHIBIT F

ARTICLE 6 – PARKING

1 Part 2. ULDC, Art. 6.A.1.D.2.c, Location of Front, Side, and Rear Parking (page 15 of 39), is
2 hereby amended as follows:

3
4 CHAPTER A PARKING

5 Section 1 General

6 D. Off-Street Parking

7 2. Location of Required Parking

8 c. Location of Front, Side, and Rear Parking

9 A minimum of ten percent of the required parking spaces shall be located at the side
10 and/or rear of each building it is intended to serve; however, development requiring 50
11 or less parking spaces shall be exempt. A public pedestrian walk shall connect the
12 parking areas to a store entrance. Such pedestrian access way shall be a minimum of
13 four feet in width, clearly marked, well lighted and unobstructed.

14
15
16 Part 3. ULDC, Art. 6.A.1.D.16, Queuing Standards (page 29 of 39), is hereby amended as
17 follows:

18
19 CHAPTER A PARKING

20 Section 1 General

21 D. Off-Street Parking

22 16. Queuing Standards

23 a. Queuing shall be provided for all drive-thru establishments. Each queuing space shall be
24 a minimum of ten feet by 20 feet, clearly defined and designed so as not to conflict or
25 interfere with other traffic using the site. The dimensions for the point of service space
26 may be reduced to nine by 20 feet. Unless otherwise indicated below, queuing shall be
27 measured from the front of the stopped vehicle located at the point of service to the rear
28 of the queuing lane. One additional queuing space shall also be provided after the point
29 of service for all uses.

30
31
32 Part 4. ULDC, Art. 6.A.1.D.19.b.1), Commercial Vehicles (page 33 of 39), is hereby amended as
33 follows:

34
35 CHAPTER A PARKING

36 Section 1 General

37 D. Off-Street Parking

38 19. Parking of Vehicles and Boats in Residential Districts

39 b. Exemptions

40 1) Commercial Vehicle

41 One commercial vehicle of not over one ton rated capacity may be parked per
42 dwelling unit, providing all of the following conditions are met: vehicle is registered or
43 licensed; used by a resident of the premises; gross vehicle weight rating (gvwr) does
44 not exceed 12,500 ~~10,000~~ pounds, ~~including any load~~; height does not exceed nine
45 feet, including any load, bed, or box; and total vehicle length does not exceed 26
46 feet.

47
48
49 Part 5. ULDC, Art. 6.B.1.E.1, Width (page 37 of 39), is hereby amended as follows:

50
51 CHAPTER B LOADING STANDARDS

52 Section 1 Loading

53 E. Dimensional Standards and Design Requirements

54 1. Width

55 A loading space shall have a minimum width of ~~12~~ 15 feet. Additional loading spaces
56 adjacent to, and not separated from the first loading space may be reduced to a minimum of
57 12 feet in width.

58
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60 U:\zoning\CODEREV\2005\BCC Hearings\Round 01\08-25-05\Minutes Copy\2nd Reading-Exhibit F.doc

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EXHIBIT G

ARTICLE 7 – LANDSCAPING

Part 1. ULDC, Art. 7.H.1, Temporary Suspension of Landscape Standards (page 41 of 52), is hereby amended as follows:

CHAPTER H ENFORCEMENT

Section 1 Temporary Suspension of Landscape Standards

The installation of landscaping required by this Article temporarily suspended, in individual cases, by t The Executive Director of PZB may temporarily suspend the standards of this Article and establish timeframes and guidelines to replace destroyed or damaged landscape material through a Departmental PPM in certain the following cases situations. These cases may include: a hurricane; after a freeze resulting in unavailability of when required landscape materials are not available; during a period of drought resulting in in which the use of water is restricted restrictions on water usage imposed by a governmental authority; or prior to a building CO in response to extenuating a similar event circumstances beyond the control of the applicant.

A. Performance Surety

If the landscape standards of this Article are suspended pursuant to this Article, the property owner shall may enter into an agreement with PBC to allow issuance of the permit or CO or Certificate of Completion provided the property owner includes as part of this agreement, only if the property owner provides adequate guarantee or surety that the terms of this Article will be met after the suspension period has been lifted. The guarantee shall consist of a performance bond or other surety agreement approved by the County Attorney in an amount equal to 110 percent of the direct costs of materials and labor and other costs incidental to the installation of the required landscaping completion agreement. Performance bonds or other guarantees required pursuant to this subsection shall name PBC as a beneficiary and specify the time-frame for the completion of the landscape standards of this Article.

[Renumber subsequent text accordingly]

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EXHIBIT H
ARTICLE 8 – SIGNAGE

1
2 **Part 1. ULDC, Art. 8.E.2, Required Tag (page 21 of 41), is hereby amended as follows:**

3
4 **CHAPTER E PROCEDURES FOR SIGNAGE**

5 **Section 2 Required Tag**

- 6 A. Every sign for which a building permit is required shall be plainly marked with the corresponding
7 permit number issued for the sign. The permit number shall be marked on permanent material
8 with a contrasting color in numbers at least one inch in height.
9 B. Tags shall be displayed on signs or ~~sign-structures~~ at the base of the structure in a visible
10 location. Tags for freestanding signs must be located on the structure between one and three
11 feet above grade.
12 C. The absence of the required tag shall be evidence that the sign is in violation of this Article.

