

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
MAY 28, 2014 MEETING

AMENDMENTS TO THE AGENDA
(Updated 5/28/14)

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| #1 | Exhibit E – Article 8.G.3.B.4, Electronic Message Signs, Part 6, Page 18 of 79 (line 14) |
| Reason for Amendment: The current time and temperature provision allowed for exemption from setbacks and location requirements, as it was recognized that these small electronic message signs will be included on existing freestanding or monument signage. The proposed revision carries this forward with exception to the requirement that these signs be setback a minimum of 100' from residential. | |

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3 **7. Approval Process Exceptions**

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5 **c. Exemptions**

6 Time and temperature, and fuel price signage shall be exempt from the following:

- 7 1) Minimum setbacks of Table 8.G.3.B, Electronic Message Sign Face Area and
8 Setbacks; and,
9 2) Art. 8.G.3.B.3, Location, except for Art. 8.G.3.B.3.b, which requires a minimum
10 setback from residential.

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| #2 | Exhibit F – Art. 5.B.1.A.12, Accessory Radio Tower, Part 6, page 16 of 79 (lines 24 – 28) |
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- 13 4) The DRO may approve setback reductions for property lines or lease tracts within
14 parcels owned by the SFWMD or TIITF, when it is demonstrated to DRO that the
15 whole breakpoint calculations demonstrate a tower will collapse within the property or
16 the within minimum required setbacks for adjoining parcels owned by the SFWMD or
17 TIITF eligible parcels. Breakpoint calculations shall be certified by a professional
18 engineer, licensed by the State of Florida.

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| #3 | Exhibit J – Article 3.B.4, Glades Area Overlay (GAO), Part 3, Page 35 of 79 (line 2) |
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22 **B. Applicability**

23 The GAO shall apply to all land within the Urban Service Area (USA) of the Glades Tier. All
24 development orders within the GAO district shall also comply with all applicable Joint Planning
25 Area Agreements, pursuant to Florida Statutes.

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| #4 | Exhibit J – Article 3.B.4, Glades Area Overlay (GAO), Part 3, Page 35 of 79 (line 33) |
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29 **ED4. Property Development Regulations (PDRs) Exceptions**

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| #5 | Exhibit J – Article 3.B.4, Glades Area Overlay (GAO), Part 3, Page 36 of 79 (lines 3 – 9) |
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33 **a. Public Street**

34 For the purposes of this Section, a public street within a PIPD shall not include private
35 streets that comply with the following:

- 36 1) Located within or adjacent to an Industrial Pod; and,
37 2) Services industrial uses only; and,
38 3) Shall not include the first 200 feet of a street that connects to a street that does not
39 meet 1) and 2) above.

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| #6 | Exhibit J – Article 3.B.4, Glades Area Overlay (GAO), Part 3, Page 37 of 79 (lines 21, 28-29, and 31) |
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43 **f. Landscaping in Industrial Pods**

44 **1) Foundation Planting**

45 Loading spaces, docks and associated maneuvering areas. Industrial buildings not
46 visible from a public street or residential zoning district may be exempt from the
47 foundation planting requirements of Art. 7.D.11, Foundation Planting if the adjacent
48 perimeter ROW or incompatibility buffer is increased in width by eight feet and the
49 foundation planting requirements are relocated to the buffer. For those parcels that
50 use this exemption, only that portion of the building façade with the main public and
51 employee entrances, and extending along the façade a minimum of 100 feet in each
52 direction from each entrance, including around corners unless interfering with a
53 loading area/space/dock/bay, are subject to the provisions. If the distance between
54

Notes:

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

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.

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
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foundation planting treatments is less than 10 percent of the overall length of the building façade, the treatment shall be extended. If the Architectural Review exemption in Art. ~~5.C.4.C.1~~ 3.B.4.F.1.d, Architectural Review is utilized, the additional buffer width and planting is not required to utilize the Foundation Planting exemption.

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| #7 | Exhibit J – Article 3.B.4, Glades Area Overlay (GAO), Part 3, Page 38 of 79 (line 8) |
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1) Industrial Uses – 7:00 a.m. to 7:00 p.m. ~~(Monday – Saturday);~~
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| #8 | Exhibit J – Article 3.B.4, Glades Area Overlay (GAO), Table 3.B.4.F – Type I Waiver for Industrial Pods, Part 3, Page 39 of 79 (line 2) |
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Table 3.B.4.F. Type I Waivers for Industrial Pods

| <u>Article/Table Reference and Title</u> | <u>Maximum Waiver</u> |
|--|--|
| | |
| <u>Table 5.E.4.D, Maximum Permitted Luminaire Height</u> | <u>Increase Luminaire heights may be increased by 25 percent when all adjacent parcels are within an Industrial pod.</u> |
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| #9 | Exhibit J – Table 4.A.4.A – Thresholds for Projects Requiring Board of County Commissioner Approval (1), Note #5, Part 5, Page 40 of 79 (line 6) |
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Table 4.A.4.A - Thresholds for Projects Requiring Board of County Commission Approval (1)

| FLU Designation (2) (3) | Number of Square Footage or Units (4) (5) | Acreage |
|--|--|---------|
| | | |
| Notes: | | |
| 5. <u>A BCC approved PDD or TDD shall not be subject to these thresholds for any DOA subsequent Development Order approval permitted under DRO Authority.</u> | | |

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Notes:

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

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.



May 21, 2014

**Department of Planning,
Zoning & Building**

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

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



**Palm Beach County
Board of County
Commissioners**

Priscilla A. Taylor, Mayor
Paulette Burdick, Vice Mayor

Hal R. Valeche
Shelley Vana

Steven L. Abrams
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

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

RE: May 28, 2014 LDRAB/LDRC Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC hearing on Wednesday, May 28, 2014.

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

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

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: May 28, 2014 LDRAB/LDRC Agenda

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

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"An Equal Opportunity
Affirmative Action Employer"

PALM BEACH COUNTY

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

MAY 28, 2014

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Richard S. Kozell, III (District 1)

Barbara Katz (District 3)

Jim Knight (District 4)

Lori Vinikoor (District 5)

Mike Zimmerman (District 6)

Henry D. Studstill, (District 7)

James M. Brake (Member at Large/Alternate)

Leo Plevy (Member at Large/Alternate)

Raymond Puzitiello (Florida Atlantic Builders Assoc.)

Joni Brinkman (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

Jerome I. Baumoehl (American Institute of Architects)

Edward E. Tedtmann (Environmental Organization)

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

Gary Rayman (Fl. Surveying and Mapping Society)

Vacant (Condominium Association)

Vacant (Association Gen. Cont. of America)

Board of County Commissioners

Priscilla A. Taylor, Mayor, District 7

Paulette Burdick, Vice Mayor, District 2

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

**Shelley Vana
Commissioner, District 3**

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

**Mary Lou Berger
Commissioner, District 5**

**Jess R. Santamaria
Commissioner, District 6**

**Robert Weisman
County Administrator**



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



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

**WEDNESDAY, MAY 28, 2014 AGENDA
2300 NORTH JOG ROAD
KEN ROGERS HEARING ROOM - 1ST FLOOR (VC-1W-47)
2:00 P.M.**

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of April 23, 2014 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B Northlake Boulevard Overlay Zone (NBOZ)
2. Exhibit C Residential Setback Exceptions and ZLL Encroachments
3. Exhibit D URAO/IRO Alternative Parking Lot Design Options
4. Exhibit E Digital Fuel Price Signage
5. Exhibit F SFWMD Accessory Radio Towers
6. Exhibit G Outdoor Shooting Range
7. Exhibit H Art. 7, Landscaping
8. Exhibit I Privately Initiated Amendment (PIA) 2014-376 Bay Door Orientation
9. Exhibit J Inland Logistic Center

C. CONVENE AS LDRC

1. Proof of Publication
2. Consistency Determinations
 - a. See Exhibits listed above B.1 thru B.9
 - b. Previously presented at March 26 and April 23 LDRAB meetings:
 - 1) Exhibit K Art. 11, Subdivision, Platting and Improvements
 - 2) Exhibit L Art. 12, Traffic Performance Standards
 - 3) Exhibit M Art. 13, Impact Fees
 - 4) Exhibit N Art. 15, Health Regulations
 - 5) Exhibit O Modifications to BCC and ZC Approvals
 - 6) Exhibit P RVPD Real Estate Sales Office
 - 7) Exhibit Q Economic Development Center (EDC)

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

F. STAFF COMMENTS

1. Use Regulations Project Status
2. June 25, 2014, Special LDRAB Meeting
3. Architectural Elevation Subcommittee for Fall 2014

G. ADJOURN

EXHIBIT A

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

Minutes of April 23, 2014 Meeting

On Wednesday, April 23, 2014 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

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

Members Present: 14

Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Richard Kozell (District 1) **
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Michael Zimmerman (District 6) *
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Terrence Bailey (Florida Eng. Society)
Jerome Baumoehl (AIA)
Edward Tedtmann, Environmental Organization)
Frank Gulisano (PBC Board of Realtors)
Leo Plevy (Member at Large, Alt.)

Members Absent: 3

Gary Rayman (Fl. Surveying & Mapping Society)
Henry Studstill (District 7)
James Brake (Member At Large, Alt.)

Vacancies: 2

(Assoc. General Contractors of America)
(Condominium/HOA Association)

County Staff Present:

Leonard W. Berger, Chief Assistant County Attorney
Mary Ann Kwok, AICP Chief Planner, Zoning
William Cross, AICP, Principal Site Planner, Zoning
Lauren Dennis, Site Planner II, Zoning
Zona Case, Zoning Technician, Zoning
John Rupertus, Senior Planner, Planning
Erin Fitzhugh, AICP Senior Planner, Planning

2. Additions, Substitutions, and Deletions

Mr. Cross stated there are changes to Exhibit C which will be read into the record when Exhibit C is addressed.

3. Motion to Adopt Agenda

Motion to adopt by Mr. Puzzitiello, seconded by Ms. Vinikoor Motion passed (12 – 0* **).

4. Adoption of February 26, 2014 Minutes (Exhibit A)

Ms. Vinikoor stated that the March 26, 2014 minutes did not reflect the discussion on whether a wall would be required as part of adverse impacts of the bay door orientation PIA. Motion to adopt as amended by Mr. Gulisano, seconded by Mr. Puzzitiello. Motion passed (12–0* **).

* Michael Zimmerman arrived at 2:05 p.m.

** Richard Kozell arrived at 2:08 p.m.

B. ULDC AMENDMENTS

1. Exhibit B – Modifications to BCC/ZC Approvals

Ms. Dennis explained that the exhibit addressed Development Review Officer (DRO) administrative addition of square footage to buildings on sites approved by the Board of County Commissioners (BCC) and Zoning Commission (ZC). The provision clarifies the ability to add five percent or 5,000 square feet for any freestanding building or structure and cannot exceed 5,000 square feet of the total approved square footage for the whole development. Ms. Dennis clarified that the additional square footage does not allow creation of new freestanding buildings or structures.

Mr. Knight inquired how staff determined the five percent or 5,000 square feet limitation and whether it would apply to county projects as well. Ms. Dennis clarified the limitation was existing code and this amendment was a clarification of the existing thresholds and the standard applied to all non-residential projects approved by the BCC or ZC.

Ms. Brinkman requested clarification on whether the 5,000 square feet allowable for the entire project could be added incrementally throughout the entire development. Ms. Dennis responded in the affirmative and further indicated that it would be banked until the maximum addition for the entire development was reached.

Motion to adopt by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (14 – 0).

2. Exhibit C – RVPD Real Estate Sales Office

Ms. Brinkman advised that she would recuse herself from discussions on Recreational Vehicle Planned Development District (RVPD) Real Estate Sales Office, and provided Voting Conflict Form 8B.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of April 23, 2014 Meeting

Mr. Cross outlined that this amendment was to clarify a temporary sales offices would be permitted as an accessory use to the Recreational Vehicle Planned Development (RVPD), and a permanent sales office would be allowed in a commercial pod.

There was no Board discussion.

Motion to adopt by Mr. Gulisano, seconded by Ms. Vinikoor. The motion passed (14 - 0).

3. Exhibit D – Economic Development Center

Mr. Cross explained that Economic Development Center (EDC) is being added to the ULDC to address the EDC Future Land Use (FLU) designation in the Comprehensive Plan. Mr. Cross clarified that the Code needs to identify the uses permitted in EDC even though in the past it has been interpreted as industrial FLU category, subject to compliance with the Comprehensive Plan. He indicated that during the upcoming years, the Comprehensive Plan may be updated to clarify the EDC in greater detail and at such time, the ULDC will be updated for consistency as well.

Mr. Cross further clarified that the EDC is intended to allow for clean industrial uses, corporate headquarters, and research and development.

Ms. Brinkman asked why General Repair and Maintenance would be permitted and Limited Repair and Maintenance is not permitted as it is a less intense use when compared with the approval in PIPD Industrial Light Use Zone. Mr. Cross stated staff will review the two uses further within the Multiple Use Planned Development (MUPD) with an EDC FLU designation. The approval process is included here as a placeholder and further detailed revision will be done as part of the Use Regulations Project.

Mr. Baumoehl requested clarification that General Daycare in the EDC is subject to DRO approval and whether Government Services are permitted by right in an MUPD with an EDC FLU. Mr. Cross stated General Daycare is subject to DRO approval and Government Services are permitted by right.

Mr. Bailey inquired about Enclosed Gun Club as a Class A Conditional Use which seems incompatible with the intent of the EDC. Mr. Cross stated they are encouraged to be in industrial areas which are away from residential areas. Mr. Cross clarified that staff will review the Gun Club use within an MUPD with an EDC FLU if the board gives direction to staff to do so.

Ms. Brinkman inquired as to why a Fitness Center is allowed in Industrial Light Use Zone of a Planned Industrial Park Development (PIPD) and why it is not allowed in an MUPD with an EDC FLU designation. Mr. Cross clarified the Fitness Center could be an accessory use to a corporate headquarters with in an MUPD with an EDC FLU designation and not be open to the public. He further advised that the subject was being addressed as part of the Use Regulations Project.

Ms. Vinikoor requested clarification on why a Recycling Center is permitted within an MUPD with an EDC FLU designation. Mr. Cross clarified by indicating that this use is not as intense as heavy industrial uses, which are not permitted in EDC. This particular use does not include crushing or activities of that nature.

Mr. Cross and Ms. Kwok clarified that Class A Conditional Use and Requested Use represented with "A" and "R" respectively in the use matrix are the same Board of County Commissioners approval process which will be consolidated as part of the Use Regulation Project.

Mr. Cross stated that the approval process for Manufacturing and Processing will be changed from the proposed permitted by right to Class A Conditional Use since the use matrix will be showing the most restrictive approval process. If the use operates indoor, the approval process shall be reduced, therefore the use standards will be reflecting that approval process option.

Mr. Bailey requested clarification as to why Light Manufacturing Agriculture is not permitted in the EDC. Mr. Berger and Mr. Cross stated the use is related to agricultural production.

Ms. Brinkman requested staff to ensure the proposed exhibit prohibiting "large amounts of material transfer" under the proposed use limitations applicable to MUPD and PIPD in Article 3 of the Code, would not encompass warehouse distribution centers and turn prohibit them. Mr. Cross stated staff will be looking to tighten up use limitations and would have specific design criteria to cluster noisy and more intense uses to avoid affecting uses which are clean industrial

EXHIBIT A

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

Minutes of April 23, 2014 Meeting

uses. Mr. Cross stated the County Attorney's office has requested more quantifiable language with regards to clustering.

Mr. Baumoehl requested clarification of the maximum lot coverage and setbacks in the MUPD Property Development Regulations table. Mr. Cross indicated that the information was carried over from existing requirements applicable to the Industrial FLU designation.

Ms. Brinkman requested clarification of Table 3.E.5.D and footnote 1. Ms. Fitzhugh clarified the original implementation of EDC and PIPD prior to the proposed exhibit.

Motion by Ms. Vinikoor, seconded by Mr. Carpenter with attention to Manufacturing and Processing and further quantifying the use limitations as to the noise and large amounts of material transfer. The motion passed (14-0).

C. PUBLIC COMMENTS

None.

D. STAFF COMMENTS

Subcommittees

1. May 28, 2014 LDRAB Meeting Discussion

Mr. Cross explained there are multiple amendments scheduled for the May LDRAB, including the proposed Minto amendments, and various options for presentation of the May items were discussed. Consensus was to have the May LDRAB meeting start at 1 p.m. and make the Minto exhibit time certain at 2:30 p.m. if the item is not postponed. [Editor's note: Since the April meeting, the Minto amendment request has been rescheduled to the June LDRAB meeting. LDRAB members were notified via e-mail and the County's Minto webpage has been updated accordingly.]

Ms. Cantor reminded LDRAB members that the Commercial Uses survey is open until May 30, and invited Board members to the Commercial Uses Kick-Off meeting on May 15, 2014 at 1:00 p.m. at Vista Center.

F. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:12 p.m.

