

**PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

REGULAR AGENDA

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

TITLE: UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS – USE REGULATIONS PROJECT, ARTICLE 15, HEALTH REGULATIONS: REQUEST FOR PERMISSION TO ADVERTISE FOR FIRST READING ON JANUARY 26, 2017.

- **SUMMARY AND REASON FOR AMENDMENT:** The proposed amendments in Exhibit A - Article 15, Health Regulations, are related to the Use Regulations Project.

LDRAB/LDRC: The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on December 14, 2016, and the Land Development Regulation Commission (LDRC) on December 14, 2016. All proposed ULDC amendments were found to be consistent with the Plan.

MOTION: To approve the Request for Permission to Advertise for First Reading of ULDC Amendments – Use Regulations Project, on January 26, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, **SITTING AS THE ENVIRONMENTAL CONTROL BOARD**, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-068, AS AMENDED, AS FOLLOWS: **ARTICLE 15 - HEALTH REGULATIONS:** CHAPTER B, (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS; CHAPTER C, GENERAL THRESHOLD VIEW; **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.

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

1 **Section 4. Severability**

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

6 **Section 5. Savings Clause**

7 All development orders, permits, enforcement orders, ongoing enforcement actions, and
8 all other actions of the Board of County Commissioners, the Environmental Control Hearing
9 Board, the Environmental Appeals Board, all other County decision-making, enforcement, and
10 advisory boards, Special Masters, Hearing Officers, and all other County officials, issued
11 pursuant to the regulations and procedures established by prior Palm Beach County land
12 development regulations, shall remain in full force and effect.

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

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

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

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

20
21 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach
22 County, Florida, sitting as the Environmental Control Board, on this _____ day of
23 _____, 20____.

24
SHARON R. BOCK, CLERK &
COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Paulette Burdick, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

25
26
27
28

EFFECTIVE DATE: Filed with the Department of State on this _____ day of
_____, 20____.

EXHIBIT A

ARTICLE 15, HEALTH REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 12/07/16)

1
2 Part 1. ULDC Art. 15.B.8.A, Design Criteria [Related to Construction and Design
3 Requirements] (page 12 - 13 of 24), is hereby amended as follows:
4

Reason for amendments: [Zoning] Rename Water or Treatment Plant to Water or Wastewater Treatment Plant as proposed in the Utilities Use Classification.

5 CHAPTER B (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS

6 Section 8 Construction and Design Requirements

7 A. Design Criteria

8
9
10 17. All existing community systems serving 350 or more persons and all newly proposed
11 community systems shall be equipped with a source of auxiliary power to allow operation of
12 the raw water supply, water treatment units and pumping capacity. In addition, such systems
13 shall be provided with automatic start up devices except where elevated storage or 24 hour
14 per day, seven day per week operation is provided. Such emergency power shall be of a
15 sufficient capacity to operate the water supply facility at average daily design capacity. A
16 minimum fuel supply for 14 days of continuous operation for each item of auxiliary power
17 shall be maintained at the ~~w~~Water or Wastewater ~~t~~Treatment ~~p~~Plant or under the control of
18 the utility and reserved for the ~~w~~Water or Wastewater ~~t~~Treatment ~~p~~Plant. Any fuel pumps
19 required to transfer the fuel to the auxiliary power units shall be equipped with their own
20 auxiliary power or manual pumping system. [Ord. 2005 – 003]

21 19. Disinfection

22
23 c. A minimum of two chlorination facilities at the ~~w~~Water or Wastewater ~~t~~Treatment ~~p~~Plant
24 shall be provided for each community water system. Each chlorinator shall be of
25 adequate capacity to supply the total demand of the raw water at the rated capacity of the
26 treatment plant. Where more than two chlorinators are available, adequate capacity to
27 supply the total chlorine demand of the raw water shall be provided with the largest unit
28 out of service. Disinfection other than chlorination will be considered on an individual
29 basis by the Department.
30
31

32 20. Water or Wastewater Treatment Plant and Storage
33 The approved design capacity shall be adequate to provide for the maximum day demand
34 plus fire flow requirements and maintain the water quality standards specified in this Article.

35 21. Distribution

36
37 f. When the distribution demand, as determined in Art. 15.B.8.A.21.a, above, reaches 80
38 percent of approved design capacity the supplier of water shall initiate the procedures for
39 ~~w~~Water or Wastewater ~~t~~Treatment ~~p~~Plant expansion. In the event expansion procedures
40 are not initiated, the system shall be considered inadequate for additional distribution
41 expansion, and approval for additional distribution expansion shall not be granted unless
42 otherwise justified by an engineering report covering the circumstances and approved by
43 the Department
44 g. When the distribution demand, as determined in Art. 15.B.8.A.21.a, above, reaches 90
45 percent of the approved design capacity, the supplier of water shall have the ~~w~~Water or
46 Wastewater ~~t~~Treatment ~~p~~Plant expansion under construction. In the event construction is
47 not underway, the system shall be considered inadequate for additional distribution
48 expansion and approval for additional distribution expansion shall not be granted unless
49 otherwise justified by an engineering report covering the circumstances and approved by
50 the Department.
51

(This space intentionally left blank)

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

EXHIBIT A

ARTICLE 15, HEALTH REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 12/07/16)

1 Part 2. ULDC Art 15.C.1.A, Purpose, (page 19 of 24), is hereby amended as follows:
2

Reason for amendments: [Zoning] Update multiple use titles for consistency with changes to uses in different use classifications in Art. 4, Use Regulations.

3 **CHAPTER C GENERAL THRESHOLD REVIEW**

4 **Section 1 Purpose**

5 The purpose of threshold review is to provide information to the applicant and PBC on the carrying
6 capacity of the land prior to site design.

7 **A. Development on Property or Uses Requiring Threshold Review**

8 Proposed development consisting of any of the following site uses shall be reviewed by the
9 Department. In response, the Department shall advise the applicant of special rules and
10 procedures governing development of the use:

- 11 1. ~~Sanitary Landfills or Incinerator~~;
- 12 2. Recycling Plants ~~and Recycling~~ Centers;
- 13 3. Composting ~~f~~Facility;
- 14 ~~4. Chipping and Mulching Plants;~~
- 15 ~~54. Chipping and Mulching Plants;~~
- 16 ~~65. Waste and Water or Wastewater t~~Treatment ~~p~~Plants;
- 17 ~~76. Public Bathing Places;~~
- 18 ~~87. Salvage or and Junk Yards;~~
- 19 ~~98. Air Curtain Incinerators;~~
- 20 ~~109. Bio Hazardous Waste Processing Plants;~~
- 21 ~~110. Electric Power Generation Plants;~~
- 22 **[Renumber Accordingly]**

U:\Zoning\CODEREV\2016\BCC Hearings\URP\Health Ord. Packet\RPA\Exh. A- Article 15, Health Reg.docx

Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

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