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**EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS**

1 Part 1. ULDC, Art. 3.F.1.F.1.d, Requested Uses [Related to Use Regulations], is hereby
2 amended as follows:
3

4 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS**

5 **Section 1 General Provisions for TDDs**

6 **F. Use Regulations**

7 **1. Use Designations**

8 **d. Requested Uses (R)**

9 These uses require approval by the BCC in accordance with the standards and
10 procedures in Art. 2.B, Public Hearing Procedures, and are identified by an R in the
11 matrix. ~~1) Location~~ Requested uses shall be shown on the master plan or site plan
12 approved by the BCC and ~~shall remain in the location shown.~~ The location, or alternative
13 locations for each requested use must be approved by the BCC, and the requested use
14 must be located in only one of the locations approved by the BCC.
15

16
17 **Part 2. ULDC, Table 3.F.1.H-32, Traditional Development Permitted Use Schedule (page 54 of**
18 **125), is hereby amended as follows:**
19

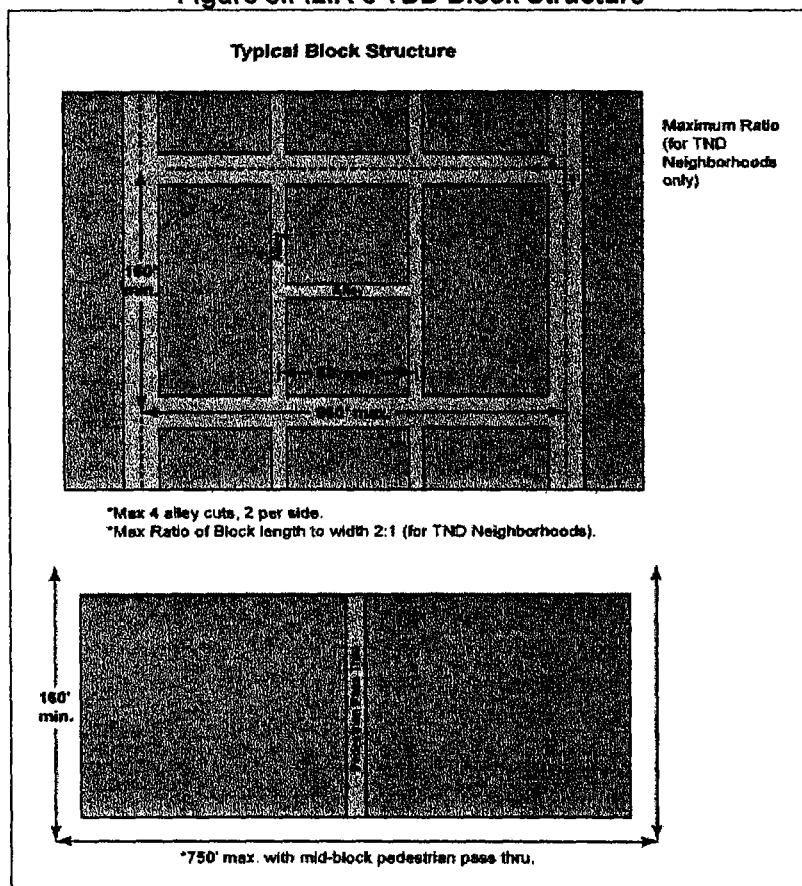
Table 3.F.1.H-32 - TDD Traditional Development Permitted Use Schedule Matrix

District	TND						TMD			NOTES	
	Urban/Suburban (U/S)			Exurban/Rural			U/S	Ex/Rural	AGR		
Tier	Res	Neighborhood Center (NC)	Open Space/ Rec	Res	NC	Open Space/ Rec			Dev.	Preserve	
<u>Land Use Zone Pods</u>											
Residential Uses											
...											
Agricultural Uses											
...											
<u>Stable, Commercial</u>										<u>D</u>	<u>125</u>
...											

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Part 3. Repealing ULDC Figure 3.F.2.A-5, TDD Block Structure (page 104 of 125), and adopting in its place a new Figure 3.F.2.A-5, TDD Block Structure:

Figure 3.F.2.A-5 TDD Block Structure



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Notes:

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**EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS**

1
2 **Part 4. ULDC, Art. 3.F.2.A.1.c.2), Connectivity [Related to Streets], is hereby amended as**
3 **follows:**

4
5 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

6 **Section 2 General Standards**

7 **A. Applicability**

8 **1. Streets, Sidewalks and Alleys**

9 **c. Streets**

10 **2) Connectivity**

11 All streets and alleys shall connect to other streets and alleys to form a continuous
12 vehicular and pedestrian network within the district, and Streets shall connect to
13 streets in to adjacent development or vacant parcels, except for AGR TMDs. The
14 use of gates or other preventative barriers shall not be permitted on collector streets.
15

16
17 **Part 5. ULDC, Art. 3.F.2.A.1.e, Alleys, is hereby amended as follows:**

18
19 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

20 **Section 2 General Standards**

21 **A. Applicability**

22 **1. Streets, Sidewalks and Alleys**

23 **e. Alleys**

24 A minimum of one alley shall be required in all blocks, except blocks of single family and
25 ZLL residential uses and AGR TMDs. Alleys shall conform to the standards in Art. 11,
26 Subdivision, Platting and Required Improvements, and the following:
27

28
29 **Part 6. ULDC, Table 3.F.2.A-36, TDD Street Lighting Standards, is hereby amended as follows:**
30

Table 3.F.2.A-36 – TDD Street Lighting Standards

Street-Light Fixture Height	Residential	Non-residential/Mixed-Use
Maximum	20 ft.	18 22 ft.
Minimum	12 ft.	14 ft

31
32
33 **Part 7. ULDC, Art. 3.F.2.A.3.a-b, U/S Tier [Related to Minimum Pervious Surface Area], is**
34 **hereby amended as follows:**

35
36 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

37 **Section 2 General Standards**

38 **A. Applicability**

39 **3. Minimum Pervious Surface**

40 **a. U/S and AGR Tiers**

41 20 percent of the project site gross development area.

42 **b. Exurban, and Rural Tiers and AGR Tiers**

43 30 percent of the project site, or development area of an AGR TMD.
44
45

46 **Part 8. ULDC, Art. 3.F.2.A.4.a.2)b), R-O-W Buffer [Related to Internal Compatibility and**
47 **Incompatibility Buffers], is hereby amended as follows:**

48
49 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

50 **Section 2 General Standards**

51 **A. Applicability**

52 **4. Landscaping and Buffering**

53 **a. Buffer Around Districts**

54 **2) AGR TMD Perimeter Buffer**

55 **b) R-O-W Buffer**

56 (1) The R-O-W buffer width reduction permitted under Article 7.F.6, R-O-W
57 Buffer, shall only be permitted for any property line which abuts a 100 foot

Notes:

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EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS

1 wide rural parkway. In the AGR Tier, a R-O-W buffer abutting open space a
2 minimum of 100 feet in width and designated as a rural parkway may be
3 deleted subject to DRO approval of a regulating plan that demonstrates that
4 the landscaping in the rural parkway exceeds required R-O-W planting and
5 buffering requirements. Required landscaping must be located within or
6 adjacent to the rural parkway.