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

Minutes drafted by: Lauren Dennis

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|---|--|
| LAST NAME—FIRST NAME—MIDDLE NAME Brinkman Joni | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PBC Land Development Regulation Advisory Board |
| MAILING ADDRESS 201 Rex Ct | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY COUNTY Palm Springs Palm Beach | NAME OF POLITICAL SUBDIVISION: Palm Beach County |
| DATE ON WHICH VOTE OCCURRED 4-23-14 | MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joni Brinkman, hereby disclose that on April 23, 20 14 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of Urban Design Kilday Studios, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Exhibit C - RVPD Revisions

Our company is currently processing a RVPD application and although the item is County initiated, our firm has been coordinating with staff in regard to the item.

4-23-14

Date Filed

Joni Brinkman
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

EXHIBIT B

NORTHLAKE BOULEVARD OVERLAYZONE
SUMMARY OF AMENDMENTS
(Updated 5/19/14)

1
2 **Part 1. ULDC Art. 3.B.8, NBOZ, and Northlake Boulevard Overlay Zone (page 28 of 229), is**
3 **hereby amended as follows:**
4

Reason for amendments: [Zoning] The purpose of the amendment is to provide additional time for the property owners to comply with the Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines for both Landscape and Signage. On April 29, the NBOZ Task Team, which is comprised of representatives from: PBC, Palm Beach Gardens, North Palm Beach, and Lake Park, met to discuss the status of compliance by all jurisdictions. It was agreed to maintain an overall compliance date of 2016 and each jurisdiction needs to continue to encourage compliance.

5 **CHAPTER B OVERLAYS**

6 **Section 8 NBOZ, Northlake Boulevard Overlay Zone**

7 **A. Purpose and Intent**

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

17 **B. Applicability**

18 The provisions of the NBOZ, as outlined in "Design Guidelines: Northlake Boulevard Overlay
19 Zoning District (NBOZ)" prepared by Michael Redd & Associates, and dated March 11, 2002,
20 which are incorporated herein by reference, shall apply to all proposed development order
21 applications within the boundaries of the NBOZ, as described in Article 3.B.9.C, Boundaries.

22 **C. Boundaries**

23 The NBOZ includes the public R-O-W for Northlake Boulevard and all properties along Northlake
24 Boulevard from Military Trail to U.S. Highway One for one property depth north and south of
25 Northlake Boulevard, including the street intersection properties at U.S. Highway One and at
26 Military Trail. Unincorporated portions of the NBOZ include portions of Section 18, Township 42,
27 Range 43; Section 17, Township 42, Range 43; Section 24, Township 42, Range 42; and Section
28 19, Township 42, Range 43, as indicated in the Official Zoning Map.

29 **D. Conflict**

30 In the event of a conflict between the NBOZ and other applicable regulations, the more restrictive
31 regulation shall prevail.

32 **E. Deadline to Comply with Requirements for Signage and Landscaping**

33 The deadlines to comply with signage and landscaping requirements contained in the provisions
34 of the Design Guidelines for the NBOZ are hereby extended to July 5, 2016 ~~May 31, 2014~~.

35 **1. Notice to Property Owners**

36 Written certified notice shall be provided by PBC Zoning to the property owner at least one
37 year in advance of the July 5, 2016 ~~May 31, 2014~~ deadline.
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Notes:

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EXHIBIT C

RESIDENTIAL SETBACK EXCEPTIONS AND ZERO LOT LINE ENCROACHMENTS SUMMARY OF AMENDMENTS

(Updated 5/20/14)

- 1
2 Part 1. ULDC Art. 3.D.1.D.5, Setback Exceptions (page 127 and 128 of 229), is hereby amended
3 as follows:
4

Reason for amendments: [Zoning]

1. The ULDC allows for a number of minor encroachments within building setbacks. In response to increasing windstorm insurance costs and both private and government sponsored efforts to encourage windstorm mitigation through hardening of existing buildings, there is a need to accommodate setback encroachments for hurricane impact shutters. Most impact shutters requiring manual installation have a limited amount of permanent hardware that may encroach into a setback, whereas other systems such as permanently installed roll down or accordion shutters may require additional setback exceptions.
2. The County has been advised that developers may market stone veneer or other similar decorative front façade treatments as an upgrade for newly constructed homes, some of which may wrap around a portion of the side of the home, resulting in setback encroachments. It is also presumed that renovations to existing structures may also have similar issues. Noting that current setback exceptions include similar aesthetic improvements, the County is amenable to allowing a minor encroachment.

5 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

6 **Section 1 PDRs for Standard Zoning Districts**

7 **D. Setbacks**

8 **5. Setback Exceptions**

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

11 **a. Structures Projections and Improvements Permitted in Setbacks**

12

- 13 3) Permanent/retractable awnings, ~~or~~ canopies or Bahama shutters projecting a
14 maximum of three feet into a setback, and having no support other than provided by
15 the wall or structure to which it is attached; [Ord. 2005-041]

16

- 17 26) Bus shelters and bus benches; ~~and~~ [Ord. 2005-041]

- 18 27) Fire hydrants and other government service/utility structures required to be in certain
19 locations by applicable Codes and ordinances; ~~and~~ [Ord. 2005-041]

20 28) Impact shutters, as follows:

- 21 a) Mounting hardware, accordion shutters, or roll down shutters, projecting a
22 maximum of six inches into the setback; and,

- 23 b) Shutters projecting a maximum of 18 inches into the setback subject to a
24 minimum overhead clearance of 84 inches for ground floors, or where mounted
25 above fenestration on upper floors.

- 26 29) Decorative architectural treatment such as lintels, stone veneer or stucco banding,
27 projecting a maximum of six inches into a setback.

- 28
29
30 Part 2. ULDC Art. 3.D.2.B.9.c, Maintenance and Roof Overhang Easement (pages 134 and 135
31 of 229), is hereby amended as follows:
32

Reason for amendments: [Zoning]

1. Provide minor easement encroachment to accommodate hurricane impact shutters for glass block (or other translucent material) fenestration permitted along the portion of the home with a zero setback.
2. Allow for minimal encroachment of decorative architectural treatment along the portion of a home with a zero setback.

33 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

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

35 **B. Zero Lot Line (ZLL)**

36 **9. Permitted Openings and Attachments**

37 **c. Maintenance and Roof Overhang Easement**

Notes:

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EXHIBIT C

RESIDENTIAL SETBACK EXCEPTIONS AND ZERO LOT LINE ENCROACHMENTS SUMMARY OF AMENDMENTS

(Updated 5/20/14)

1 The subdivision plan and plat shall indicate a maintenance and roof eave encroachment
2 easement along the ZLL for each ZLL lot for the purpose of allowing maintenance of the
3 portion of the home with a zero setback and to accommodate any overhang of the roof
4 eave and gutter. Should a fence or wall traverse or be located within a maintenance and
5 roof easement, written permission from all easement beneficiaries will be required prior to
6 the issuance of a permit by PBC. A gate for access and maintenance purposes will be
7 required. Access for the owner of the lot abutting the easement and the easement
8 beneficiaries shall be provided after advanced notification and during reasonable hours.
9 No construction, landscaping, mechanical equipment, fence or wall shall prevent
10 perpetual access to said easement by the owner of the lot abutting the easement or the
11 easement beneficiaries. **[Ord. 2013-001]**

12 1) Easement Width

13 This easement shall have a minimum width of two feet.

14 2) Roof Overhang

15 Roof eaves, soffits and gutters may encroach the easement up to a maximum of 24
16 inches. Gutters shall be installed along the entire length of the ZLL side to prevent
17 water runoff onto the adjacent property.

18 3) Drainage

19 This easement shall not overlap a drainage easement.

20 4) Plat

21 The following language shall be on the plat for each ZLL subdivision: Maintenance
22 and roof overhang easements are hereby reserved in perpetuity to the owner of the
23 lot abutting the easement and the HOA for the purpose of access to and
24 maintenance of improvements, the roof overhang, eave, gutters, drainage and utility
25 services, decorative architectural treatment, and impact shutters, within and adjacent
26 to said easement without recourse to PBC. **[Ord. 2013-001]**

27 5) Easement Encroachments

28 Projections or improvements may be permitted to encroach into the ZLL maintenance
29 and roof overhang easement, upon demonstration that the plat dedication includes
30 the items specified, as follows:

- 31 a) Mounting hardware for impact shutters, accordion shutters, or roll down shutters,
32 projecting a maximum of six inches into the ZLL easement; and, [Ord. 2014-]
- 33 b) Impact shutters projecting a maximum of 18 inches into the ZLL easement
34 subject to a minimum overhead clearance of 84 inches for ground floors, or
35 where mounted above fenestration on upper floors.
- 36 c) Decorative architectural treatment such as lintels, stone veneer or stucco
37 banding extending a maximum distance of three feet measured from the front
38 facade, projecting a maximum of two inches into a ZLL easement.

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64 Encroachments.docx

Notes:

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EXHIBIT D

URAO AND IRO ALTERNATIVE PARKING LOT DESIGN OPTIONS SUMMARY OF AMENDMENTS

(Updated 5/19/14)

1
2 Part 1. ULDC Art. 3.B.15.F.11.c, Alternative Parking Lot Design Options [Related to Landscape
3 Standards] (page2 81-82 of 229), is hereby amended as follows:
4

Reason for amendments: [Zoning] The Infill Redevelopment Overlay (IRO) and Urban Redevelopment Area Overlay (URAO) include standards specific to more urbanized forms of development, including Alternative Parking Lot Design Options that allow for creative alternatives to Art. 7.G, Off-street Parking Requirements (landscaping). Recent use of Option 5 revealed that the introduction contains scrivener's errors and that some options are unclear to staff or applicants. The proposed revisions serve to clarify these options while retaining some flexibility.

5 CHAPTER B OVERLAYS

6 Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)

7 F. Design and Development Standards

8 11. Landscape Standards

9 c. Alternative Parking Lot Design Options

10 This section ~~allows provides landscape or~~ alternatives, ~~parking lot designs through~~
11 ~~modifications to or reductions Art. 7.G, Off Street Parking Requirements for~~
12 ~~interconnectivity that allow for the use of to promote~~ innovative design or use of green
13 building materials ~~necessary for smaller sites or desired for larger projects~~. The following
14 may be used individually or in combination, unless stated otherwise: [Ord. 2010-005]

15 1) Option 1

16 Projects that are one-half acres or less in size, with 20 or fewer parking spaces may
17 consolidate relocate all required interior landscape island areas and planting parking
18 materials into one or more locations anywhere within the project open space
19 preserve; [Ord. 2010-005]

20 2) Option 2

21 Projects that are two acres or less in size may reduce required terminal island
22 landscape width to a minimum of five feet in width of landscape area. This option
23 may not be used in conjunction with any option relocating these landscape areas;
24 [Ord. 2010-005]

25 3) Option 3

26 Landscape ~~area and~~ shrub or groundcover requirements for terminal, interior and
27 divider median islands may be replaced with bio-swales and appropriate landscaping,
28 provided that required canopy trees can be accommodated. Alterations to required
29 curbing may be permitted subject to demonstration that vegetated areas are
30 protected from vehicles ~~and that there will be no adverse impacts to pedestrians; or,~~
31 [Ord. 2010-005]

32 4) Option 4

33 Up to a maximum of 25 percent of required terminal, interior and divider median
34 landscape ~~islands areas~~ shall not be required provided that these parking areas
35 provide shade by installing covered parking that utilizes materials with appropriate
36 solar reflectance index (SRI) materials are installed where islands are removed
37 depending on the pitch of the roof of the structure; [Ord. 2010-005]

38 5) Option 5

39 Landscape shrub or groundcover requirements for Required terminal, interior and
40 divider median landscape areas ~~and required shrubs~~ shall not be required, subject to
41 the following: [Ord. 2010-005]

42 a) The number of required terminal, interior and divider median trees are doubled;
43 and, [Ord. 2010-005]

44 ~~b) Trees are protected by curbing, wheel stops or other similar methods of~~
45 ~~protection~~; [Ord. 2010-005]

46 ~~b~~e) Green building standards for tree wells and related root growth areas are utilized;
47 [Ord. 2010-005]

48 ~~d) All abutting parking spaces utilize pervious pavement that has an SRI of at least~~
49 ~~29 to improve solar reflectance; and,~~ [Ord. 2010-005]

50 ~~e) Land Development approval.~~ [Ord. 2010-005]

51 6) Option 6

52 No interior islands are required if parking spaces are abutting landscape buffers,
53 street walls or tree planting areas. [Ord. 2010-005]
54
55

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EXHIBIT D

URAO AND IRO ALTERNATIVE PARKING LOT DESIGN OPTIONS SUMMARY OF AMENDMENTS

(Updated 5/19/14)

1 Part 2. ULDC Art. 3.B.16.F.10.c, Alternative Parking Lot Design Options [Related to Landscape
2 Standards] (page 107 of 229), is hereby amended as follows:
3

Reason for amendments: [Zoning] See Part 1.

4 CHAPTER B OVERLAYS

5 Section 16 Urban Redevelopment Area Overlay (URAO)

6 F. PRA Design and Development Standards

7 10. Landscape Standards

8 c. Alternative Parking Lot Design Options

9 This section ~~allows provides landscape or~~ alternatives, ~~parking lot designs through~~
10 ~~modifications to or reductions~~ Art. 7.G, Off Street Parking Requirements ~~for~~
11 ~~interconnectivity that allow for the use of to promote~~ innovative design or use of green
12 building materials ~~necessary for smaller sites or desired for larger projects~~. The following
13 may be used individually or in combination, unless stated otherwise:

14 1) Option 1

15 Projects that are one-half acres or less in size, with 20 or fewer parking spaces may
16 consolidate ~~relocate~~ all required interior landscape island areas and planting parking
17 materials into one or more locations anywhere within the project open space
18 preserve; [Ord. 2010-022]

19 2) Option 2

20 Projects that are two acre or less in size may reduce required terminal island
21 landscape width to a minimum of five feet in width of landscape area. This option
22 may not be used in conjunction with any option relocating these landscape areas;
23 [Ord. 2010-022]

24 3) Option 3

25 Landscape ~~area and~~ shrub or groundcover requirements for terminal, interior and
26 divider median islands may be replaced with bio-swales and appropriate landscaping,
27 provided that required canopy trees can be accommodated. Alterations to required
28 curbing may be permitted subject to demonstration that vegetated areas are
29 protected from vehicles ~~and that there will be no adverse impacts to pedestrians~~; ~~or~~,
30 [Ord. 2010-022]

31 4) Option 4

32 Up to a maximum of 25 percent of required terminal, interior and divider median
33 landscape ~~islands areas~~ shall not be required provided ~~that those parking areas~~
34 ~~provide shade by installing~~ covered parking that utilizes ~~materials with~~ appropriate
35 solar reflectance index (SRI) materials are installed where islands are removed
36 depending on the pitch of the roof of the structure; [Ord. 2010-022]

37 5) Option 5

38 Landscape shrub or groundcover requirements for ~~Required~~ terminal, interior and
39 divider median landscape areas ~~and required shrubs~~ shall not be required, subject to
40 the following: [Ord. 2010-005]

41 a) The number of required terminal, interior and divider median trees are doubled;
42 and, [Ord. 2010-005]

43 ~~b) Trees are protected by curbing, wheel stops or other similar methods of~~
44 ~~protection~~; [Ord. 2010-005]

45 ~~be)~~ Green building standards for tree wells and related root growth areas are utilized;
46 [Ord. 2010-005]

47 ~~d) All abutting parking spaces utilize pervious pavement that has an SRI of at least~~
48 ~~29 to improve solar reflectance~~; and, [Ord. 2010-005]

49 ~~e) Land Development approval~~. [Ord. 2010-005]

50 6) Option 6

51 No interior islands are required if parking spaces are abutting landscape buffers,
52 street walls or tree planting areas. [Ord. 2010-022]

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61 Options.docx

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EXHIBIT E

DIGITAL FUEL PRICE SIGNAGE
SUMMARY OF AMENDMENTS

(Updated 5/22/14)

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3

Part 1. ULDC Art. 1.1.2, [Related to Definitions] (page 45 of 115), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Delete duplicate definitions for change of message. The definition is a standard and not a "sign type. Redundant to standard in Art. 8.G.3.B.1.b [Related to Prohibitions for Electronic Message Signs.
2. Clarify that Electronic Message Signs may include digital or other similar electronic medium.
3. Revise to match definition for Electronic Message Sign by removing the word "center."

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

6
7 C. Terms defined herein or referenced Article shall have the following meanings:
8 ~~28. Change of Message — each text frame of an electronic message center sign shall hold~~
9 ~~constant for a minimum of two seconds.~~

10
11 S. Terms defined herein or referenced Article shall have the following meanings:
12
13 43. **Sign** - any character, letter, figure, symbol, design or device or combination of these used to
14 attract attention or convey a message and which is visible to any area outside of a building.
15 The term includes banners, pennants, streamers, moving mechanisms and lights.

16 a. **Sign Types** -
17
18 ~~10) Change of Message — for the purposes of Art. 8, each text frame of an electronic~~
19 ~~message center sign shall hold constant for a minimum of two seconds.~~
20 **[Renumber accordingly.]**
21 ~~1445)~~ **Electronic Message** - for the purposes of Art. 8, a sign that uses changing
22 lights, digital or ~~an other~~ electronic medium to form a sign message or messages
23 wherein the sequence of the messages and the rate of change are electronically
24 programmed and can be modified by electronic processes.