- 7 (2) A minimum ~~six~~ four-foot high hedge, fence or wall visual screen shall be
8 required in a R-O-W buffer adjacent to any surface parking area having more
9 than two rows of parking.

10
11
12 **Part 9. ULDC, Art. 3.F.2.A.4.b, Related to Internal Compatibility and Incompatibility Buffers, is**
13 **hereby amended as follows:**

14 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

15 **Section 2 General Standards**

16 **A. Applicability**

17 **4. Landscaping and Buffering**

18 **b. Internal Compatibility and Incompatibility Buffers**

19 Buffers are not required within TDDs, except that a solid six-foot high wall or five-foot
20 wide landscape planting area providing a visual screen at least six feet in height is
21 required along an interior property line where a non-residential use abuts a residential
22 use. The height of the wall or landscape screen shall not exceed three feet within
23 required front setback areas. ~~4) Exception for Multi-family and Townhouses~~ The internal
24 buffer requirement for multi-family and townhouse units may be waived when the units
25 are constructed on a main street; ~~or~~ are attached to a commercial structure; ~~or~~ are
26 separated from a commercial structure by streets or an alley, pedestrian walkway or
27 plaza; ~~or~~ when adjacent to open space, plazas or private recreational uses associated
28 with units requiring a buffer.

29
30
31
32 **Part 10. ULDC, Art. 3.F.4.A, Specific Purpose, hereby amended as follows:**

33 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

34 **Section 4 Traditional Marketplace Development (TMD)**

35 **A. Specific Purpose**

36 The purpose of the TMD district is to:

- 37
38 1. Provide a concentrated area for shopping, entertainment, business, services and cultural
39 opportunities by allowing a mix of commercial and institutional uses and establishing physical
40 development and design standards that create pedestrian-oriented development;
41
42 2. Provide housing opportunities through vertically integrated residential uses;
43
44 3. Promote a mix of uses in a manner that creates a stronger pedestrian orientation through
45 design, placement and organization of buildings, plazas, common public space, and
46 dispersed parking; and
47
48 4. Ensure traditional marketplaces are compatible with the overall design objectives of the Plan
49 and ~~it's~~ the MGTS.

50 **Part 11. ULDC, Art. 3.F.4.B, Further Purpose of a TMD District in the Agricultural Reserve Tier**
51 **(AGR-TMD), hereby amended as follows:**

52 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

53 **Section 4 Traditional Marketplace Development (TMD)**

54 **B. Further Purpose of a ~~the~~ TMD District in the ~~Agricultural Reserve~~ AGR Tier (AGR-TMD)**

55 In addition to the above, ~~a TMD district in the Agricultural Reserve Tier (~~ the purpose of the AGR-
56 TMD) ~~shall~~ is to:

- 57 1. Promote the preservation of agriculture by providing for compact commercial areas and
58 preserved agricultural land;
59
60 2. Provide for commercial uses serving AGR residents at accessible locations on major
61 arterials; ~~and~~
62
63 3. Encourage design that is compatible with the surrounding agricultural or rural area; ~~;~~
4. Implement the conceptual designs that submitted to the BCC on April 6, 2005; and
5. Implement the requirements of FLUE Policy 1.5-m, 1.5.1-m, 1.5.1-n, and 2.4-c of the Plan.

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**EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS**

1
2
3 **Part 12. ULDC, Art. 3.F.4.D.1, General Standards, [Related to Development Standards for All**
4 **TMDs], hereby amended as follows:**

5
6 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

7 **Section 4 Traditional Marketplace Development (TMD)**

8 **D. Development Standards for all TMDs**

9 The following standards apply to TMDs located in all tiers:

10 **1. General Standards**

11 The following standards apply to all TMDs; however, additional standards or provisions shall
12 apply to the AGR Tier, per Art. 3.F.4.E, Standards Applicable to AGR Tier, except those in
13 the AGR Tier refer to Art. 3.F.4.B, further purposes of a TMD District in the Agricultural
14 Reserve Tier, for TMDs in the AGR tier.

15
16
17 **Part 13. ULDC, Art. 3.F.4.D.1.e.4), Maximum Frontage per Establishment [Related to**
18 **Development Standards for all TMDs], is hereby amended as follows:**

19
20 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

21 **Section 4 Traditional Marketplace Development (TMD)**

22 **D. Development Standards for all TMDs**

23 **1. General Standards**

24 **e. Maximum Floor Area per Single Tenant Establishment**

25 **4) Maximum Frontage per Single Tenant Establishment**

26 No single tenant may occupy more than 200 feet of frontage to a depth of 40 feet,
27 measured from the storefront. An increase of up to 240 feet of frontage per single
28 tenant is permitted in the AGR Tier, provided that any increase over 200 feet
29 incorporates the appearance of a separate storefront on the subject facade, to
30 include the following: a distinct architectural style a minimum of 40 feet in length, a
31 similar percentage of transparency, and an additional building entrance, or
32 appearance of an entrance.

33
34
35 **Part 14. ULDC Art. 3.F.4.D.2.b, Sidewalks [Related to Development Standards for all TMDs], is**
36 **hereby amended as follows:**

37
38 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

39 **Section 4 Traditional Marketplace Development (TMD)**

40 **D. Development Standards for all TMDs**

41 **2. Street Designations and Configurations**

42 **b. Sidewalks**

43 Sidewalks are required on both sides of all streets and shall be designed to be consistent
44 with Figure 3.F.2.A-6, TDD Commercial Street, except for: alleys; drive isles between
45 rows of parking or providing access to a surface parking lot; service streets; the side of
46 a street abutting a preserve area of an AGR-TMD; and, where one side of a street abuts
47 a surface parking lot or open space. All sidewalks shall conform to the requirements of
48 Art. 3.F.2.A.1, Streets, Sidewalks, and Alleys.