25
26 ~~2324)~~ **Ground Mounted** - for the purposes of Art. 8, any sign which is permanently
27 erected or standing on the ground and supported from the ground by one or more
28 poles, columns, uprights, braces, or anchors and includes all freestanding signs,
29 monument signs and electronic message ~~center~~ signs.
30
31

32
33 Part 2. ULDC Table 8.A.1.C, Organization of Sign Regulations (page 7 of 39), is hereby
34 amended as follows:
35

Reason for amendments: [Zoning] Revise to match definition for Electronic Message Sign by removing the word "center."

36

Table 8.A.1.C – Organization of Sign Regulations

| | |
|---|---|
| | |
| CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES | Lists specific provisions and standards for building-mounted signs (wall signs, awning and canopy signs, projecting signs, and marquee signs); ground-mounted signs (freestanding and monument signs) entrance wall signs; electronic message center signs; directional signs; flags and freestanding flagpoles; and project identification signs. |
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EXHIBIT E

DIGITAL FUEL PRICE SIGNAGE SUMMARY OF AMENDMENTS

(Updated 5/22/14)

1
2 **Part 3. ULDC Art. 8.F.5.A, General Requirements [Related to Illumination provisions applicable**
3 **to all sign types], (page 22 of 39), is hereby amended as follows:**
4

Reason for amendments: [Zoning] Revise to match definition for Electronic Message Sign by removing the word "center."

5
6 **CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES**

7 **Section 5 Illumination**

8 Signs may be illuminated subject to the following standards:

9 **A. General Requirements**

10 3. Illumination shall be constant and shall not consist of flashing, animated or changing lights,
11 except for permitted change of message for electronic message ~~center~~ signs, pursuant to Art.
12 8.G.3.B, Electronic Message ~~Center~~ Signs.
13
14

15
16 **Part 4. ULDC Art. 8.F.6, Changeable Copy [Related provisions applicable to all sign types],**
17 **(page 22 of 39), is hereby amended as follows:**
18

Reason for amendments: [Zoning] Revise to match definition for Electronic Message Sign by removing the word "center."

19 **CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES**

20 **Section 6 Changeable Copy**

21 Changeable copy shall cover no more than 20 percent of the total sign area, except for the following uses
22 which are exempt from this restriction: all public and civic uses, indoor theaters, fuel price signs, and
23 signs that flash the time and temperature subject to Article 8.G.3.B, Electronic Message ~~Center~~ Signs.
24
25

26
27 **Part 5. ULDC Art. 8.G.1.D, Marquee Signs [Related to Building] (page 25 of 39), is hereby**
28 **amended as follows:**
29

Reason for amendments: [Zoning] Revise to match definition for Electronic Message Sign by removing the word "center."

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

31 **Section 1 Building Mounted Signs**

32 **D. Marquee Signs**

33 Marquee signs are allowed for theaters, stadiums, auditoriums, and similar uses subject to BCC
34 approval. Marquee signs are not subject to wall sign area limits, but the maximum sign area shall
35 not exceed one square foot for each foot of building frontage. Marquee signs may be electronic
36 message ~~center~~ signs, subject to Article 8.G.3.B, Electronic Message ~~Center~~ Signs, and have
37 changeable copy. A marquee sign may project a maximum of six feet above the cornice of a
38 building provided that it is architecturally integrated with the building.
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44 This space left blank intentionally.
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Notes:

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

EXHIBIT E

DIGITAL FUEL PRICE SIGNAGE SUMMARY OF AMENDMENTS

(Updated 5/22/14)

- 1 Part 6. ULDC Art. 8.G.3.B, Electronic Message Center Signs (page 29 - 30 of 39), is hereby
2 amended as follows:
3

Reason for amendments: [Zoning]

1. The Board of County Commissioners (BCC) has directed staff to amend the ULDC to accommodate Light Emitting Diode (LED) fuel price signs at gas stations, as relates to the recently adopted County Fuel Price Posting Ordinance (Ord. 2014-005). In developing standards for this type of signage, staff ascertained that most local governments classify LEDs under the heading "digital" signage, which may include other similar technology, or others not yet developed. Either way, the proposed regulations address the characteristics of this type of signage.
2. Existing provisions for electronic message signs are being updated concurrently with newly proposed digital fuel price signs, as necessary to recognize changes in technology utilized for this type of signage. Industry improvements in the brightness attained by Light Emitting Diodes (LEDs) or other similar digital technology raises concerns that there is a need to establish minimum standards to mitigate potential traffic hazards or other light pollution within the public realm. While the digital sign industry cites studies showing no causal relationship between digital signs and traffic safety, they also suggest minimum standards. The most current and commonly recognized standards are cited from the Illuminating Engineering Society of North American (IESNA), referring to a maximum suggested illumination of not more than 0.3 foot candles above ambient light. However, this may result in a contrast ratio of up to 300:1 which far exceeds the ratios permitted for other types of lighting. A survey of recent local Zoning Ordinances for digital signage indicates that 0.20 foot candles over ambient light is an acceptable standard that addresses excessive glare or brightness, while allowing for sufficient light to preclude the sign being "washed out" during the daytime.
3. Revise to match definition for Electronic Message Sign by removing the word "center."
4. Establish general red/orange color for gasoline and green for diesel to ensure consistency in the marketplace for consumers.

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

5 **Section 3 Other Sign Types**

6 **B. Electronic Message ~~Center~~ Signs**

7 Electronic message signs shall only be allowed at regional facilities, facilities with serial
8 performances, and, specialized attractions that, by their operating characteristics, have unique
9 sign requirements. These signs shall be subject to Class A Conditional Use or Requested Use
10 approval unless exempt under Article 8.B, EXEMPTIONS, or stated otherwise below. ~~Electronic~~
11 ~~message signs that only display time or temperature with a message unit less than 20 square feet~~
12 ~~in area shall be permitted in non-residential zoning districts, subject to issuance of a building~~
13 ~~permit. These signs shall not be required to comply with the requirements of Sections~~
14 ~~8.G.3.B.3, Location and 8.G.3.B.4, Required Findings.~~ [Partially relocated under new Art.
15 **8.G.3.B.7, Approval Process Exceptions for Time and Temperature] [Ord. 2010-022]**

16 **1. Prohibited Elements**

- 17 a. Electronic message ~~center~~ signs in windows and externally visible;
- 18 b. Message units that change copy, light, color, intensity, words or graphics more than once
19 per eight two seconds. Any change in message shall be completed instantaneously.
20 There shall be no special effects in-between messages;
- 21 c. Reflectorized lamps; and
- 22 d. ~~Electronic message center signs with lamps~~ Lamps, light-emitting diodes or bulbs in
23 excess of the amount and intensity of light generated by a ~~over~~ 30 watts incandescent
24 lamp or 300 lumens, whichever is less.
- 25 e. The message shall be static. There shall be no animation, flashing, scintillating lighting,
26 movement, or the varying of light intensity during the message. Messages shall not scroll
27 or give the appearance of optional illusion or movement.

28 **2. Standards**

29 Electronic message ~~center~~ signs are subject to ~~the standards in Table 8.G.3.B, Electronic~~
30 ~~Message Center Sign Standards, and~~ the height standards for freestanding signs in Table
31 8.G.2.A, Freestanding Signs: Maximum Heights, and the following:-

- 32 a. Each sign shall have a light sensing device that automatically adjusts brightness as
33 ambient light conditions change in order to ensure that the message meets the standard
34 for maximum brightness;
- 35 b. The maximum brightness shall be 0.2 foot candles above ambient light measured 150
36 feet perpendicular from the sign face area from a height of six feet. No sign shall display
37 light of such intensity to cause glare or otherwise impair the vision of a driver, or
38 interferes with the effectiveness of an official traffic sign, signal or device;

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EXHIBIT E

DIGITAL FUEL PRICE SIGNAGE SUMMARY OF AMENDMENTS

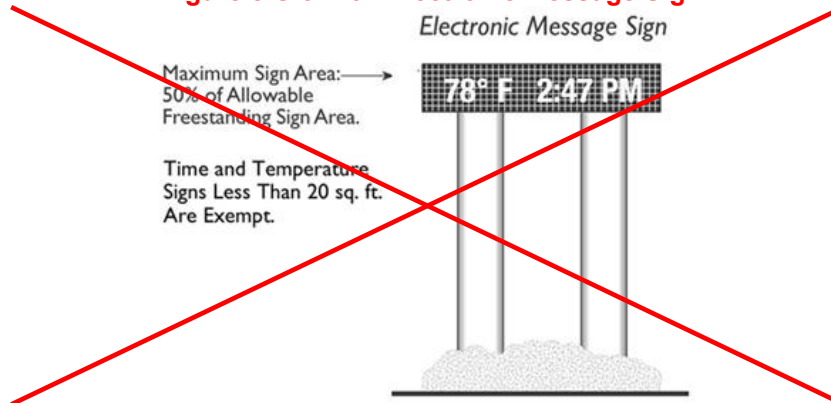
(Updated 5/22/14)

- 1 c. The sign shall be equipped with a default mechanism or setting that will cause the sign to
 2 turn off or show a full black or similar image if a visible malfunction or failure occurs;
 3 d. Each message shall be monochromatic. Separate messages may have different colors;
 4 e. The maximum sign face area and minimum setbacks for an electronic message sign shall
 5 be per Table 8.G.3.B, Electronic Message Sign Face Area and Setbacks.
 6

Table 8.G.3.B - Electronic Message ~~Center~~ Sign Standards Face Area and Setbacks

| | |
|--------------------------------|---|
| Maximum Sign Area | 50 percent of allowable freestanding sign area (Table 8.G.2.A-7, Freestanding Sign Standards) |
| Minimum Setback: Front | 15 feet |
| Minimum Setback: Side and Rear | 30 feet |
| Minimum Setback: Side Street | 50 feet |

Figure 8.G.3.B.3 – Electronic Message Sign



[Figure 8.G.3.B.3, Electronic Message Sign partially relocated below.]

3. Location

An electronic message ~~center~~ sign may be located in the following areas and subject to the following provision:

- In a CG, CRE, PO, or IL zoning district or in a non-residential planned development.
- ~~Electronic message center signs may~~ Shall not be located within 100 feet of a residential zoning district, undeveloped property with a residential FLU designation, or residential use.
- Adjacent to roadways classified as arterials or expressways, and a minimum of 1,000 feet from any signalized intersection ~~and/or~~ existing electronic message signs; ~~and~~
- No more than one electronic message ~~center~~ sign shall be permitted per project; ~~and~~ -
- Electronic message ~~center~~ signs are prohibited in the WCRAO. **[2006-004]**

4. Required Findings

The BCC may approve an application for an electronic message ~~center~~ sign upon finding that:

- The sign will not create confusion or a significant distraction to passing motorists;
- The sign is of the same architectural character as the building's principal use;
- The sign will not be a nuisance to occupants of adjacent and surrounding properties; ~~and~~
- The sign is accessory to a use regional in scale and attraction that, by its nature, demonstrates a unique need to communicate more information than is ordinarily needed for a business or attraction.

5. Conditions of Approval

In reviewing an application for an electronic message ~~center~~ sign, the BCC may impose conditions to assure the sign is compatible with and minimizes adverse impacts on the area surrounding the proposed sign.

6. Submittal Requirements

All building permit applications that include electronic message signs shall include the following:

- Manufacturer's catalog cuts that provide a description of all devices and compliance with the prohibited elements and standards listed above; and,
- A Certificate of Compliance signed and sealed by a licensed engineer, architect or landscape architect.

7. Approval Process Exceptions

The following signs shall not be subject to the Required Findings above and may be approved administratively, where located in a freestanding or outparcel identification sign and non-residential Zoning districts, including the Commercial Pod of PUD.

- Time and Temperature – Building Permit Approval

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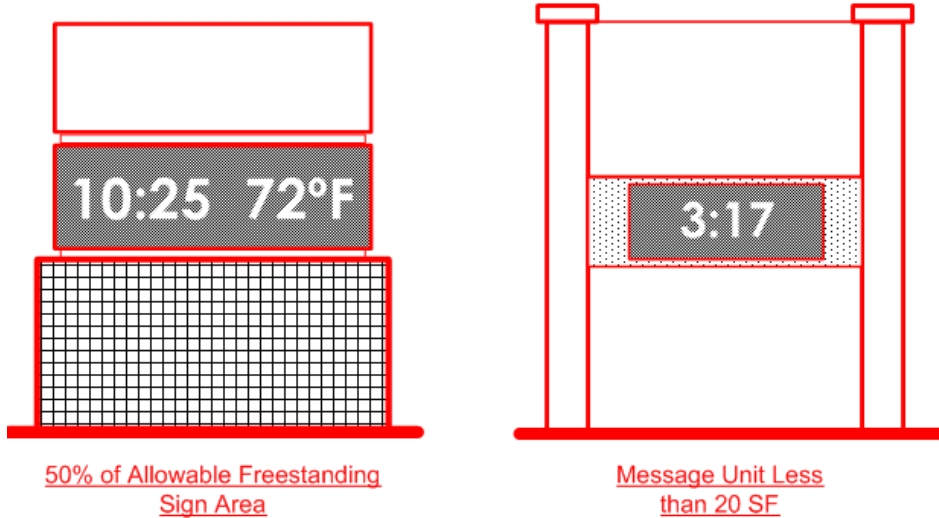
EXHIBIT E

DIGITAL FUEL PRICE SIGNAGE SUMMARY OF AMENDMENTS

(Updated 5/22/14)

Signs that only display time or temperature may be approved subject to issuance of a building permit, and where the message unit is less than 20 square feet in sign face area; [Partially relocated from Art. 8.G.3.B, Electronic Message Center Signs]

Figure 8.G.3.B – Typical Example of Time and Temperature Electronic Sign



[Ord. 2014-]

b. Fuel Price Signage – DRO Approval

Signs that only display fuel prices may be approved by the DRO, subject to the following:

- 1) Compliance with the County Fuel Price Posting Ordinance (Ord. 2014-005, as may be amended);
- 2) Only displays words for cash or credit, fuel grades and numerals for fuel prices; and,
- 3) Words or numerals shall not be greater than 12 inches in height, but may be increased to 18 inches in height for signs fronting on an Arterial or Collector where separated by a canal R-O-W of 100-feet in width or greater.

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EXHIBIT F

ACCESSORY RADIO TOWERS SUMMARY OF AMENDMENTS

(Updated 5/22/14)

1
2 Part 1. ULDC Art. 1.1.3, Abbreviations and Acronyms (pages 116 and 119 of 119), is hereby
3 amended as follows:
4

Reason for amendments: [Zoning] Update acronyms to include terms cited under proposed amendments to Accessory Radio Towers for SFWMD Glades Tier telemetry towers.

5 **CHAPTER I DEFINITIONS & ACRONYMS**

6 **Section 3 Abbreviations and Acronyms**

....
EAA Everglades Agricultural Area

....
EPA United States Environmental Protection Agency

EPA Everglades Protection Area

....
TIITF Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

....

7
8
9 Part 2. ULDC Art. 3.A.3.B.1, Standard District Exceptions and Limitations (pages 16 and 17 of
10 229), is hereby amended as follows:
11

Reason for amendments: [Zoning] Recognize exception to rezoning for a SFWMD telemetry tower located in the Urban Service Area of the Glades Tier where owned by SFWMD or the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

12 **CHAPTER A GENERAL**

13 **Section 3 Zoning District Consistency with the Future Land Use Atlas (FLUA)**

14 **B. Standard Districts**

15 Any application for a rezoning to a Standard Zoning District shall correspond to a FLU
16 designation indicated in the table below.

17
18 **1. Standard District Exceptions and Limitations**

19 The following list of exceptions shall be permitted:

20
21 I. A rezoning shall not be required for the installation or replacement of a SFWMD telemetry
22 tower in accordance with Art. 5.B.1.A.12.c, Exceptions for SFWMD Telemetry Towers.

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EXHIBIT F

ACCESSORY RADIO TOWERS SUMMARY OF AMENDMENTS

(Updated 5/22/14)

1
2 **Part 3. ULDC Art. 5.B.1.A.12, Accessory Radio Tower (page 25 of 100), is hereby amended as**
3 **follows:**
4

Reason for amendments: [Zoning]

1. Whereas, the County recognizes that SFWMD telemetry towers in the Glades Tier, used for the remote operation of infrastructure necessary to accomplish flood or agricultural water management, or Everglades restoration goals, are critical to the safety of residents, successful agricultural operations and ecological sustainability.
2. Whereas, Accessory Radio Towers are limited to a maximum of 100 feet in height.
3. Whereas, there is a 1999 Policy and Procedures Manual (PPM) # ZO-0-003 which recognizes that fire station and government facility monopole antennas for "receive only" use are considered an accessory use and permitted by right.
4. Whereas, the South Florida Water Management District (SFWMD) has identified several accessory telemetry towers in excess of 100 feet in height used to operate various drainage and flood control structures located in and serving the Glades Area, including the Everglades Agricultural Area (EAA), Everglades Protection Area (EPA), Lake Okeechobee, or Everglades restoration efforts. The County Attorney's Office has indicated that the State has pre-empted regulation of these structures when located within SFWMD Right of Way (R-O-W) however, this pre-emption does not extend to other properties, notably State owned lands in accordance with F.S. 373.4592, Everglades Improvement and Management.
5. SFWMD or State properties within the Urban Service Area (USA) of the Glades Tier may require rezoning for consistency with a parcel's Future Land Use (FLU) designation prior to establishment or replacement of telemetry towers; however, this conflicts with the Legislative direction that Everglades restoration be "*pursued expeditiously.*" Therefore, lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF), which are designated for Everglades restoration or interim farming operations, should be exempt for the purposes of installing or replacing SFWMD telemetry towers.

5 **CHAPTER B ACCESSORY AND TEMPORARY USES**

6 **Section 1 Supplementary Regulations**

7 **A. Accessory Uses and Structures**

8 **12. Accessory Radio Tower**

9 A radio tower for noncommercial electronic communication purposes may be permitted as an
10 accessory structure to civic, institutional, recreational, and agricultural uses subject to the
11 following standards:

12 **a. Height**

13 The radio tower shall not exceed 100 feet in height from ground level; and

14 **b. Setbacks**

15 An accessory radio tower shall be setback a distance equal to the height of the tower.
16 The radio tower shall be located in such a manner that it will not fall on any power line.

17 **c. Exceptions for SFWMD Telemetry Towers in the Glades Tier**

18 SFWMD Telemetry towers may be considered an accessory use within the Glades Tier,
19 subject to the following:

20 1) DRO approval of a FSP;

21 2) Located on parcels owned by the SFWMD or leased from the Board of Trustees of
22 the Internal Improvement Trust Fund (TIITF) of the State of Florida;

23 3) Height may exceed 100 feet;

24 4) The DRO may approve setback reductions for property lines or lease tracts within
25 parcels owned by the SFWMD or TIITF, where breakpoint calculations demonstrate a
26 tower will collapse within minimum required setbacks for the eligible parcels.
27 Breakpoint calculations shall be certified by a professional engineer, licensed by the
28 State of Florida.

29 5) If located within the USA of the Glades Tier, rezoning for consistency with the
30 parcel's FLU designation shall not be required.

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EXHIBIT G

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS
(Updated 5/20/14)

Part 1. ULDC Art. 1.I.2, Definitions (pages 64 and 95 of 119), is hereby amended as follows:

Reason for amendments: [Zoning]

1. In 2013 the gun club use was analyzed during the review of the Recreation Use Classification as part of the Use Regulations Project. Staff proposed amendments to separate the Enclosed and Open Gun Club uses and rename to Indoor and outdoor shooting ranges, respectively. The recommendation included establishment of a new definition and supplementary use standards for Outdoor Shooting Range.
2. At the request of Palm Beach County Facilities Development and Operations (FDO) and the Florida Wildlife Commission (FWC), staff has rescheduled the Outdoor Shooting Range use amendments from the Use Regulations Project to the ULDC 2014-01 Round of Amendments. The request is in preparation for the proposed Mecca Shooting Range and FDO staff wanted to ensure project will comply with proposed amendments.
3. Minor amendments to Enclosed Gun Club will be required to highlight the separation of the Open Gun Club language. A more in depth review and proposed amendments to Enclosed Gun Club will remain as part of the Use Regulations Project.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

....
36. **Gun Club, Enclosed** - an ~~open-or~~ enclosed facility used for the discharge of firearms or projectiles at targets.

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

....
40. **Shooting Range, Outdoor** – An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training, excluding private gun ranges where preempted by state law.

[Renumber Accordingly]

Part 2. ULDC Table 3.B.15.F - IRO Permitted Use Schedule (page 75 of 229), is hereby amended as follows:

Reason for amendments: [Zoning] Renumber Enclosed Gun Club as the use is proposed to be separated into Outdoor Shooting Range and Enclosed Gun Club.

Table 3.B.15.F - IRO Permitted Use Schedule (continued)

| Use Type | Land Use | | | | NOTE | Use Type | Land Use | | | | NOTE |
|------------------------|----------|--------|-------------|-------------|------|------------------------|----------|--------|-------------|-------------|------|
| | C L | C H | C L O | C H O | | | C L | C H | C L O | C H O | |
| Recreation Uses | | | | | | Industrial Uses | | | | | |
| | | | | | | | | | | | |
| Gun Club, Enclosed | | | | | 67-1 | | | | | | |
| | | | | | | | | | | | |

[Ord. 2010-005] [Ord. 2012-007] [Ord. 2013-001]

Part 3. ULDC Table 3.B.16.E – PRA Use Matrix (page 88 of 229), is hereby amended as follows:

Reason for amendments: [Zoning] Renumber Enclosed Gun Club as the use is proposed to be separated into Outdoor Shooting Range, and Enclosed Gun Club,.

Table 3.B.16.E - PRA Use Matrix Continued

| Use Type | Transect Sub-Zones | | | | | Note |
|--------------------------|--------------------|------|------|------|------|------|
| | UC 1 | UC 2 | UC 3 | UI 1 | UI 2 | |
| Recreational Uses | | | | | | |
| | | | | | | |
| Gun Club, Enclosed | | | | | | 67-1 |
| | | | | | | |

[Ord. 2011-016] [Ord. 2012-007]

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EXHIBIT G

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS
(Updated 5/20/14)

1 Part 4. ULDC Table 3.E.1.B PDD Use Matrix (page 144 of 229), is hereby amended as follows:
2

Reason for amendments: [Zoning] Renumber Enclosed Gun Club and revise use name from Open Gun Club to Outdoor Shooting Range. The use is proposed to be separated into Outdoor Shooting Range and Enclosed Gun Club.

3

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | MXPD | | PIPD | | | LCC | | N O T E | | | |
|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|------------------|-------------|-------------|--------|
| | Pods | | | | | FLU | | | | | FLU | | Use Zone | | | FLU | | | | | |
| | R E S | C O M | R E C | C O N | A G R I C U L T U R E | C O N | C O N | C O N | C O N | C O N | I N D | I N D | C O N | C O N | I N D | C O N | I N D | | M H V | R H V | C L |
| Recreation Uses | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| Gun Club, Enclosed | | | | | | | | | | | | | | | | | | | | | 67-1 |
| Gun Club, Open Shooting Range, Outdoor | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-007] [Ord. 2012-027] | | | | | | | | | | | | | | | | | | | | | |

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6 Part 5. ULDC Table 4.A.3.A, Use Matrix (page 15 of 171), is hereby amended as follows:
7

Reason for amendments: [Zoning] Change the approval process from a Class B Conditional Use to Class A Conditional Use in the Public Ownership (PO) Zoning District. The change provides an opportunity for the public to discuss any potential impacts from an outdoor shooting range before the Board of County Commissioners.

Table 4.A.3.A - Use Matrix Continued

| Use Type | Zoning District/Overlay | | | | | | | | | | | | | | | N O T E | | | | |
|---|--------------------------|--------|--------|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-----------------|-------------|-------------|------------------|-------------|--------|--------|------|
| | Agriculture/Conservation | | | Residential | | | | Commercial | | | | | Industry/Public | | | | | | | |
| | P C | A G | A R | AR R U S A | R E T | R E S | R E S | R E S | C O N | C O N | C O N | C O N | C O N | C O N | I N D | | I N D | P O | P O | |
| Recreation Uses | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Gun Club, Enclosed | | | | | | | | | | | | | | | | | | | | 67-1 |
| Gun Club, Open Shooting Range, Outdoor | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| [Ord. 2005-002] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2012-007] | | | | | | | | | | | | | | | | | | | | |

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EXHIBIT G

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS
(Updated 5/20/14)

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Part 6. ULDC Art. 4.B.1.A.67 Gun Club (page 58 of 171), is hereby amended as follows:

Reason for amendments: [Zoning] Staff proposed amendments to separate the Enclosed and Open Gun Club uses and rename to Indoor and Outdoor Shooting Ranges, respectively. Minor revisions to Gun Club will clarify the separation of Enclosed from Open (aka proposed Outdoor Shooting Range).

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

~~67-1. Gun Club, Enclosed~~

An ~~open or~~ enclosed facility used for the discharge of firearms or projectiles at targets.

a. Setbacks and Buffers

~~1) Enclosed~~

An enclosed gun club shall have a 100-foot setback and a 50 foot buffer from a residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.

~~2) Open~~

~~An open gun club and its accessory shooting areas shall have a 300-foot setback to a 100-foot buffer from residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.~~

b. Lot Size

Except in the IL district, a gun club shall be located on a minimum of five acres or meet the minimum lot and setback requirements of the district in which it is located, whichever is greater.

~~c. AR/RSA~~

~~An open gun club may be permitted in the SA-FLU subject to a Class A conditional use approval. [Ord. 2005-002]~~

Part 7. ULDC Art. 4.B.1.A.67-2 Shooting Range, Outdoor (page 58 of 171), is hereby established:

Reason for amendments: [Zoning]

1. In 1993, Open Gun Club and Enclosed Gun Club use definitions and supplementary use standards were consolidated but shown as two separate uses in the Use Matrix. The amendment will rename and separate the use definition and supplementary use standard consistent with the Use Matrix.
2. Establish a new use definition to clarify that the use is intended for recreation and training and is not intended to preempt gun ranges exempted by Florida statute.
3. Establish a separation distance requirement to assist in the mitigation of projectile containment and noise. The separation distance would provide a better regulatory tool. The measurement of distance (see also Article 1.C, Rules of Construction and Measurement) shall be measured by drawing a straight line from the location of a gun range development area to the property line of a civic or residential use, zoning district or FLU designation.
4. Establish a general standard for gun range design to address safety (projectile containment and accidental discharge) and nuisance (sound abatement) concerns consistent with industry standards. Examples of the industry standards include U.S. Department of Energy (DOE), Office of Health, Safety and Security's Range Design Criteria (DOE O 473.3, Protection Program Operations); National Rifle Association's (NRA) The Range Source Book, A Guide to Planning and Construction (2012); and National Institute for Occupational Safety and Health's (NIOSH) Lead Exposure and Design Considerations for Indoor Firing Ranges (Publication Number 76-130).
5. Add archery range standard to clarify approval process and separation distance alternatives for non-mechanical archery equipment. Mechanical archery equipment consists of compound bows and crossbows. This use is typically identified with shooting ranges by other municipalities.

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EXHIBIT G

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS
(Updated 5/20/14)

1 CHAPTER B SUPPLEMENTARY USE STANDARDS
2 Section 1 Uses
3 A. Definitions and Supplementary Standards for Specific Uses

4 67-2. Shooting Range, Outdoor

5 a. Definition

6 An outdoor establishment used for the discharge of firearms or projectiles at targets for
7 sport or training, excluding private gun ranges where preempted by State law.

8 b. Separation Distance

9 An outdoor shooting range shall not be located within 1,320 feet of a property line with a
10 civic or residential use, zoning district, or FLU designation, unless the adjacent properties
11 are owned by a government agency and utilized for other than civic or residential
12 purposes.

13 c. Site Design

14 Except where preempted by State law, during Zoning or Building Permit review,
15 whichever occurs first, the applicant shall provide documentation demonstrating
16 acceptable industry design, configuration and operational standards, based on type of
17 shooting activity, to address potential adverse safety and nuisance concerns. Range
18 design shall include, but not be limited to: backstops, sideberms, sidewalls, sound and
19 visual baffles and target placement.

20 d. Archery Range

21 1. DRO Approval Process

22 An outdoor shooting range allowed as a Conditional Use may be approved by the
23 DRO when limited to non-mechanical archery equipment.

24 2. Separation Distance

25 Shall not be subject to the 1,320 foot separation distance. An alternative separation
26 distance may be required if warranted based on the site design requirements
27 contained above.

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31 Part 7. ULDC Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements (page 8
32 of 39), is hereby amended as follows:
33

34 **Reason for amendments:** [Zoning] Revise use name from Gun Club, Open to Shooting Range, Outdoor for consistency with use name in Art. 4.

Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont'd

| Use Type: Recreational | Parking | Loading (1) |
|--|-------------------------|-------------|
| | | |
| Gun club, enclosed and open <u>Shooting Range, Outdoor</u> | 1 space per target area | N/A |
| | | |
| [Ord. 2005-002] [Ord. 2007-001] [Ord. 2012-007] | | |
| Loading Key: | | |
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EXHIBIT H

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 5/22/14)

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Part 1. ULDC Art. 7.C.1, U/S Tier (page 14 of 50), is hereby amended as follows:

Reason for amendments: [Zoning] To amend the language based upon input from Landscape Architects and a review of the practical application of this provision. Input and review has resulted in the conclusion that both formal and meandering arrangements are appropriate for the U/S Tier.

CHAPTER C MGTS TIER COMPLIANCE

Section 1 U/S Tier

Landscaping in the U/S Tier should have a higher level of detail and more structure, such as pedestrian accents, formal or meandering arrangements in perimeter landscape ~~and~~ buffers, street tree plantings, and inter-connections between pedestrian and vehicular areas. ...

Part 2. ULDC Table 7.C.3, Minimum Tier Requirements (page 16 of 50), is hereby amended as follows:

Reason for amendments: [Zoning] 1) To amend the language based upon input from Landscape Architects and a review of the practical application of this provision. Input and review has resulted in the conclusion that both formal and meandering arrangements are appropriate for the U/S Tier; 2) To ensure the viability of plant material on single family lots by excluding the maximum building coverage (footprint) from the calculations utilized to determine the number of trees required; 3) To include minimum planting requirements for townhouse and multi-family lots for clarification and to ensure minimum standards are met; and, 4) To reduce redundancy by deleting items that are mentioned in other sections of this Article and not related to interior landscape planting requirements.

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EXHIBIT H

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 5/22/14)

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Table 7.C.3 – Minimum Tier Requirements

| Code Requirements | U/S Tier ⁸ | AGR and Glades Tiers | Exurban and Rural Tiers |
|---|--|--|---|
| Landscape Buffers⁷ | | | |
| <u>Preferred</u> Design | Linear design, formal or meandering arrangement of elements, traversing sidewalks | Meandering, more naturalistic with shrub cluster and varying heights | Increased depth, buffers often adjacent to interior open space, unimproved pathway surfaces |
| Berms | Optional | Optional | No ¹ |
| Fences/Walls | Optional ² | Optional ² | Optional ^{2,3} |
| Layers of Shrubs and Ground Cover ⁴ | 3 | 4 | 3 |
| Interior Landscaping^{7,9} | | | |
| Minimum Tree Quantities – <u>Zero Lot Line, Single Family Residential, and Townhouse Lots</u> | 1 per 1,250 sq. ft. (max. 15) | 1 per 1,000 sq. ft. (max. 30) | 1 per 800 sq. ft. (max. 30) |
| <u>Minimum Tree Quantities – Multi-family Residential Lots</u> | <u>1 per 1,250 sq. ft.</u> | <u>1 per 1,000 sq. ft.</u> | <u>1 per 800 sq. ft.</u> |
| Minimum Tree Quantities – Non-Residential Lot | 1 per 2,000 sq. ft. | 1 per 1,500 sq. ft. | 1 per 1,200 sq. ft. |
| Minimum Shrub Quantities – <u>Zero Lot Line, Single Family Residential, and Townhouse Lots</u> ⁵ | 3 per 1,250 sq. ft. (max. 45) | 3 per 1,000 sq. ft. (max. 90) | 3 per 800 sq. ft. (max. 90) |
| <u>Minimum Tree Quantities – Multi-family Residential Lots</u> | <u>3 per 1,250 sq. ft.</u> | <u>3 per 1,000 sq. ft.</u> | <u>3 per 800 sq. ft.</u> |
| Minimum Shrub Quantities – Non-Residential Lot ⁵ | 3 per 2,000 sq. ft. | 3 per 1,500 sq. ft. | 3 per 1,200 sq. ft. |
| <u>Interior Islands</u> | <u>1 per 10 spaces</u> | <u>1 per 8 spaces</u> | <u>1 per 6 spaces</u> |
| <u>Interior Islands Landscape Width</u> | <u>8 ft.</u> | <u>10 ft.</u> | <u>12 ft.</u> |
| <u>Protective Curbing</u> | <u>Yes</u> | <u>Yes</u> | <u>Optional</u> |
| Plant Standards⁷ | | | |
| Minimum Tree Height (Perimeter) | 12 ft. | 12 ft. | 12 ft. |
| Minimum Tree Height (Interior) | 12 ft. | 12 ft. (average) | 12 ft. (average) |
| Palms Substitute (3 palms for 1 tree) | Yes | Yes – Native clusters only | Yes – Native clusters only |
| Foundation Planting^{6,7} | | | |
| <u>Foundation</u> Planting Width | 5 ft. along front façades 8 ft. along side façades | 10 ft. all sides | 12 ft. all sides |
| Facades to be Planted | Front & Sides | Front, Sides & Rear | Front, Sides & Rear |
| Percentage of Façade | 40 percent | 50 percent | 60 percent |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] | | | |
| Notes: | | | |
| <ol style="list-style-type: none"> May be allowed with an approved ALP. Landscape requirements (including walls and fences) for Incompatibility buffers, refer to Table 7.F.9.A, Incompatibility Buffer Standards. [Ord. 2009-040] Walls and fences shall be built from natural materials, including but not limited to: wood, stone, etc. [Ord. 2009-040] This requirement is only for Perimeter R-O-W Buffers. Applicants shall also reference Table 7.F.7.B, Shrub Planting Requirements for installation size, quantity, spacing and maturity height for perimeter and interior shrub planting. [Ord. 2009-040] Interior quantities for shrub planting shall be calculated based on gross lot area, excluding preservation areas and lake tracts. [Ord. 2009-040] TDDs, LCC, IRO and PRA Development Orders are exempt from foundation planting requirements for primary and secondary, or other similar types of building frontages, buildings along an alleyway or accessway to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004] [Ord. 2010-022] Deviations shall be permitted for publicly owned and operated public parks in accordance with Art. 5.D.2.G, Public Park Landscape Standards [Ord. 2006-004] [Ord. 2011-001] U/S Tier standards may be applied to a PUD or TDD with a village center, civic site, or suburban center, general or edge subarea. [Ord. 2010-022] <u>Tree and shrub planting requirement calculations for Zero Lot Line and Single Family Residential Lots shall be based upon gross lot area minus the building coverage for the principal residential structure. The building coverage percentage shall be based upon the Zoning district and the applicable property development regulations</u> | | | |

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EXHIBIT H

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 5/22/14)

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Part 3. ULDC Art. 7.D.2, Trees (page 18 - 20 of 50), is hereby amended as follows:

Reason for amendments: [Zoning] 1) To allow three pine trees to be counted as one required Canopy tree, subject to height and diameter, since three palms are already allowed to be counted towards satisfying the requirement for one Canopy tree; 2) To amend the Tree Credit Formula language and Table 7.D.2.D to be consistent with requirements indicated in the Figures; and, 3) To implement Landscape Subcommittee direction to provide flexibility in the variety of trees allowed.