49
50
51 **Part 15. ULDC Art. 3.F.4.D.4, Frontages [Related to Development Standards for all TMDs], is**
52 **hereby amended as follows:**

53
54 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

55 **Section 4 Traditional Marketplace Development (TMD)**

56 **D. Development Standards for all TMDs**

57 **4. Frontages and Residential PDRs**

58 All buildings shall be designated on the site plan as either Primary or Secondary Frontage
59 and shall conform to the following requirements:

60

61 **d. Optional Standards for Residential PDRs**

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EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS

Residential buildings may use the TND Residential Lot Size and Setback Regulations, or the following:

1) Multi-family Alley Frontage Design Alternative

Multi-family dwellings may be permitted to have frontage from a street built to alley standards, subject to the following:

(a) Build to Lines and Setbacks

Setbacks or build to lines must be measured from the inside alley edge, or sidewalk if provided.

(1) Front setbacks must be a minimum of five feet, and a maximum of 30 feet. Garages fronting the alley shall be setback at least 20 feet.

(2) Side street setbacks must be a minimum of five feet, and a maximum of 10 feet. An exception may be made for one side of a block which fronts on open space or a recreation use.

(3) The rear of each unit shall have access to and be within 20 feet of a street, open space or plaza a minimum of 40 feet in width, with sidewalks that connect to the projects pedestrian circulation system.

(b) Continuity and Separations

One separation between buildings is allowed for each 80 feet of frontage, provided it is located a minimum of 80 feet from the end of a block. The width of this separation shall not exceed 25 feet for pedestrian access, or 40 feet for a mid block plaza. One mid block plaza may be permitted to have a separation of up to 120 feet in the AGR Tier only.

Part 16. ULDC, Art. 3.F.4.D.6, Foundation Planting [Related to Development Standards for all TMDs], is hereby amended as follows:

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 4 Traditional Marketplace Development (TMD)

D. Development Standards for all TMDs

6. Foundation Planting

Notwithstanding the requirements of Art. 7.D.11, Foundation Plantings, foundation plantings shall not be required for primary and secondary building frontages, buildings along an alleyway or access way to a parking area, where the alley or access way is located in-between non-residential buildings, or where buildings front on a plaza or square.

Part 17. ULDC, Art. 3.F.4.D.7, Parking [Related to Development Standards for all TMDs], is hereby amended as follows:

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 4 Traditional Marketplace Development (TMD)

D. Development Standards for all TMDs

7. Parking

On-street parking is required on both sides of all two-way streets and on at least one-side of one-way streets, except within 25 feet of a street intersection or alley, or ten feet of a fire hydrant, or along arterials, planned collector streets, alleys or a vehicular access way to internal parking, ~~as allowed by Art. 4.B.4.b.2)b)(2).~~

Part 18. ULDC, Art. 3.F.4.D.8, Plazas and Squares [Related to Development Standards for all TMDs], is hereby amended as follows:

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 4 Traditional Marketplace Development (TMD)

D. Development Standards for all TMDs

8. Plazas and Squares

Plazas ~~or squares~~ are required to provide a focal point for pedestrians, and must meet the minimum standards of Table 3.F.4.D-41, Minimum Dimensions for Required Plazas, and subject to the following standards:

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**EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS**

Table 3.F.4.D-41 – Minimum Dimensions for Required Plazas			
	<u>Minimum Size</u>	<u>Minimum Length</u>	<u>Minimum Width</u>
Central Plaza	10,000 sf	120 feet	80 feet
Other Plazas	5,000 sf	60 feet	40 feet

- 1
2
3 **a. Minimum Total Area**
4 20,000 square feet or five percent of the gross development area within a TMD,
5 whichever is greater, shall be used for public plazas or squares.
6 **b. ~~Minimum Size for Required Plazas or Squares~~**
7 1) ~~Central Plaza~~
8 10,000 sq. ft.
9 2) ~~Other Plazas or Squares~~
10 5,000 sq. ft.
11 **bc. Required Location**
12 The central plaza shall front on a Main Street; other plazas ~~or squares~~ shall be bounded
13 by a street on at least one side.
14 **d. ~~Required Dimensions for Required Plazas or Squares~~**
15 1) ~~Minimum Length~~
16 a) ~~Central Plaza~~
17 120 feet.
18 b) ~~Other Plazas or Squares~~
19 60 feet.
20 2) ~~Minimum Width~~
21 a) ~~Central Plaza~~
22 80 feet.
23 b) ~~Other Plazas or Squares~~
24 40 feet.
25 **ce. Required Landscaping and Pedestrian Amenities**
26 1) ~~At least A minimum of 15 percent of all each plazas and squares shall be shaded by~~
27 ~~landscaping or shade structures, at time of installation. Landscaping shall provide a~~
28 ~~minimum of 50 percent of required shade.~~
29 2) A minimum of 40 percent of the overall plaza ~~or square~~ areas shall be pervious.
30 3) Each plaza ~~or square~~ shall must provide a minimum of one linear foot of seating for
31 each 200 square feet of overall area.
32 **df. Corner and Mid-Block Plaza Squares Abutting Buildings**
33 Wherever a plaza ~~or square~~ is bounded by buildings, the building frontages shall must
34 conform to the standards for a Primary Frontage, including requirements for arcaded
35 walkways and building see Art. 3.F.4.D.4, Frontages.