CHAPTER D GENERAL STANDARDS

Section 2 Trees

A. Canopy Trees

Canopy trees ~~are shall be~~ subject to the following standards. ~~All canopy trees shall be container grown or root pruned in accordance with acceptable horticultural practices.~~

1. Minimum Height

Canopy trees shall meet the ~~height~~ standards in Table 7.C.3. Minimum Tier Requirements and Figure 7.D.2.A-2, Canopy Tree Measurement Standards, at installation. ~~Up to~~

a. Height Reduction

~~A maximum of~~ 25 percent of the total number of required ~~interior~~ trees may be reduced in height by 25 percent, ~~provided that an One~~ additional tree, at least a minimum of eight feet in height, is shall be planted for each tree with reduced height.

2. Minimum Canopy Spread and Caliper

~~The minimum canopy spread and caliper shall be consistent with the most current edition of the Florida Grades and Standards Six feet.~~

~~3. Minimum Caliper~~

~~Two and a half inches~~

....
C. Pines

Pines, planted in groups of three may be substituted for one required canopy tree. Pines may not be used in excess of 25 percent of the total number of required canopy trees. When using pines in a perimeter buffer, refer to Article 7.F.2.A.3 Pines.

D. Tree Credit

...
3. Tree Credit Formula

Existing trees shall be credited according to the formula in Table 7.D.2.D, Canopy Tree Credit and Replacement.

Table 7.D.2.D –Tree Credit and Replacement

| Crown Spread of Tree | Or | Diameter at 4.5 Feet Above Grade | = | Credits or Replacements |
|----------------------|----|----------------------------------|---|-------------------------|
| Less than 5 Ft. | or | Less than 2 in. | = | 0 |
| 5-9 Ft. | or | 2-6 in. | = | 1 |
| 10-19 Ft. | or | 7-11 in. | = | 2 |
| 20-29 Ft. | or | 12-16 in. | = | 3 |
| 30-39 Ft. | or | 17-21 in. | = | 4 |
| 40-49 Ft. | or | 22-26 in. | = | 5 |
| 50-59 Ft. | or | 27-31 in. | = | 6 |
| 60-89 Ft. | or | 32-36 in. | = | 7 |
| 90 Ft. or Greater | or | 37 in. or more | = | 8 |

Notes:

- Preserved ~~or~~ relocated, or new slash pines a minimum of 14 feet in height may count as one required canopy tree.
- Fractional measurements shall be rounded down.
- One palm may count as one required canopy tree.

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EXHIBIT H

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 5/22/14)

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Part 4. ULDC Art. 7.D.3, Shrubs and Hedges (page 20 of 50), is hereby amended as follows:

Reason for amendments: [Zoning] 1) To reformat the existing language related to height limitations for hedges; 2) To clarify that overgrown hedges cannot be counted towards the requirement for canopy trees. There were prior code enforcement cases related to overgrown, not well-maintained hedges that property owners wanted to have considered trees; 3) Clarify that hedges can be used to satisfy shrub requirements; and, 4) Eliminate a requirement that cannot be continuously monitored by staff. There is no current process to allow for on-going inspections of landscaping after the issuance of a Final Certificate of Occupancy for a property.

Section 3 Shrubs and Hedges

A. Shrubs

Required shrubs are subject to the standards in Table 7.C.3, Minimum Tier Requirements, and the dimension standards in Table 7.F.7.B, Shrub Planting Requirements.

B. Hedges

1. Residential Hedge Height

Hedges may be planted and maintained along or adjacent to a residential lot line. [Ord. 2005 -002]

a. ~~Hedges shall not exceed four feet in height when located within the required front setback. Within required front setback: four feet.~~ [Ord. 2005 - 002]

b. ~~Hedges shall not exceed eight feet in height when located on or adjacent to the side, side street, or rear property lines. Within required side, side street (to the required front setback) and rear setback: eight feet.~~ [Ord. 2005 - 002]

c. The height shall be measured adjacent to the hedge from the lowest grade on either side of the hedge. [Ord. 2005 - 002]

2. PDD and Non-residential Perimeter Buffer Hedge Height

a. ~~Hedges shall not exceed 12 feet in height. Maximum height: 12 feet.~~ [Ord. 2005 - 002]

b. The hedge height in a landscape barrier shall be measured in accordance with Art. 7.D.14, Grade Changes. [Ord. 2005 - 002]

3. Shrub Replacement

~~Required shrubs may be planted in the form of a hedge provided the minimum quantities are installed pursuant to Table 7.C.3, Minimum Tier Requirements, and shall be subject to the following: Hedges may be used in place of required shrubs, subject to the following standards and the hedge height provisions above.~~ [Ord. 2005 - 002]

a. Minimum Height at Installation

~~Hedge material shall be a minimum of 24 inches at the time of installation.~~

~~**b. Minimum Height Within Two Years of Planting**~~

~~Three feet.~~

cb. Minimum Spacing at Installation

~~Hedge material shall be planted a maximum of 24 inches on center, or as may be adjusted in the field based upon the type of plants utilized with a maximum spacing of 36 inches on center.~~ [Ord. 2005 - 002]

Part 5. ULDC Art. 7.D.11, Foundation Plantings (page 24 of 50), is hereby amended as follows:

Reason for amendments: [Zoning] 1) To clarify the amount of plant material required for foundation planting; and, 2) To provide for the relocation of foundation planting subject to Zoning Division approval.

Section 11 Foundation Plantings

Foundation plantings shall be provided along façades as required by Table 7.C.3, Minimum Tier Requirements, for non-residential structures unless specifically exempted by this Section. Required plant material may be located within 30 feet of the foundation, along ~~Along the~~ front and side facades ~~of with~~ drive-through establishments, including Freestanding ATMs, ~~plantings may be located within 30 feet of the foundation or the required plantings may be relocated to an adjacent façade.~~ All required foundation plantings shall ~~be planted with~~ include a minimum of one tree or palm for each 20 linear feet of building facade and one shrub appropriate shrubs or ground cover for every 10 square feet of planting area. ~~The relocation~~ Relocation of ~~required~~ foundation plantings may be approved by the DRO Zoning Division provided the minimum required square footage of the planting area is maintained ~~if adjacent to a landscape buffer.~~ [Ord. 2013-021]

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EXHIBIT H

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 5/22/14)

1
2 Part 6. ULDC Art. 7.E.6., Pruning After Installation (page 33 of 50), is hereby amended as
3 follows:
4

Reason for amendments: [Zoning] To remove the 2001 reference to ensure the most current American National Standards Institute, ANSI provisions are utilized since the ANSI document is revised periodically.

5 Section 6 Pruning After Installation

6 A. General Pruning Requirements

7 1. A maximum of one-fourth of the tree canopy may be removed from a tree within a one year
8 period, provided that the removal conforms to the standards of crown reduction, crown
9 cleaning, crown thinning, crown raising, vista pruning, and crown restoration pruning
10 techniques. All pruning shall comply with the most recent published version of the American
11 National Standards Institute, ANSI ~~300-2004~~ provisions related to (T)ree, (S)hrub and other
12 Wwoody Pplant Mmaintenance), as amended. The crown of a tree required by this Code or
13 condition of approval shall not be reduced below the minimum spread or height requirements
14 of Article 7.D.2.A, Canopy Trees, or specific conditions of approval. A tree which is pruned in
15 excess of these requirements shall be replaced with a tree that meets the minimum
16 requirements of Article 7.D.2.A, Canopy Trees, and Table 7.D.2.D, Tree Credit and
17 Replacement.

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21 Part 7. ULDC Art. 7.F.1, Buffer Types (page 35 of 50), is hereby amended as follows:
22

Reason for amendments: [Zoning] 1) To clarify the use of terminology “exceptions” instead of “exceptions”.

23
24 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

25 Landscape buffers shall be installed and maintained in accordance with the following standards.

26 Section 1 Buffer Types

27 A. R-O-W

28 R-O-W buffers shall be provided along all street R-O-W, except for alleys.

29 1. ~~Exceptions~~ Exemptions

30 R-O-W buffers are not required for individual single-family residential, ZLL, or townhouse lots.

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34 Part 8. ULDC Art. 7.F.6 Buffer Width Reduction (page 37 of 50), is hereby amended as follows:
35

Reason for amendments: [Zoning] To ensure the viability of plant material by allowing proportionate decreases in the amount required in conjunction with buffer width reductions.

36 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

37 Section 6 Buffer Width Reduction

38 The required buffer width may be reduced by 50 percent where a project is separated from a R-O-W by a
39 canal, lake, open space, or combination thereof, with a minimum width of 80 feet subject to DRO
40 approval. The DRO may reduce the required incompatibility buffer width by 50 percent for pods adjacent
41 to a canal, lake, or open space area 100 feet in width or if the same type of buffer exists on the adjacent
42 property. The width of compatibility buffers shall not be reduced. The ~~quantity required number of canopy~~
43 ~~trees or palms shall not be reduced.~~ The required quantity of shrubs plant material shall not ~~may~~ be
44 reduced in proportion to the reduction in the buffer width, a maximum of 50 percent, to ensure the viability
45 of the material. A minimum of five clear feet for planting, or ten feet if a wall with a continuous footer is
46 used, shall be maintained.
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EXHIBIT H

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 5/22/14)

1
2 Part 9. ULDC Art. 7.F.9.E, Special Standards (page 41 of 50), is hereby amended as follows:
3

Reason for amendments: [Zoning] To clarify the requirements for the installation of incompatibility buffers as they relate to recreation pods, tracts, or areas.

4 **Section 9 Incompatibility Buffer**

5 **E. Special Standards**

6 The DRO ~~may require~~ shall require the installation of incompatibility buffers for uses such as
7 recreation and civic pods, areas, or tracts within a residential subdivision or PUD pod. The
8 applicant may apply for a Type I Waiver, pursuant to Article 2.D.7, to waive be relieved of the
9 requirement to install the incompatibility buffer for pods adjacent to open space that is 100 feet or
10 greater in width.

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EXHIBIT I

PRIVATELY INITIATED AMENDMENT
(PIA) 2014-376 BAY DOOR ORIENTATION
SUMMARY OF AMENDMENTS
(Updated 05/22/2014)

1
2 Part 1. ULDC Art.4.B.1.A.107.f, Bay Door Orientation [Related to Repair and Maintenance,
3 General] (page 87 of 171), is hereby amended as follows:
4

| |
|--|
| Reason for amendments: [Phase II Privately Initiated ULDC Amendment, application by Jon E. Schmidt & Associates, Inc, Agent.]: |
| 1. Increase required R-O-W buffer to include 6 foot high landscape barrier when bay doors face an arterial or collector street. |
| 2. Require a R-O-W buffer with a six foot high landscape barrier and a wall when separated by a local commercial street. |
| 3. Introduce exceptions for General Repair and Maintenance use to allow service bay doors facing residential properties but support utilities uses, canal ROW, or easements a minimum of 80 feet in width. |
| 4. Include provision for upgraded buffering to minimize potential visual impacts caused by bay doors facing residential supporting non residential uses. Upgrades to the required Type 3 Incompatibility buffer include double number of required trees and a 2.5 foot berm. |

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7 CHAPTER B SUPPLEMENTARY USE STANDARDS

8 Section 1 Uses

9 A. Definitions and Supplementary Standards for Specific Uses

10 107.Repair and Maintenance, General

11 f. Bay Door Orientation

12 1) Residential

13 Service bay doors shall not face any residential district, FLU designation, or use,
14 ~~except as follows: unless separated by an arterial or collector street.~~ [Ord. 2005 –
15 002]

16 1) Buffer Requirements

17 a) Bay doors ~~adjacent facing~~ to an arterial or collector street a minimum of 80 feet in
18 width shall require provide a R-O-W buffer upgraded to include a minimum six
19 foot high landscape barrier. Type 2 incompatibility buffer.

20 2) Bay Doors Facing a Residential District or Use

21 b) Bay doors facing a residential zoning district, FLU, or use may be allowed subject
22 to one of the following standards: separated by an arterial or collector street shall
23 require a Type 3 incompatibility buffer.

24 (1) If separated by a local commercial street, the R-O-W buffer shall be
25 upgraded to include a minimum six foot high landscape barrier and a wall.

26 (2) Facing If separated by a parcel with a nonresidential use such as utilities,
27 canal R-O-W, easements, FDOT or County drainage a minimum of 80 feet in
28 width shall provide a type 3 incompatibility buffer with double the number of
29 trees and a two and one half foot high berm.

30 23) Infill Redevelopment Overlay (IRO) and Priority Redevelopment Areas (PRAs)

31 Bay doors shall not be oriented towards perimeter streets. [Ord. 2010-005] [Ord.
32 2010-022]

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

1

Reason for amendments: [PZ&B] County staff, in collaboration with Florida Crystals representatives, the land owner of the future Glades Area Inland Logistics Center (ILC), are proposing to amend the Glades Area Overlay (GAO) as necessary to achieve County economic development goals in the Glades.

Inland Logistics Center (ILC) Background/History:

The County's 2007 Strategic Economic Development Plan included an Action Item to "Conduct an Inland Port and Cargo Air Feasibility Study and Monitor Progress." The ILC site, the current variation of the Inland Port, is an 849.86 acre parcel located between South Bay and Belle Glade, and was approved for an Industrial (IND) future land use by the Board of County Commissioners (BCC) in 2010. The 2010 approval limited the ILC to industrial uses.

In 2013, Florida Crystals, the property owner, met with County staff in preparation for submitting an application for a rezoning to a Planned Industrial Park Development (PIPD). A PIPD is a primarily industrial development, intended to provide employment opportunities through industries, manufacturing, and research/development. It can also include limited commercial, residential, institutional, and recreational uses to support the anticipated workforce. The property owner indicated that the prior ILC definition and condition was creating significant constraint, and the County initiated an amendment to allow for the above support uses, because development of the ILC is a key economic development objective for the Glades area. An amendment to the Comprehensive Plan revising the definition was adopted by the BCC on April 28, 2014, and the amendment to the Future Land Use condition is currently being processed.

Glades Area Overlay (GAO) Background:

Comprehensive Plan Future Land Use Element (FLUE) Sub-Objective 1.6.1, Glades Area Economic Development Overlay, establishes the framework for the GAO, recognizes the need to promote economic diversification, cultural preservation, greenways planning, local revitalization and redevelopment, area beautification, and coordinated future land use planning while complying with all applicable environmental regulations...." FLUE Policy 1.6.1-b, which is implemented in the ULDC as the GAO, provides for flexibility in the range of uses and land development regulations allowed to increase job opportunities and improve economic vitality within the GAO.

Amendment Overview:

The GAO provisions have changed little since adoption in the 1992 ULDC. While provisions allowing for administrative approval of Conditional Uses (to be amended to include Requested Uses) and other similar streamlined approval processes still provide a valuable incentive, minor revisions are needed to address outdated Zoning terminology; and, larger economic development projects such as the ILC.

The property owner indicates that additional flexibility is necessary, as specific end users and their design or operational needs are unknown, or current ULDC provisions may not accommodate established standards for regional or national tenants. It has also been suggested that *"property development regulations such as architectural consistency and landscaping may conflict with economic development goals due to the character, operations and security needs of the anticipated users, which typically require large rectangular industrial buildings with volume to store and distribute products, and extensive paved areas to accommodate semi-trailers and other large vehicles to move product."*

County staff generally concur with the property owner that there are opportunities for minor revisions to required architectural, landscaping or similar site development standards that will be consistent with the FLUE Sub-objective, while better positioning the landowner to help the County meet Economic Development Goals. However, staff have also noted that the ULDC already establishes a number of exceptions for architectural and landscaping standards applicable to industrial buildings. Examples of existing exemptions include but are not limited to:

- Roof Mounted Mechanical Equipment – Type I Waiver [Art. 5.B.1.A.19.2)b]): Allows for exemption to mechanical equipment screening including where industrial buildings abut industrial properties, or for portions of industrial buildings aren't visible from a R-O-W;
- Exemptions from Architectural Requirements (Art. 5.C.1.C.1): *"...industrial buildings that are not visible from a public street or residential Zoning district."*;
- Exemptions from Foundation Planting Requirements (Art. 7.D.11.A.1): *"...industrial buildings that are not visible from a public street or residential Zoning district."*; and,
- Exemptions from Foundation Planting Requirements for loading bays (Art. 7.D.11.C): *"The minimum length shall be calculated by the total length of the applicable side of the structure, excluding garage doors and loading bays."*

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

1
2 **Part 1. ULDC Art. 2.D.6, Type I Waiver (page 45 of 229), is hereby amended as follows:**
3

Reason for amendment: [PZ&B] Art. 2.D.6, Type I Waiver outlines the administrative processes for Type I Waivers, and includes a summary of where within the ULDC a Type I Waiver may be requested. A minor amendment is required to coincide with Type I Waivers proposed within the Glades Area Overlay (GAO) in Part 4 below.

4 **CHAPTER D ADMINISTRATIVE PROCESS**

5 **Section 6 Type I Waiver**

6 **A. Purpose**

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

12 **B. Applicability**

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

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

| Type I Waiver Summary List |
|--|
| <u>Glades Area Overlay (GAO)</u> |
| Infill Redevelopment Overlay (IRO) |
| Urban Redevelopment Overlay (URAO) |
| Lifestyle Commercial Center (LCC) |
| Required Parking for Location Criteria Exception in Type I Restaurant with Drive Through |
| Commercial Greenhouse Loading Zones |
| Solid Waste Transfer Station Landscape Buffer Planting |
| Screening for Room Mounted Mechanical Equipment |
| Green Architecture |
| Eliminate or Reduce Loading Standards |
| Requirements for Walls or Fences Where Adjacent to Existing Walls |
| Billboard Replacement – Billboard Location Criteria |
| [Ord. 2012-027] |

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EXHIBIT J

**INLAND LOGISTICS CENTER
SUMMARY OF AMENDMENTS**

(Updated 5/23/14)

1
2 **Part 2. ULDC Table 2.E.3.B, Time Limitation for Development Order for Each Phase (Page 58**
3 **of 88), is hereby amended as follows:**
4

Reason for amendments: [PZ&B] As outlined in the introduction, Florida Crystals representatives indicate that there are number of unknown variables regarding future tenants and end users, which necessitates increased flexibility in the timing or phasing of larger GAO economic development projects.

5
Table 2.E.3.B - Time Limitation of Development Order for Each Phase

| TYPE OF DEVELOPMENT ORDER | MAXIMUM NUMBER OF PHASES | NEXT REQUIRED ACTION OR DEVELOPMENT ORDER | MAXIMUM TIME TO RECEIVE DEVELOPMENT PERMIT OR COMMENCE DEVELOPMENT | MAXIMUM LENGTH OF ADMINISTRATIVE TIME EXTENSION ⁴ | ACTION UPON FAILURE TO COMPLY WITH TIME REQUIREMENT WITHOUT AN APPROVED TIME EXTENSION |
|--|--------------------------|--|--|--|---|
| | | | | | |
| <u>PDD: GAO PIPD (including any associated waivers)</u> | <u>No Maximum</u> | <u>Record Plat</u> | <u>Three Years (2)(7)</u> | <u>Twenty-four Months</u> | <u>BCC review pursuant to subsections Article 2.E.2.A, Suspension of Development Orders and Article 2.E.2.D, Failure to Comply with Conditions herein</u> |
| | | | | | |
| Ord. 2005 – 002] [Ord. 2006-004] [Ord. 2007-01] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2009-040] | | | | | |
| Notes: | | | | | |
| | | 2. From resolution adoption date for first phase, and from date of commencement of development of last phase, or last plat recordation date, for subsequent phases. The maximum time to commence development for each phase of a Type III excavation shall be established by a condition of approval. | | | |
| | | 7. An additional 90 days will be provided if prior to the expiration of any time period established by this Code, staff is notified by the property owner that either a complete building permit application has been submitted, or technical compliance for a plat has been received, as appropriate, and development will commence, or the plat will be recorded, within 90 days of the deadline. If the required action does not occur within the 90 days, the requirements of Art. 2.E.2, Procedures, shall apply. This provision shall not be utilized when there has been a failure to comply with concurrency reservation or development order conditions which are required for the Development Order to comply with Art. 12.C.2, Conditions. [Ord. 2005-002] | | | |
| | | | | | |

6
7
8 **Part 3. ULDC Art. 3.B.4, Glades Area Overlay (GAO) (page 24 of 229), is hereby amended as**
9 **follows:**
10

Reason for amendments: [PZ&B]

1. Minor clarification to Purpose and Intent to better reflect Sub-Objective 1.6.1 of the Plan (see Introduction for specifics) by recognizing references to cultural preservation, area beautification, and environmental regulations and constraints, which generally represent sustainability.
2. An overlay is “intended to supplement other regulations of the Code”, including a parcels FLU designation or Zoning district. References to district or underlying district is incorrect or outdated, creating confusion for users.
3. Clarify applicability to be consistent with FLUE Policy 1.6.1-a in the appropriate area, provide a general description under boundaries, and clarify current Policy interpretation that the standards of the U/S Tier apply to the USA of the Glades Tier.

11 **CHAPTER B OVERLAYS**
12 **Section 4 Glades Area Overlay (GAO)**

13 **A. Purpose and Intent**
14 The GAO is established to promote sustainable economic diversification in the Glades Area. The
15 A GAO district is to provides flexibility in the range of uses and PDRs allowed in the underlying
16 districts in the Glades Tier and to accommodate uses which, if deemed appropriate, will increase
17 job opportunities and improve the economic vitality of the area. In addition, the GAO may include
18 district will provide a set of regulations that recognize the character of the area.

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

B. Applicability

The GAO shall apply to all land within the Urban Service Area (USA) of the Glades Tier. All development orders within the GAO district shall also comply with all applicable Joint Planning Area Agreements, pursuant to Florida Statutes.

C. Boundaries

~~The boundaries of the GAO coincides with shall apply to all land within the USA in the Glades Tier, which is delineated on Comprehensive Plan Map LU 2.1, Service Areas, and is generally comprised of those lands lying near or around the Cities of Belle Glade, Pahokee and South Bay, and the unincorporated community of Canal Point.~~

1. Tier requirements

~~The Urban/Suburban Tier Requirements of the ULDC shall apply. [Ord. 2005 – 002]~~

~~DE~~ Use Regulations ~~Exceptions~~

~~Uses allowed in the GAO district, use shall be permitted, as follows: [Ord. 2005-002]~~

~~1. Permitted Uses~~

~~Uses permitted as of right in the underlying district are permitted as of right in the GAO.~~

~~2. Special Uses~~

~~Uses allowed as special uses in the underlying district shall be permitted in the GAO district after compliance with the special use standards. In addition:~~

~~a. Nonconforming Use~~

~~Any nonconforming use may be expanded subject to a Special Permit. [Ord. 2006-036]~~

~~13.~~ Conditional/~~Requested~~ Uses

~~Uses allowed as ~~e~~ Conditional or Requested uses in ~~a~~ the non-residential Zoning district shall be permitted by the DRO in the GAO district after compliance with Art. 2.B.2.B, Standards for Conditional Uses, Requested Uses and Development Order Amendments ~~the conditional use regulations~~. Uses not otherwise permitted in ~~a~~ the non-residential Zoning district may be permitted as Class A ~~e~~ Conditional or Requested uses in the GAO ~~district after compliance with the conditional use regulations and~~ after the BCC determines that the proposed use meets the following criteria:~~

- a. increases the number of jobs or provides needed housing;
- b. does not adversely affect adjacent land uses;
- c. is consistent with the goals, objectives and policies of the Plan; and
- d. helps to support existing or encourage additional Glades Area economic development.

~~D-4.~~ Property Development Regulations (PDRs) ~~Exceptions~~

~~a. General~~

~~All development within the GAO district shall be subject to the (PDRs) of the underlying district, except as otherwise provided below.~~

~~1b.~~ Type II Waiver - Minimum Density

~~The BCC may consider the waiver of the minimum density requirement as a Type II Waiver for proposed development in the Glades area when: [Ord. 2012-027]~~

~~a.1) The proposed development is consistent with the provisions of any applicable Joint Planning Area Agreement, and;~~

~~b.2) An analysis is completed that addresses:~~

- ~~1a) the impact of a reduced density development on the overall infrastructure system;~~
- ~~2b) the compatibility of the proposed development with adjacent land uses; and~~
- ~~3c) the effect of the reduced density development on the ability of PBC to meet its goals, objectives and policies related to affordable housing. If the development is located in a municipal annexation area, the analysis must be performed by the annexing municipality.~~

~~2c.~~ Maximum Density and Intensity – ~~Conditional/Requested Use Approval~~

~~The BCC may consider an increase in the maximum ~~Maximum~~ density and intensity allowed by the Plan of uses within the GAO ~~district may be allowed to exceed those imposed by the underlying district and shall be determined by the BCC during the conditional use zoning review process subject to approval of a Conditional or Requested Use.~~~~

~~3d.~~ Location of Structures

~~Building permits in the GAO ~~district~~ may be permitted between the 120 foot and 220 foot R-O-W line within the R-O-W of State Road 700 through Canal Point, from Third Street on the north to Triangle Park on the east, subject to approval of the County Engineer.~~

F. Planned Industrial Park Development (PIPD)

1. Development Standard Exceptions

Planned Industrial Park Developments (PIPD) located in the GAO shall be subject to the following exception provisions:

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

1 **Reason for amendments:** [PZ&B] Art. 5.C.1.C.1 currently exempts agricultural and industrial buildings not visible from a *public* street or residential zoning district from the Arch Review requirements. Florida Crystals indicates that the main connecting streets may be public ROWs but most other streets will be *private* ROWs. However, the current definition for public street includes public and private streets, and this definition applies to numerous provisions within the ULDC, including those not under the purview of PZ&B. Staff concurs that there is a need to allow for an alternative definition for public streets within certain industrial pods of a GAO PIPD that are limited to industrial related traffic. The proposed amendment addresses exceptions for buildings visible from private streets within the industrial pods of a PIPD, which are designed and have tenants that are predominantly utilized by large-scale warehouse and other similar inland logistic related uses.

2
3 **a. Public Street**

4 For the purposes of this Section, a public street within a PIPD shall not include private
5 streets that comply with the following:

- 6 1) Located within or adjacent to an Industrial Pod;
7 2) Services industrial uses only; and,
8 3) Shall not include the first 200 feet of a street that connects to a street that does not
9 meet 1) and 2) above.
10

11 **Reason for amendment:** [PZ&B] At the time of the 2010 future land use (FLU) amendment for the ILC, it
12 was determined that the future extension of SW Avenue E would have the minimum necessary frontage
13 necessary to meet Planned Development District minimum frontage requirements. However, it has since
14 been determined that this is less than optimal, and other primary access points are being considered.
15 This minor revision acknowledges the special considerations that were made during the site selection
16 process for the ILC and PBC Engineering requirements for the proposed South Bay entrance along the
western property line, or other similar locations.

17 **b. Minimum Frontage**

18 The PIPD is not required to have minimum frontage on an arterial or collector street but
19 at a minimum must connect to an arterial or collector street through a non-plan collector
20 roadway, subject to approval of the Zoning Director and County Engineer.

21 **Reason for amendments:** [PZ&B] Table 3.E.5.D limits the amount of commercial land use to 20% of the
22 PIPD or no more than 15 acres, whichever is less. Florida Crystal representatives indicate that it is
23 assumed that some commercial services will be necessary to serve the workforce. 60% of the 850 acre
site is 510 acres, which is required to be developed with industrial uses. Accommodating workforce
serving uses such as sit down restaurant, fast food restaurant, coffee shop, bank, convenience store, and
day care center, may require more than the 15 acres currently allowed when the overall site is developed.
15 acres is only 1.8% of the overall site. This amendment would allow for the BCC to consider additional
commercial land use to serve the workforce and residents of the PIPD.

24 **c. Maximum Commercial Acreage - Requested Use Approval**

25 The BCC may consider an increase in the maximum Commercial acreage allowed
26 pursuant to Table 3.E.5.D, PIPD Land Use Mix, subject to approval of a Requested Use;
27 and, upon finding that the increase will serve the projected workforce and residential
28 population of the PIPD, and encourage internal automobile trip capture.
29

30 **Reason for amendments:** [PZ&B] Florida Crystals representatives indicate that due to the nature of the
31 uses and functionality of the industrial buildings anticipated as tenants in a GAO PIPD, the buildings be
32 large, utilitarian in function and design, with significant loading areas and pavement directly adjacent to
33 the perimeters of each building. As the majority of the development within these projects will be
34 industrial, the buildings may not need to be articulated for aesthetic reasons. Allowing for exceptions to
35 the Arch Design provisions allows for a more functional building design and promotes development by
36 reducing costs associated with constructing buildings. As previously outlined in the introduction, there are
37 a number of existing exceptions to architectural and landscaping requirements; however, staff generally
38 supports developing additional minor exceptions that recognize the special characteristics or larger
39 industrial developments necessary to meet Glades Area economic development goals.

40 **d. Architectural Review**

41 Industrial buildings visible from a public street or residential zoning district may be
42 exempt from the Roofline, Facade and Additional Design Elements of Article 5.C.1.H
43 Architectural Guidelines, if the adjacent perimeter ROW or incompatibility buffer is
44 doubled in width and planting requirements, and upon demonstration by line of sight that

45 **Notes:**

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48 bolded brackets [**Relocated to:**] or [**Partially relocated to:**].
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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

1 the majority of the affected area of the building will be screened by the increased
2 buffering. For those parcels that use this exemption, only that portion of the building
3 façade with the main public and employee entrances, and extending along the façade a
4 minimum of 100 feet in each direction from each entrance, including around corners,
5 unless interfering with a loading area/space/dock/bay, are subject to the provisions of
6 Article 5.C.1.H, Architectural Guidelines. If the distance between entry treatments is less
7 than 10 percent of the overall length of the building façade, the treatment shall be
8 extended.

9
10 **Reason for amendments:** [PZ&B] Based on the anticipated scale of the loading facilities, this amendment will eliminate requirement to screen loading areas with walls and landscape when not visible from a public right-of-way or residential zoning district, and eliminate the requirement to cover the loading area if the building is occupied by a single tenant.

11 **e. Parking and Loading in Industrial Pods**

12 **1) Loading Area Screening**

- 13 a) Loading spaces, docks and associated maneuvering areas not visible from a
14 public street are exempt from screening requirements of Art. 6.B.1.F.2, Loading
15 Areas; and
16 b) Loading areas are not subject of the provisions of Art. 6.B.1.F.3, Single Tenant.

17
18 **Reason for amendments:** [PZ&B] Due to the character of the industrial development, a significant amount of each parcel will be impervious surfaces (building, paving) or used for retention. There is limited area for interior planting. Reducing the amount of material required for industrial parcels is appropriate due to the nature of the use within an industrial park, the proposed site layout and lack of area in which to plant. Proposed is a reduction by 50% of the interior planting requirements for industrial uses due to the increased amount of impervious area.

19 Art. 7.G Off Street Parking Requirements speaks to landscape within parking lots and interior vehicular use areas. Florida Crystals representatives indicate that providing landscape islands within these areas of an industrial site where loading, parking of semi-trailers, storage of product, etc. occurs could create a hazard for truck drivers and interfere with site security, which is most often accomplished by cameras mounted on the building or within the site.

20 **f. Landscaping in Industrial Pods**

21 **1) Foundation Planting**

22 Loading spaces, docks and associated maneuvering areas not visible from a public
23 street or residential zoning district may be exempt from the foundation planting
24 requirements of Art. 7.D.11, Foundation Planting if the adjacent perimeter ROW or
25 incompatibility buffer is increased in width by eight feet and the foundation planting
26 requirements are relocated to the buffer. For those parcels that use this exemption,
27 only that portion of the building façade with the main public and employee entrances,
28 and extending along the façade a minimum of 100 feet in each direction from each
29 entrance, including corners, are subject to the provisions. If the distance between
30 foundation planting treatments is less than 10 percent of the overall length of the
31 building façade, the treatment shall be extended. If the Architectural Review
32 exemption in Art. 5.C.1.C.1. is utilized, the additional buffer width and planting is not
33 required to utilize the Foundation Planting exemption.

34 **2) Interior Landscaping Exceptions**

- 35 a) Interior Tree and Shrub Requirements
36 (1) One Tree per 4,000 sq. ft.; and,
37 (2) Three Shrubs per 4,000 sq. ft.
38 b) Interior Vehicular Use Areas not used for parking of passenger vehicles are not
39 required to provide terminal or interior landscape islands.
40 c) Perimeter compatibility buffers are not required between parcels supporting
41 compatible industrial uses. Where fences or walls are installed along the
42 perimeter, they shall be protected from vehicles by a curb or similar barrier, and
43 shall not encroach into the drive aisle (excluding gates) or impede vehicular
44 circulation.