36
37 **Part 19. The title for ULDC, Figure 3.F.4.D-25, TMD Plazas and Squares, is hereby amended as**
38 **follows:**

39
40 **Figure 3.F.4.D-25 – TMD Plazas and Squares**
41

42
43 **Part 20. ULDC, Art. 3.F.4.E.9, Block Structure, is hereby amended as follows:**
44

45 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

46 **Section 4 Standards Applicable to AGR Tier**

47 **E. Standards Applicable to AGR Tier**

48 **9. Block Structure**

49 **a. BCC Waiver**

50 An AGR TMD shall comply with Art. 3.F.2.A.1.b, Block Structure, except for the provision
51 below, unless waived by the BCC, upon the BCC determining that the block structure
52 proposed is functionally equivalent for the purposes of Art. 3.F.1.A.4, and Art. 3.F.4.A,
53 Purpose. The waiver may be granted only upon the applicants' agreement to be bound
54 by the block configuration of the site plan approved by the BCC.

55 **b. AGR TMD Free Standing Structures**

56 A maximum of ten percent of the overall allowable square footage of an AGR TMD may
57 be permitted to be developed as free standing structures, provided that a minimum of one
58 façade is developed according to the standards for primary or secondary frontage.
59 Buildings developed under this provision shall not be required to have circulation on all
60 four sides, nor be subject to continuity and separation requirements.

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**EXHIBIT J
TRADITIONAL DEVELOPMENT DISTRICTS**

1
2 **Part 21. ULDC, Art. 3.F.4.E, Standards Applicable to AGR Tier, is hereby amended as follows:**

3
4 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

5 **Section 4 Standards Applicable to AGR Tier**

6 **E. Standards Applicable to AGR Tier**

7 **10. Definition for Street**

8 Streets in a TMD may also include access aisles in a parking lot for commercial blocks, only
9 when located along the side or rear of a block; non-residential alleys; and, alleys in residential
10 blocks, subject to the standards of Art. 3.F.D.4.d.1), Residential Buildings with Alley Frontage
11 Design Alternative.

12
13
14 **Part 22. ULDC, Art.5.C.1.C, Exemptions [Related to Architectural Guidelines, and Design**
15 **Standards (page 29 of 63), is hereby amended as follows:**

16
17 **CHAPTER C DESIGN STANDARDS**

18 **Section 1 Architectural Guidelines**

19 **C. Exemptions**

- 20 1. Agricultural or industrial buildings not visible from a public street or residential zoning district.
21 2. Buildings which are exempt from local building permits or government review pursuant to
22 State of Florida or Federal Statutes.
23 3. Recreational buildings and accessory structures within a PUD.
24 4. Primary and secondary building frontages within a TMD, shall be exempt from the
25 requirements of Art. 5.C.1.H.1.c.1)a), Recesses/Projections.

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EXHIBIT I

LIGHTING ORDINANCE

1 Part 1. ULDC, Art. 1.E.1.C, Previous Approvals (page 16 of 25), is amended as follows:

2
3 **CHAPTER E PRIOR APPROVALS**

4
5 **Section 1 General**

6 **C. Previous Approvals**

7 **2. Structural Renovations**

8 Interior or exterior renovations or additions to existing buildings and structures that are in
9 excess of 35 percent of the current Property Appraiser's value of the structure shall comply
10 with Art. 5.E.3.D, Outdoor Lighting Standards, Art. 6, Parking, Art. 7, Landscaping, and Art.
11 8.G.1, Building Mounted Signs, to the greatest extent possible. Renovations in excess of 75
12 percent or more of the current assessed value of the structure shall comply with Art. 5.C,
13 Design Standards. Renovations shall be cumulative over the most recent five-year period.

14 **3. Parking Lot Alterations or Additions**

15 Alterations or additions to vehicular use areas shall comply with Art. 5.E.3.D, Outdoor
16 Lighting Standards, Art. 6, Parking, Art. 7, Landscaping, and Art. 8.G.2.A, Freestanding
17 Signs, for the affected area.
18

19
20 Part 2. ULDC, Art. 1.I.2, Definitions and Acronyms, is amended as follows:

21
22 **CHAPTER I DEFINITIONS AND ACRONYMS**

23 **Section 2 Definitions**

24 **D. Terms Defined Herein Shall Have the Following Meanings:**

25 Drop Lens Fixture – Any luminaire that is not a full cut off luminaire.

26 **E. Terms Defined Herein Shall Have the Following Meanings:**

27 Entrance Area – 66 feet (see IES definition).

28 **F. Terms Defined Herein Shall Have the Following Meanings:**

29 Fixture - The assembly that houses the lamp or lamps and can include all or some of the
30 following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a
31 reflector or mirror, and/or a refractor or lens.

32 Foot-candle - a unit of light quantity or density when the foot is the unit of measure. One (1)
33 foot-candle (fc) equals one (1) lumen per square foot of area. When metric units are used,
34 lux is the unit of light quantity. One (1) lux equals one (1) lumen per square meter of area.
35 One (1) foot-candle equals ten and seventy-six hundredths (10.76) lux.

36 Full-cutoff Luminaire - A luminaire light distribution where zero candela intensity occurs at
37 an angle of 90 degrees above nadir, and at all greater angles from nadir.

38 **G. Terms Defined Herein Shall Have the Following Meanings:**

39 Glare - a discomforting condition that which occurs when the brightness of a light contrasts
40 with a low brightness background and makes it difficult for the human eye to adjust.

41 **H. Terms Defined Herein Shall Have the Following Meanings:**

42 Horizontal plane - means an imaginary line drawn across the bottom of a light fixture above
43 which no light shall be emitted.

44 **I. Terms Defined Herein Shall Have the Following Meanings:**

45 Illuminance - the quantity of light arriving at a surface divided by the area of the lighted
46 surface, measured in footcandles. Horizontal illuminance applies to a horizontal surface;
47 vertical illuminance applies to a vertical surface. Average illuminance is the level of
48 illuminance over an entire illuminated target area. Maximum illuminance is the highest level
49 of illuminance on any point within the entire area; minimum illuminance is the lowest level of
50 illuminance on any point within the target area.

51 Illuminance Levels – for the purposes of Art. 5.E.3.D, Outdoor Lighting Standards, all
52 illuminance levels and foot candles means the maintained illuminance levels utilizing lamp
53 manufacture mean lumen values. The average illuminance level applies to an entire
54 illuminated target area. Unless otherwise noted, illuminance levels refer to horizontal
55 illuminance levels.

56 **L. Terms Defined Herein Shall Have the Following Meanings:**

57 Lighting, Animated - for the purposes of Art. 5.E.3.D, Outdoor Lighting Standards, flashing
58 or moving lights that otherwise change at intervals more frequently than once every six
59 seconds.

60 Light Loss Factor - for the purposes of Art. 5.E.3.D, Outdoor Lighting Standards, a
61 percentage amount applied to the actual anticipated foot-candle levels of a fixture, which
62 reduces the calculated light level output on the photometric plan to account for lower light
63 level output from a fixture due to the age of the bulb, debris or dust on the fixture, and other
64 factors that degrade the output capacity of the fixture.

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EXHIBIT I

LIGHTING ORDINANCE

- 1 Light trespass - the illumination of light produced by a luminaire, which is beyond the
- 2 boundaries of the property on which the luminaire is located.
- 3 Lumen - a unit of luminous flux. One footcandle is one lumen per square foot.
- 4 Luminaire - a complete lighting system, which includes a fixture and any associated
- 5 freestanding pole or other similar structure.
- 6 Luminaire Height - the measurement from a paved or landscaped surface at ground level
- 7 directly under the fixture to the top of the luminaire.
- 8 **S. Terms Defined Herein Shall Have the Following Meanings:**
- 9 Spillover Light - light that is distributed into areas where the illumination is not needed or
- 10 intended.
- 11 Spot Light - Any light fixture or luminaire that incorporates a reflector or a refractor to
- 12 concentrate the light output into a directed beam in a particular direction.

Section 3 Acronyms

- 15 LLF Light Loss Factor
- 16 IESNA Illuminating Engineering Society of North America

Part 3. ULDC Art. 3.B.15.G.3.g, Lighting [Related to WCRAO] (page 33 of 125), is amended as follows:

g. Lighting

- All development shall comply with the following lighting standards, in addition to those requirements in Art. 5.E.3.E.D, Outdoor Lighting.
- 1. ~~Illumination shall be downcast and shall not overflow to adjacent property;~~
 - 2. ~~Attached wall fixtures shall be mounted no higher than five feet above the first story, and shall not be located on building roofs;~~
 - 3. ~~Parking lot lighting shall not exceed 25 feet in height, and shall be located a minimum of 40 feet apart;~~
 - 2.4. Roof top lighting shall be prohibited, unless required by Florida Building Code, and
 - 5. ~~Lighting fixtures shall be scaled to pedestrians, and shall be compatible with building and site.~~

Part 4. ULDC Art. 3.C.1.C.2.b.3, Right to Farm (page 39 of 125), is hereby amended as follows:

3) Right to Farm

All land in the AGR and AP districts are located in areas where land is used for commercial agricultural production. Owners, residents, and other users of this property or neighboring property may be subjected to inconvenience and discomfort arising from generally accepted agricultural management practices, including but not limited to noise, odors, dust, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides, and pesticides. Owners, occupants, and users of properties in these areas are hereby put on official notice that: (1) the state Right-to-Farm Act, F.S. § 823.14, may bar them from obtaining a legal judgment against such as a public or private nuisance; and (2) farm operations that conform to generally accepted agricultural and management practices in the AGR and AP districts are exempt from the following miscellaneous standards contained in Art. 5.E, Performance Standards of this Code for noise, vibration, smoke, and emissions and particulate matters ~~and outdoor lighting.~~

Part 5. Repealing ULDC Art. 5.E.3.D, Outdoor Lighting (Ord. 2003-067) (page 42 of 63), and the PBC Security Code (Ord. 1987-26) and adopting in its place a new Art. 5.E.3.D, Outdoor Lighting Standards:

CHAPTER E PERFORMANCE STANDARDS

Section 3 Nuisances

D. Outdoor Lighting

1. Purpose and Intent

It is the intent of this Section to preserve, protect, and enhance the lawful nighttime use and enjoyment of any and all property through the use of appropriate lighting practices and systems. Such individual fixtures, luminaires and lighting systems are designed, constructed, and installed to: control glare and light trespass, minimize obtrusive light, eliminate the

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EXHIBIT I

LIGHTING ORDINANCE

1 increase of lighting levels on competing sites, provide safe roadways for motorists, cyclists
2 and pedestrians, conserve energy and resources while maintaining safety, security and
3 productivity, and curtail the degradation of the nighttime visual environment.

2. Applicability

4
5 All outdoor lighting shall be subject to the requirements of Table 5.E.3.D - 13, Illumination
6 Levels, and Table 5.E.3.D - 14, Maximum Permitted Luminaire Height, unless exempted or
7 permitted to deviate as described herein. Lighting not specifically listed may be classified by
8 the Zoning Director of PZB pursuant to Art. 1.B, Interpretation of the Code. In addition to the
9 standards in this Section, outdoor lighting shall be consistent with Article 14, Environmental
10 Standards.

a. Conflict

11
12 In the case of a conflict between this Section and other provisions of this Code, or other
13 applicable codes, the more strict regulation shall apply.

b. Non-conforming Lighting

14
15 All luminaires that do not comply with the standards of this Section shall be subject to the
16 limitations on expansion, maintenance, relocation, damage repair and renovations
17 pursuant to Art. 1.F, Non-conformities.

c. Exemptions

18
19 The following uses shall be exempt to the extent listed below:

1) Residential

20
21 Single-family, townhouses, multi-family dwellings up to two units shall not be subject
22 to the requirements of this section.

2) Street Lights

23
24 Street lights in any public ROW that meet the requirements of the appropriate public
25 utility.