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

1

Reason for amendments: [PZ&B] The ULDC does not currently regulate hours of operation for industrial uses or zoning districts. Staff has drafted standards to address this as part of the Use Regulations Project which is tentatively scheduled for adoption in. Florida Crystal representatives have requested that limits on hours of operation be included within the GAO PIPD, indicating that large scale economic development projects such as the ILDC require a level of predictability to successfully attract larger regional or national tenants.

2

3

g. Hours of Operation

4

Any non-residential use located within 250 feet of a residential FLU designation or zoning district as measured by drawing a straight line from the closest point on the perimeter of the exterior wall, structure or bay or the limits of any outdoor storage to the residential property line, shall be subject to the following hours of operation:

5

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7

8

1) Industrial Uses – 7:00 a.m. to 7:00 p.m. (Monday-Saturday);

9

2) Industrial Uses without Outdoor Activities – 6:00 a.m. to 11:00 p.m.; and,

10

3) Commercial Uses and all Loading Activities – 6:00am to 11:00 p.m.

11

Reason for amendments: [PZ&B] Individual or overall project needs such as site lighting, signage, and security fencing (barbed wire) may not comply with land development regulations for unique situations. Allowing for Type I Waivers will expedite the ability for the Development Review Officer to consider deviations from code requirements at the administrative level in conjunction with seeking site plan approval.

For roof mounted mechanical equipment screening, industrial uses adjacent to other parcels with an IND designation are eligible to pursue a Type I waiver from screening per Art. 5.B.1.A.19a.2)b)(1)(b). Screening of roof mounted equipment for industrial uses separated by a public or private ROW is not currently addressed but should not be necessary. This situation is included in the proposed list of waivers.

12

13

3. Type I Waivers for Industrial Pods

14

An applicant may apply for waivers for development standards within an Industrial Pod in accordance with Art. 2.D.6, Type I Waivers. Applications for Type I Waivers shall be expressly limited to the requirements listed below:

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

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Table 3.B.4.F. Type I Waivers for Industrial Pods

| <u>Article/Table Reference and Title</u> | <u>Maximum Waiver</u> |
|--|---|
| <u>Art. 5.B.1.A.2.c Fences, Walls and Hedges – Dangerous Materials</u> | <u>Barbed wire on the top of fences or walls may be allowed when the applicant demonstrates that an increased level of security is necessary. The applicant shall provide written justification and support documentation to support the need for barbed wire.</u> |
| <u>Art. 5.B.1.A.3.b Outdoor Storage - Location</u> | <u>Outdoor storage may be allowed within required building setbacks when all parcels adjacent to the outdoor storage are within an Industrial pod of the PIPD.</u> |
| <u>Art. 5.B.1.A.18 Permanent Generators</u> | <u>Permanent generators may be allowed within required side or rear building setbacks when all parcels adjacent to the generator location are within an Industrial pod of the PIPD.</u> |
| <u>Art. 5.B.1.A.19.a.2) Ground Mounted Mechanical Equipment Screening Requirements</u> | <u>Screening for ground mounted mechanical equipment is not required if the equipment cannot be viewed from a ROW or any Commercial, Civic, Recreation or Residential parcels.</u> |
| <u>Art. 5.B.1.A.19.a.2)b)(1)(b), Roof Mounted Mechanical Equipment Screening</u> | <u>Screening for roof mounted mechanical equipment is not required if all adjacent parcels having a view of the equipment are within the Industrial pods of the PIPD.</u> |
| <u>Table 5.E.4.D, Illumination Levels</u> | <u>Increased illumination levels in outdoor work areas of up to 25 percent may be allowed when all adjacent parcels are within an Industrial pod, as follows:</u> <ul style="list-style-type: none"> ▪ <u>Demonstration in writing and with supporting documentation that increased illumination levels will not adversely impact other uses within or abutting the PIPD;</u> ▪ <u>Demonstration that the need for additional lighting is for employee safety or site security;</u> ▪ <u>provided the illumination level complies with the Table at the perimeter property line adjacent to a public ROW or to residentially zoned property.</u> |
| <u>Table 5.E.4.D, Maximum Permitted Luminaire Height</u> | <u>Increased luminaire heights may be increased by 25 percent when all adjacent parcels are within an Industrial pod.</u> |
| <u>Art. 6.A.1.D.14.b.2), Pedestrian Circulation</u> | <u>Canopy trees, benches and accented walkways are not required, subject to the following:</u> <ul style="list-style-type: none"> ▪ <u>Demonstration that these amenities conflict with site security;</u> ▪ <u>Demonstration in writing and supporting documentation that either manned or electronic security access is provided for employees; and</u> ▪ <u>That a minimum of 25 percent of the required amenities or equivalent improvements are utilized at the public or employee entrances to the facility or in outdoor break areas, if applicable.</u> |
| <u>Table 8.G.2.B, Freestanding Sign Standards</u> | <u>Maximum sign area for freestanding signs may be increased by 25 percent to accommodate additional address information for multiple tenant buildings with uses that generate heavy truck traffic, as documented within the traffic study for the project.</u> |
| <u>Table 8.G.2.B, – Freestanding Outparcel Identification Signs</u> | <u>Maximum sign area for freestanding outparcel identification signs may be increased by up to 50 percent to accommodate additional address information for multiple tenant buildings with uses that generate heavy truck traffic, as documented within the traffic study for the project.</u> |

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Part 5. ULDC Art. 4.A.4.A, Development Thresholds (page 19 of 171), is hereby amended as follows:

Reason for amendments: [PZ&B] The purpose of this threshold is to ensure that the impacts of larger development are approved at a Public Hearing. In examples where projects have been approved with several hundred thousand square feet of non-residential uses, there has been confusion where the DRO has the authority to approve individual buildings that exceed these thresholds, but are consistent with the intensity or density approved by the BCC.

8

CHAPTER A USE CLASSIFICATIONS

9

Section 4 Development Thresholds

10

A. General

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12
13
14

Any amendment to an existing development, or new construction of residential, commercial or industrial projects that meets or exceeds either the maximum square footage or units, or maximum acreage of Table 4.A.4.A, Thresholds for Projects Requiring Board of County Commission Approval, shall be reviewed and approved as a PDD or TDD in accordance with Art.

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EXHIBIT J

INLAND LOGISTICS CENTER SUMMARY OF AMENDMENTS

(Updated 5/23/14)

1 2.B.1, Official Zoning Map Amendment (Rezoning). Projects that meet or exceed the thresholds
2 of this table that do not meet the access and dimension requirements of a PDD or TDD; are not
3 allowed to be a PDD or TDD by the Plan; or for non-residential projects, consist of only one use,
4 shall be approved as a Class A Conditional Use. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2010-
5 005]
6

Table 4.A.4.A - Thresholds for Projects Requiring Board of County Commission Approval (1)

| FLU Designation (2) (3) | Number of Square Footage or Units (4)(5) | Acreage |
|--------------------------------|--|-----------|
| Residential (Excluding RR FLU) | 200 du | 50 acres |
| AGR (Residential Only) | - | 250 acres |
| CLO | 30,000 | - |
| CHO | 50,000 | - |
| CL | 30,000 | - |
| CH | 50,000 | - |
| IND | 100,000 | - |
| INST | 50,000 | - |
| CR | 100,000 | - |
| MLU | 50,000 | - |
| EDC | 100,000 | - |

| Notes: | | |
|---------------|--|--|
| 1. | Land area devoted to retention pursuant to the requirements of the C-51 drainage basin, or land area devoted to vegetation preservation pursuant to the Environmentally Sensitive Lands Ordinance, excluding AGR or Sector Plan preserve areas, shall not be counted toward the maximum acreage threshold. [Ord. 2006-004] | |
| 2. | PDDs or TDDs in the AGR Tier are limited to the 80/20 PUD, 60/40 PUD or AGR TMD (FLUE Policy 1.5.1-a). | |
| 3. | There are no thresholds for the UC or UI FLU designations. [Ord. 2011-016] | |
| 4. | Dwelling units shall include any density awarded as part of a density bonus program. [Ord. 2006-004] [Ord. 2011-016] | |
| 5. | A BCC approved PDD or TDD shall not be subject to these thresholds for any DOA permitted under DRO Authority. | |

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/31/2014)

1 Part 1. ULDC Art. 1.F.2.A.2, Legal Lot of Record (page 18 of 119), is hereby amended as
2 follows:
3

Reason for amendments: [Land Development] To include the additional methods to create a legal lot that are currently permitted by code.

4 CHAPTER F NONCONFORMITIES

5 Section 2 Nonconforming Lot

6 A. Applicability

7 2. Legal Lot of Record

8 The lot complies with one of the following: [Ord. 2008-037] [Ord. 2010-005]

9 a. Is depicted on either a plat of record, affidavit of exemption, ~~or~~ affidavit of waiver; ~~or~~ plat
10 waiver, or lot combination; or [Ord. 2008-037] [Ord. 2010-005]

11

12

13

14 Part 2. ULDC Art. 1.I.2., Definitions (page 55, 75 of 119), is hereby amended as follows:
15

Reason for amendments: [Land Development] To add a definition for Ditch and to allow for the definitions of Master Plan and Swale to apply to Article 11 requirements for subdivision approval as well.

16 CHAPTER I DEFINITIONS & ACRONYMS

17 Section 2 Definitions

18

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

20

21 48. Ditch – For the purposes of Art. 11, a swale that is three feet or greater in depth from the top
22 of bank to the invert and with the capacity of temporarily containing or conveying stormwater
23 runoff.

24 [Renumber Accordingly]

25

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

27 21. Master Plan or Site Plan

28

29 b. For the purposes of Art. 11 and 12, a Master Plan or Site Plan shows how parcels and
30 uses in a mixed-use development will integrate with one another. The Master or Site
31 Plan dictates access, mitigation strategies, the build-out timeframe and shall be the
32 controlling document for a mixed-use development. Approval of a Master Plan or Site
33 Plan shall be binding upon the landowners subject to the Development Order, their
34 successors and assigns, and shall constitute development regulations for the land.
35 Development of the land shall be limited to the uses, intensities, access, configuration,
36 mitigation strategies, and all other elements and conditions set forth in the Master Plan or
37 Site Plan. Requirements for the submittal of a preliminary master or site plan and a final
38 master or site plan to the Zoning Division are indicated in Art. 2 pursuant to the type of
39 zoning application being submitted. [Ord. 2006-036] [Ord. 2009-040]

40

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

42 136. Swale – for the purpose of Art. 11 and 15, a stabilized and graded depression designed to
43 convey stormwater runoff and retain water for only a brief period following a rainfall event.

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Notes:

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/31/2014)

1
2 Part 3. ULDC Art. 11.A.1.B, Purpose and Intent [Related to Article 11 General Provisions]
3 (page 7 of 47), is hereby amended as follows:
4

Reason for amendments: [Land Development] Public and private parks are not considered required improvements in Article 11 and are instead governed by the County’s Comprehensive Plan and the Parks and Recreation Department. Since compliance is not confirmed by the County Engineer, this section should be deleted from Article 11.

5 CHAPTER A GENERAL REQUIREMENTS

6 Section 1 General Provisions

7 B. Purpose and Intent

8 The specific provisions of this article shall be applied and interpreted in a manner consistent with
9 PBC’s purpose and intent to:

10

11 8. ~~Ensure provision of public and private parks and recreation areas to accommodate the~~
12 ~~additional population of new subdivisions in accordance with the objectives of the Recreation~~
13 ~~Open Space Element of the Plan;~~
14 [Renumber Accordingly]

15
16
17 Part 4. ULDC Art. 11.A.3.B, Required Improvements Installation Requirement (page 8 of 47), is
18 hereby amended as follows:
19

Reason for amendments: [Land Development] To remove language for facilities not required by Article 11 or confirmed for compliance by the County Engineer.

20 CHAPTER A GENERAL REQUIREMENTS

21 Section 3 General Requirements

22 B. Required Improvements Installation Requirement

23 The adequacy of necessary public or private facilities and services for traffic and pedestrian
24 access and circulation, ~~public schools~~, solid waste, wastewater disposal, potable water supply,
25 stormwater management, ~~fire-rescue, parks and recreation~~ and similar facilities and services, and
26 potential adverse impacts on adjacent land uses and facilities shall be considered in the review of
27 all development proposals.
28

29
30 Part 5. ULDC Art. 11.A.4, Application of Ordinance (page 9 of 47), is hereby amended as
31 follows:
32

Reason for amendments: [Land Development] To clarify that land resulting from a subdivision of property shall be legally created in accordance with Article 11 unless such land is a lot over 40 acres or is covered by a DRO approved Master Plan. Also to clarify which building permits may be issued prior to plat recordation.

33 CHAPTER A GENERAL REQUIREMENTS

34 Section 4 Application of Ordinance

35 A. General Application

36 No person shall create a subdivision or develop any lot within a subdivision in unincorporated
37 PBC except in conformity with this Article. No Final Plat or certified boundary survey of any
38 subdivision shall be recorded unless such subdivision meets all applicable provisions of this
39 Article, the provisions of other applicable PBC ordinances, and the applicable laws of the State of
40 Florida. ~~Provided, however, that~~ the subdivision of contiguous lands *shall not be subject to*
41 *compliance with the provisions of this Article where the lands are* under single ownership *with*
42 *where* none of the resulting lots *being are* less than 40 acres *or where the remaining land is part*
43 *of a development being platted in phases in accordance with a Master Plan approved by the DRO*
44 *shall not be subject to compliance with the provisions of this Article*, unless such compliance is
45 required as a specific condition of a development order for a conditional use or special use
46 approved pursuant to Article 2.C, FLU PLAN AMENDMENTS. [Ord. 2011-016]

47 B. Building Permits and Other Approvals

48 1. Except as provided in this Section *or elsewhere in the Code*, no building permit shall be
49 issued for any structure on any lot created by subdivision of land in violation of this Article

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EXHIBIT K

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1 unless and until such lot is shown on a plat ~~of record~~ or certified boundary survey, as
2 applicable, recorded in the manner prescribed in this Article. [Ord. 2011-016]
3 2. Temporary structures, permanent structures having a temporary use, model homes and
4 ancillary structures such as fences, buffer walls, and guardhouses may receive a building
5 permit prior to recordation of the Final Plat for the property only when the use and location
6 have been approved by the DRO and shown on the approved Final Subdivision Plan. Such
7 approval, however, shall not in any way relieve the developer from the obligation to correct
8 any and all nonconforming setbacks, separations, or encroachments due to inconsistencies
9 between the location of said structures and lot, street, or easement boundaries as
10 established by the applicable recorded plat.

11
12
13 **Part 6. ULDC Art. 11.A.5.A, Active Subdivision Development (page 9 of 47), is hereby amended**
14 **as follows:**
15

Reason for amendments: [Land Development] To delete language that is covered in other Code chapters or under the authority of County departments other than Engineering. Specifically, ULDC Article 2.E Monitoring covers suspension of development orders and Article 2.G.4.G DRO covers the authority of the DRO to review development order applications.

16 **CHAPTER A GENERAL REQUIREMENTS**

17 **Section 5 Previously Approved or Platted Subdivisions**

18 **A. Active Subdivision Development**

19 All active subdivision developments and all modifications to previously platted subdivisions shall
20 be subject to the requirements of this Article in accordance with the provisions of Article 1.E,
21 PRIOR APPROVALS.

22

23 ~~**3. Abandonment of Active Subdivision Plan or Preliminary Plat**~~

24 ~~When the developer fails to seek subsequent approvals and permits within the time frames~~
25 ~~required by this Article, such failure shall be evidence that the active subdivision plan or~~
26 ~~preliminary plat has been abandoned and all approvals granted for the subdivision plan,~~
27 ~~construction plans, or preliminary plat, as applicable, shall be deemed void.~~

28 ~~**4. Authority of the Development Review Officer (DRO)**~~

29 ~~The DRO shall have the authority to review any previously approved subdivision~~
30 ~~development which does not meet the strict requirements of this Article and to declare the~~
31 ~~preliminary and final subdivision plan, preliminary or final site plan (and accompanying~~
32 ~~construction plans), site plan, as applicable, to be an active approval when the DRO finds~~
33 ~~that such declaration would be in accordance with the purpose and intent of this Article and in~~
34 ~~the best interest of the general public. Such review shall be made upon application by either~~
35 ~~the developer or the County Engineer, which application shall be on a form prescribed by the~~
36 ~~DRO.~~

37 [Renumber Accordingly]

38
39
40 **Part 7. ULDC Art. 11.A.6.B., Subdivision of Commercial and Industrial Building Sites (page 11**
41 **of 47), is hereby amended as follows:**
42

Reason for amendments: [Land Development] To clarify application of the subdivision exemption.

43 **CHAPTER A GENERAL REQUIREMENTS**

44 **Section 6 Planned Developments**

45 **B. Subdivision of Commercial and Industrial Building Sites**

46 A building site which constitutes all or a portion of a pod designated for commercial or industrial
47 use ~~within on the preliminary development plan of~~ a planned development, and for which the
48 detailed development configuration and building permit issuance are subject to prior approval by
49 the DRO of a final site plan, may be exempted by the County Engineer from the subdivision
50 recordation requirement of Article 11.A.4.B.1, and may be subdivided by fee title conveyance of
51 individual internal lots. Such exemption may be granted by the County Engineer provided that:

52

53
54 (This space intentionally left blank)
55
56
57

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1
2 Part 8. ULDC Art. 11.A.7., Phased Developments (page 11 of 47), is hereby amended as
3 follows:
4

Reason for amendments: [Land Development] To clarify requirements for phased platting and to delete language that is covered in other Code chapters or under the authority of other County departments. Specifically, ULDC Article 2.E Monitoring covers project phasing controls and time limitations.