3) Temporary Lighting

26
27 The temporary use of low wattage or low voltage lighting for public festivals,
28 celebrations, and the observance of holidays are exempt from regulation except
29 where they create a hazard or nuisance from glare.

d. Prohibited Outdoor Lighting

30
31 The following types of outdoor lighting are prohibited in unincorporated PBC:

32 1) Any light that creates glare observable within the normal range of vision onto a street
33 or creates a safety hazard;

34 2) Any light that resembles an authorized traffic sign, signal, or device, or that interferes
35 with, misleads, or confuses vehicular traffic as determined by the Zoning Director or
36 Traffic Director;

37 3) Beacon or searchlights, except for temporary grand openings and special events, as
38 limited by State of Florida or Federal law;

39 4) Any drop lens fixtures; and

40 5) Animated lighting, unless authorized under Art. 8, Signage.

e. Deviations

41
42 Lighting may vary from this Section to the extent necessary to comply with the following:

43 1) F.S. § 655.962, related to ATM lighting;

44 2) F.S. § 812.173, related to Parking Lots for Convenience Businesses;

45 3) Lighting on schools required by FBC Chapter 423 and 424, and the SDPBC Electrical
46 Design Criteria;

47 4) Airport Lighting regulated by State or Federal law;

48 5) Lighting for obstructions to air navigation as provided in U.S. Department of
49 Transportation, Federal Aviation Administration Advisory Circular 70/7460-1K;

50 6) Lights required on vehicles under state uniform traffic control statutes or for vessels
51 under vessel safety statutes under F.S. § 316 and 327;

52 7) Lighting for public health required by F.S. § 381;

53 8) Electrical code statute requirements under state building code;

54 9) F.S. § 553.963 and F.S. § 553.904, Efficiency and Energy Conservation Statutes
55 under Building Code Standards;

56 10) Lighting for outdoor theaters under F.S. § 555.07;

57 11) Lighting for communication towers under Art. 4.C.3.Q.2 of the ULDC; and

58 12) Other federal, state and local laws and regulations that may apply.

3. Submittal Requirements

a. Photometric Plan

59
60 All building permit applications that include the use of external luminaires, or luminaries
61 visible from the exterior of a structure shall include an outdoor lighting plan and an
62 outdoor security lighting plan showing location, type, and height of all luminaires, and
63 photometrics in foot-candle output of all proposed and existing luminaires on-site. On-
64 site lighting to be included in the calculations shall include, but is not limited to, lighting for
65 parking lot, canopies, recessed lighting along the building and/or overhang. Each plan
66 shall include any calculations or modifications required to comply with items listed in
67 Article 5.E.3.D.2.e, Deviations. The photometric plans shall include the following:
68

Notes:

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EXHIBIT I

LIGHTING ORDINANCE

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- 1) A table showing the average, minimum, and maximum foot-candles, average to minimum ratio, and maximum to minimum ratio on the site, and maximum luminaire heights. Maximum photometric calculation grid shall not exceed 10 feet.
- 2) Manufacturer's catalog cuts that provide a description of the luminaires, including wattage, lumen output, glare reduction/control devices, lamps, on-off cycle control devices and mounting devices.
- 3) All photometric plans must be signed and sealed by a licensed engineer or architect.
- 4) A Certificate of Compliance signed and sealed by a licensed engineer or architect must be submitted prior to the issuance of a Certificate of Occupancy.
- 5) The photometric plan shall not include time averaging or other alternative methods of measurement. A Light Loss Factor (LLF) shall be used for the calculations in a photometric plan. The values of the LLF shall be a maximum value of 0.72 for Metal Halide and 0.81 for High Pressure Sodium based on manufacturers' initial lamp lumens.

4. **Standards**

a. **Confinement**

All outdoor lighting shall be full cutoff luminaires. No luminaires shall be directed upwards to avoid urban sky glow. In the U/S Tier, accent and landscape luminaires not exceeding 100 watts with a maximum illumination of one-foot candle measured at 12 feet in height.

b. **Light Trespass**

The maximum illumination at the property line of an adjoining residential parcel or public right-of-way is 0.33 horizontal and vertical footcandles measured at six feet above grade level. Said illumination likewise measured at the property line of an adjoining non-residential parcel, shall not exceed 3.0 horizontal and vertical foot-candles measured at six feet above grade level.

c. **Security Lighting and Time Restrictions**

- 1) Full cutoff luminaires shall be used for all security lighting and dusk-to-dawn area lighting.
- 2) Outdoor illumination, including but not limited to, areas used for outdoor sales and display, eating, parking, assembly, service, storage of equipment and freight, loading and unloading, repair, maintenance, commercial activities, and industrial activities shall not continue after 11:00 P.M., or no more than one hour after active use of the area ceases, whichever is later, except for security lighting.
- 3) Security lighting shall be required for all active entrances to buildings, parking lots and access to buildings or parking lots. All security lighting shall maintain an average of 1fc, a minimum of 0.5fc and a maximum of 3fc from dusk until dawn.
- 4) No outdoor recreational facility shall be illuminated after 11:00 PM except to conclude a scheduled and sanctioned recreational or sporting event by PBC or other authorized agency in progress prior to 11:00 PM. The luminaires shall be extinguished after outdoor recreational events are completed and the site has been vacated.

a) **Exceptions**

Public recreational facilities such as boat ramps, fishing piers, or other similar facilities that operate or are open to the public on a 24 hour basis.

- 5) Automatic timing devices that control the hours of illumination shall be required for all parking lots, car dealerships/outdoor display lots and parking garages. These devices may remain on Eastern Standard Time throughout the year.

d. **Illumination Levels**

Table 5.E.3.D – 13, Illumination Levels, indicates the minimum and maximum illumination levels for specific site elements, as well as the maximum to minimum, and average to minimum ratios.

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EXHIBIT I

LIGHTING ORDINANCE

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Table 5.E.3.D - 13 – Illumination Levels

<u>Outdoor Lighting</u>	<u>Maximum Illumination (1)</u>	<u>Minimum Illumination (1)</u>	<u>Max to Min Ratio</u>	<u>Average to Min Ratio</u>
1. Buildings and Accessory Structures				
a. <u>Accent, Pathway and Landscape Lighting (2)</u>	<u>5.0 (5)</u>	-	-	-
b. <u>Canopies, Drive-thru and Overhangs</u>	<u>30.0</u>	<u>3.0</u>	<u>10:1</u>	<u>2.5:1</u>
2. Parking Lots				
a. <u>Multi-family Residential</u>	<u>3.0</u>	<u>0.3</u>	<u>10:1</u>	-
b. <u>All Others</u>	<u>12.0</u>	<u>1.0</u>	<u>12:1</u>	<u>3:1</u>
3. Parking Structures				
a. <u>Parking Area</u>	<u>10.0</u>	<u>1.0</u>	<u>10:1</u>	<u>4:1</u>
b. <u>Ramps – Day</u>	<u>20.0</u>	<u>2.0</u>	<u>10:1</u>	-
c. <u>Ramps – Night</u>	<u>10.0</u>	<u>1.0</u>	<u>10:1</u>	-
d. <u>Entrance Area – Day</u>	<u>50.0</u>	<u>5.0</u>	<u>10:1</u>	-
e. <u>Entrance Area – Night</u>	<u>10.0</u>	<u>1.0</u>	<u>10:1</u>	-
f. <u>Stairways</u>	<u>5.0</u>	<u>2.0</u>	-	-
4. Property Boundary	Refer to Light Trespass			
5. Specialty Lighting (4)				
a. <u>Golf Courses</u>	Per IESNA Lighting Handbook			
b. <u>Outdoor Entertainment</u>				
c. <u>Parks</u>				
6. Other Lighting Types				
a. <u>Outdoor Display and Storage for vehicle sales and rental.</u>	<u>15 (3)</u>	<u>1.0</u>	<u>15:1</u>	<u>4:1</u>
b. <u>Other Outdoor Display and Storage Areas.</u>	<u>20</u>	<u>1.0</u>	<u>15:1</u>	<u>4:1</u>
c. <u>Outdoor Work Areas</u>	<u>20</u>	<u>1.0</u>	<u>15:1</u>	<u>4:1</u>
Notes:				
1. <u>Measured in foot-candles.</u>				
2. <u>Building or accessory mounted luminaires used to light parking lots shall comply with Parking Lot illumination levels.</u>				
3. <u>May be increased to 20 foot candles for the first row of display parking located adjacent, but not more than 100' from a ROW.</u>				
4. <u>Applicable to outdoor recreation areas only, excluding areas such as parking lots, drive isles, pathways, building and landscape lighting.</u>				
5. <u>Fully shielded bollards not greater than 42 inches in height may be permitted up to 20 foot candles.</u>				

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e. Luminaire Heights

Table 5.E.3.D – 14, Maximum Permitted Luminaire Height, identifies the maximum height for any freestanding or structure mounted luminaires.

Table 5.E.3.D - 14 –Maximum Permitted Luminaire Height

<u>Location</u>	<u>Maximum Height</u>	
	<u>U/S Tier</u>	<u>Rural, Exurban and AGR Tiers</u>
Buildings and Accessory Structures		
a. <u>Buildings</u>	<u>25 feet or eave overhang, whichever is lower (unless required by the Florida Building Code)</u>	
b. <u>Accessory Structures</u>	<u>10 feet</u>	<u>8 feet</u>
Parking Lot		
a. <u>Residential</u>	<u>20 feet</u>	<u>15 feet</u>
b. <u>Industrial</u>	<u>40 feet</u>	-
c. <u>Commercial, Civic and Institutional</u>	<u>30 feet, or equal to the height of the building up to a maximum of 40 feet</u>	
Parking Structures		
a. <u>Luminaires on top parking level.</u>	<u>20 feet or 25 feet (4)</u>	<u>15 feet</u>
Property Boundary, Residential		
a. <u>Luminaires within 100 feet of residential (2)</u>	<u>20 feet</u>	<u>15 feet</u>
Specialty Lighting (3)		
a. <u>Golf Courses</u>	Per IESNA Lighting Handbook	
b. <u>Outdoor Entertainment</u>		
c. <u>Parks</u>		
Notes:		
1. <u>For the purposes of this table, residential parcel shall include any residential use, or any vacant parcel with a residential FLU designation.</u>		
2. <u>The height of any lighting luminaire within 100 feet of a parcel with a residential use or FLU designation shall be limited in accordance with the height limitations for Property Boundary, Residential.</u>		
3. <u>Applicable to outdoor recreation areas only, excluding areas such as parking lots, drive isles, pathways, building and landscape lighting.</u>		
4. <u>Minimum setback shall be 45 feet from exterior edge of wall for all luminaires, except luminaires mounted to interior face of perimeter wall, which do not exceed the height of the perimeter wall.</u>		

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f. Measurement

- 1) Illumination levels shall be measured in foot candles with a direct-reading, calibrated, portable light meter. The light meter shall be placed not more than six inches above grade level.
- 2) For the purposes of measuring light trespass, the light meter shall be placed at the property line of the subject parcel six feet above the grade level.

Part 6. Art. 5.E.3.A.5.f, AGR District (page 40 of 63), is hereby amended as follows:

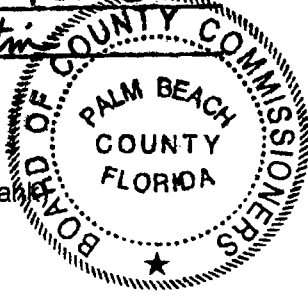
f. AGR District

Noise, vibration, smoke, emissions, particulate matter, odors, and ~~outdoor lighting~~ by farm operations conforming to generally accepted agricultural and management practices in the AGR district.

STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, SHARON R. BOCK, Clerk & Comptroller certify
 this to be a true and correct copy of the original
 filed in my office on AUG 25 2005

dated at West Palm Beach, FL on 9-21-05

By: Ursalette Valentin
 Deputy Clerk



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