5 CHAPTER A GENERAL REQUIREMENTS

6 Section 7 Phased Developments

7 A. Phasing Plan

8 The property encompassed by a Master Plan or Final Subdivision Plan may be developed in two
9 or more ~~phases~~ ~~increments~~ pursuant to the terms of this Section and applicable phasing
10 provisions of Article 2.E.3, Supplementary Regulations for Classes of Development Orders. ~~A~~
11 ~~Final Subdivision Plan showing the proposed phasing plan must be approved by the DRO prior to~~
12 ~~submission of the first plat.~~ Construction plans and preliminary plats shall coincide with their
13 respective phases as shown on the Final Subdivision Plan or Master Plan. ~~Construction plans or~~
14 ~~a preliminary plat for a partial phase shall not be accepted.~~

15 B. Improvements

16 The improvements of each phase shall be capable of operating independently of any
17 unconstructed phase with respect to drainage, access, utilities, and other required improvements,
18 except as provided herein. A dependent phase may be platted only if the foundation phase plat
19 has been recorded and required improvements have been completed or are under construction
20 pursuant to a land development permit and are secured pursuant to a guaranty guarantee posted
21 for completion of required improvements. A dependent phase shall not be acknowledged as
22 completed until the improvements in the foundation phase are acknowledged as completed;
23 provided, however, that such acknowledgment of completion may occur simultaneously and
24 provided that the County Engineer may permit the posting of a guaranty guarantee to ensure the
25 installation at a later time of those required improvements which are not deemed necessary to
26 provide drainage, access, or utilities to such dependent phases.

27 ~~C. Phasing Controls~~

28 ~~The phasing plan and all phased construction shall be completed in accordance with any phasing~~
29 ~~controls and time frames required by this Code which are applicable to the development.~~

30 ~~D. Time Limitation~~

31 ~~When the Preliminary Subdivision Plan is approved for development in phases requiring more~~
32 ~~than one final plat, the duration of said approval shall be as specified by and subject to those~~
33 ~~provisions of Article 2.E, MONITORING, applicable to the development or phase thereof.~~

34 [Renumbered Accordingly]

35
36
37 Part 9. ULDC Art. 11.A.8, Exceptions to General Requirement (page 12-14 of 47), is hereby
38 amended as follows:
39

Reason for amendments: [Land Development] To allow an abstracted boundary survey to be submitted for a proposed subdivision. To allow for a boundary survey to be submitted with a plat waiver application and to change the Code to be consistent with County practices to allow plat waivers in areas adjacent to or including previously platted properties. To update the Effect of Approval section and to eliminate the prohibition on interior easements for lot combinations. To delete review factors not considered by the County Engineer in the review process.

40 CHAPTER A GENERAL REQUIREMENTS

41 Section 8 Exceptions to General Requirements

42 A. Authority

43 The County Engineer is hereby empowered to make certain exceptions to the platting
44 requirement of Article 11.A.3.A, Platting Requirement, and required improvements installation
45 requirement of Article 11.A.3.B, Required Improvements Installation Requirement, in accordance
46 with the standards and procedures set forth in this Section.

47 **B. Certified Abstracted Boundary Survey**

48 When approved by the County Engineer, a certified abstracted boundary survey may constitute
49 the Subdivision Plan and when the subdivision is not encompassed by a Final Subdivision Plan
50 approved pursuant to Article 2.D.1, Development Review Officer.

51 **BC. Plat Waiver with Certified Boundary Survey**

52 If, after review of the preliminary subdivision plan, the County Engineer determines that the
53 proposed subdivision meets one of the conditions specified in Article 11.A.8.B ~~C~~.1, Application for

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1 Plat Waiver, the requirement to file a plat may be waived and an abstracted boundary survey
2 shall be recorded in lieu of a plat along with an affidavit documenting approval of said waiver and
3 restrictive covenants applicable to the subdivision, as prescribed by this Article. [Ord. 2011-016]

4 **1. Application for Plat Waiver**

5 In order to determine whether platting may be waived, the developer shall submit a certified
6 abstracted boundary survey or preliminary subdivision plan ~~in accordance with the~~
7 ~~requirements of Article 11.B.1, Preliminary Subdivision Plan~~, together with a statement
8 demonstrating that the subdivision meets at least one of the following conditions:

9 a. The division is for the purpose of constructing not more than one townhouse building in
10 compliance with applicable use regulations and standards pursuant to Article 3.C,
11 STANDARD DISTRICTS;

12 b. The division is to create no more than three contiguous lots and all of the following
13 circumstances apply:

14 ~~1) The land concerned is isolated or removed in its relationship to platted lands;~~

15 2) Dedications or reservations are not required for the installation or maintenance of the
16 required improvements; and

17 3) The improvements and dedications existing on the land are substantially in
18 accordance with the requirements of this Article.

19

20 **3. Effect of Approval**

21 ~~The approved abstracted boundary survey shall constitute the approved Final Subdivision~~
22 ~~Plan for the subdivision when such subdivision is not encompassed by a Final Subdivision~~
23 ~~Plan approved pursuant to Article 2.D.1, Development Review Officer.~~ The granting of a plat
24 waiver in no manner reduces or waives the requirements of Article 11.B.13, Technical
25 Compliance through Article 11.B.57, Construction of Required Improvements, governing
26 construction plan approval, land development permit issuance, and installation of the required
27 improvements. Failure by the applicant to submit all documents required for the recordation
28 of the affidavit of waiver within six months of approval by the County Engineer shall void said
29 approval. [Ord. 2011-016]

30 **CD. Lot Combination with Abandoned Right of Way and Combination of Lots**

31 Right of way abandoned by Resolution of the BCC may be combined into an adjoining lot of
32 record. A lot may also be combined with an adjoining lot or lots resulting in an overall decrease in
33 the number of lots provided that there are no interior easements along the common lot line(s) that
34 prevent the combination of the lots and that the new lot configuration decreases any existing non-
35 conformities. The revised single lot of record may be created by one of the following: [Ord.
36 2010-022]

37

38 **DE. Exceptions to Installation of Improvements Requirement**

39 If, after review of the preliminary subdivision plan, the County Engineer determines that certain
40 improvements already existing on the proposed subdivision site are adequate to meet the intent
41 of the required improvements requirement of this Article, the installation of those required
42 improvements may be waived.

43 **1. Application for Required Improvement Installation Waiver**

44 The developer shall submit a Preliminary Subdivision Plan, or when approved a certified
45 abstracted boundary survey, in accordance with the requirements of Article 11.B.1,
46 Preliminary Subdivision Plan, together with a statement demonstrating that the applicable
47 improvement(s) and associated dedications existing on the land and serving the proposed
48 lot(s) are substantially in accordance with the requirements of this Article.

49 **2. Effect of Approval**

50 The granting of a required improvement(s) installation waiver in no manner reduces or waives
51 the requirement of this Article to file a plat and to comply with applicable provisions of Article
52 11.B.13, Technical Compliance, through Article 11.B.57, Construction of Required
53 Improvements, with regard to all required improvements not specifically waived.

54 **EF. Contents of Applications**

55 Applications made pursuant to this Article shall be submitted in a form established by the County
56 Engineer, prescribed in the Land Development Forms Manual, and made available to the public.
57 ~~Contents of said applications shall include the submittal requirements for preliminary subdivision~~
58 ~~plans contained in Article 11.B.1, Preliminary Subdivision Plan.~~

59 **FG. Administration of Exceptions to General Requirements**

60 The County Engineer shall review and act on applications for exceptions to this Article pursuant
61 to Article 11.A.8, Exceptions to General Requirements. Such authority shall include the power to:

62 1. Waive compliance with the procedures of Article 11.B.13, Technical Compliance, through
63 Article 11.B.57, Construction of Required Improvements, when the County Engineer finds
64 that compliance with such procedures is unnecessary because:

65

66 4. Upon determining the facts of each application, determine whether: *the proposal makes*
67 *adequate provisions for public requirements, including safe and convenient vehicular and*

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pedestrian circulation, access, stormwater management, utilities, water supply and wastewater disposal. [Relocated from Art. 11.A.8.F.4.b below]

a. The proposal would be in harmony and compatible with present and future development of the area as contemplated under the Plan, and

b. The proposal makes adequate provisions for public requirements, including safe and convenient vehicular and pedestrian circulation, access, stormwater management, utilities, water supply and wastewater disposal. [Relocated to Art. 11.A.8.G.4. above]

Part 10. ULDC Art. 11.B., Subdivision Requirements (page 15 – 26 of 47), is hereby amended as follows:

Reason for amendments: [Land Development] To update submittal requirements and remove instructions for subdivision plan approval since this process is covered by a separate Code article.

CHAPTER B SUBDIVISION REQUIREMENTS

~~Section 1 – Preliminary Subdivision Plan~~

~~A. Purpose of Preliminary Subdivision Plan~~

~~The purpose of the preliminary subdivision plan is to provide adequate and necessary descriptive information regarding proposed subdivision layout and improvements for review of applications made under Article 11.A.8, Exceptions to General Requirements, for plat waivers and for required improvement(s) installation waivers.~~

~~B. Professional Services Required~~

~~The developer shall retain the services of an engineer or surveyor and mapper to prepare the preliminary subdivision plan. The subdivision plan shall be coordinated with the major utility suppliers involved with providing services. Where septic tanks are proposed, a satisfactory subdivision analysis for septic tanks from the PBCHD shall be required. [Ord. 2010-022]~~

~~C. Contents of Application~~

~~The developer shall submit a written statement and drawing in the form established by the County Engineer, prescribed in the Land Development Forms Manual, and made available to the public.~~

~~Section 2 – Final Subdivision Plan~~

~~A. Purpose~~

~~The purpose of the Final Subdivision Plan is to provide a multi-agency review at a level of detail adequate to identify and resolve basic errors, omissions, and conflicts in the proposed subdivision layout with respect to applicable agency concerns, code requirements, and surrounding land uses, prior to the preparation of the detailed preliminary plat(s) and associated construction plans for required improvements.~~

~~B. Applicability~~

~~Except as provided in Article 11.A.8.B, Plat Waiver with Certified Boundary Survey, the developer of every proposed subdivision shall be required to obtain approval of a Final Subdivision Plan from the DRO, pursuant to Article 2.D.1, Development Review Officer prior to submittal of a preliminary plat and construction plans for Technical Compliance approval pursuant to Article 11.B.3, Technical Compliance. [Ord. 2011-016]~~

~~C. Procedure~~

~~1. Application~~

~~Application for Final Subdivision Plan approval shall be made in accordance with Article 2.D.1, Development Review Officer.~~

~~2. Threshold Review Requirement~~

~~In order to be eligible to submit an application for Final Subdivision Plan review, the development shall have a currently valid certificate of threshold review, issued in accordance with and when required pursuant to Article 15.C, GENERAL THRESHOLD REVIEW. A copy of the currently valid certificate shall be attached to and made part of the application.~~

~~3. Contents of Application~~

~~The application shall be submitted in a form established by the Zoning Director, and made available to the public. Contents of said application shall include, but not necessarily be limited to:~~

~~a. A unified drawing describing existing site conditions, proposed streets, proposed lot layout, and other applicable development features in pictorial, note, or tabular form as appropriate;~~

~~b. An internal traffic circulation analysis prepared by a professional engineer, adequate for determining the required classification of streets, the number of lanes, the requirement for traffic lights and other traffic control devices, and the capacity of the street system proposed or affected by the development, as well as the phasing of improvements;~~

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~~c. A preliminary stormwater management plan outlining the conceptual tertiary and secondary stormwater management facilities proposed for proper development of the subdivision, and prepared by a registered professional authorized through licensure by the State of Florida to perform such conceptual level of design for said stormwater management system; and~~

~~d. A statement that all applicable utility providers have agreed to serve the subdivision, except that where septic tank systems are proposed, a satisfactory subdivision analysis for septic tanks from the PBCHD shall also be submitted.~~

~~4. Resubmittals~~

~~Final Subdivision Plan resubmittals required to address corrections or revisions requested by the DRO or for any modification by the developer shall be made in accordance with the applicable requirements of Article 2.D, ADMINISTRATIVE PROCESS.~~

~~D. Development Review Committee Action (DRO)~~

~~The DRO shall inform the developer that the plan and data as submitted do or do not meet the applicable provisions of this Article in accordance with the procedures established pursuant to Article 2.D, ADMINISTRATIVE PROCESS.~~

~~E. Duration of Final Subdivision Plan Approval~~

~~The duration of Final Subdivision Plan approval shall be as specified by and subject to those provisions of Article 2.E, MONITORING, applicable to the development.~~

Section 13 Technical Compliance

A. Purpose

The purpose of Technical Compliance is to provide a multi-agency review of the proposed subdivision plat and all applicable required improvement construction plans for conformance with technical and legal requirements of this Article, other applicable provisions of this Code, PBC Standards, and the approved Final Subdivision Plan or certified abstracted boundary survey (including any special conditions of approval) prior to application by the developer for issuance of a Land Development Permit and submittal of the Final Plat for recordation.

B. Application

Prior to the expiration of the Final Subdivision Plan approval, where applicable, and prior to commencing construction of required improvements, the developer shall have prepared and shall submit to the County Engineer an application for Technical Compliance review, which shall be accompanied by the required fee and the required number, as established by the County Engineer, of the following documents and information, as applicable to the subdivision or approved phase thereof. Within three days of receipt of an initial application submittal for Technical Compliance, the County Engineer shall review the submittal for completeness and shall send written notification to the applicant if the submittal is determined to be incomplete. Failure by the applicant to complete the application submittal within 60 days of the date of said notification shall be considered an abandonment of the application and any subsequent submittal shall require a new Technical Compliance application.

2. Certified Abstracted Boundary Survey

The developer shall submit a certified of a subdivision for which the requirement to plat has been waived pursuant to Article 11.A.8.B, Plat Waiver with Certified Boundary Survey, shall submit the applicable abstracted boundary survey meeting the requirements of Article 11.B.79, Requirements for Certified Abstracted Boundary Survey. **[Ord. 2011-016]**

3. Construction Plans and Supplemental Engineering Reports

Except for those required improvements have been specifically waived pursuant to Art. 11.A.8.C, Exceptions to Installation of Improvements Requirement, construction plans and supporting design information for all the required improvements shall be submitted for each subdivision. Construction plans and required engineering reports shall comply with the requirements of Art. 11.B.46, Construction Plans and Supplemental Engineering Information. **[Ord. 2005 – 002]**

C. Review of the Technical Compliance Submittal

1. Agency Comments

~~Within five days of receipt of a complete application, the~~ The County Engineer shall forward copies of appropriate submittal documents to the following agencies for written comments regarding conformance with requirements of their respective regulations and program responsibilities:

- a. Director, Land Development Division of DEPW: construction plans and preliminary plat;
- b. Director, Traffic Division of DEPW: construction plans and preliminary plat;
- c. Director, Survey Section of DEPW: preliminary plat;
- d. Director, Zoning Division of PZB: preliminary plat;
- e. Addressing Section, Administration Division of PZB: preliminary plat;
- f. Director, Parks and Recreation Department: preliminary plat;

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- g. Director, Roadway Production Division of DEPW: construction plans and preliminary plat for Thoroughfare Plan streets;
- h. Director, Environmental Resources Management: preliminary plat;
- i. Florida Department of Transportation: preliminary plat for lands abutting State roads;
- j. Local water control district: preliminary plat for lands abutting water control district facilities, easements, or R-O-W;
- k. County Attorney: preliminary plat; and
- l. Director of Property and Real Estate Management: preliminary plat.

The County Engineer shall have up to 5 calendar days to forward the submittal to the review agencies. Said agencies shall be given up to 20 calendar days to forward comments to the County Engineer. Within five days of the end of this 20 day period, the County Engineer shall forward all comments to the developer in writing, with a copy to the developer's engineer, or other authorized agent.

....
D. Technical Compliance Approval

The statement of Technical Compliance shall be in writing and furnished to the developer and the developer's engineer. The statement shall contain the following conditions and information:

- 1. The name of the documents reviewed;
- 2. The amount of ~~guaranty~~ guarantee for the construction of required improvements, established in accordance with Article 11.B.2 4.A.6, Guarantees;
- 3. The amount of recording fees due for recordation of the final plat or certified boundary survey, which fees are payable to the Clerk of the Circuit Court of PBC; **[Ord. 2011-016]**
- 4. A requirement to submit with the Land Development Permit application a copy of all applicable property owners' association documents; and
- 5. Requirements for submittal of supplementary documentation deemed necessary by the County Engineer, such as deeds, easements, covenants and other recorded instruments creating rights or obligations for access, drainage, or utility services, which rights or obligations could not be established through dedications or reservations on the plat.

E. Expiration of Technical Compliance

The statement of Technical Compliance shall expire six months after its date of issuance. Failure to make a Land Development Permit application submittal prior to the expiration of the statement of Technical Compliance shall void the Technical Compliance approval and any subsequent submittal shall require a new Technical Compliance application unless the County Engineer has granted an extension to the Technical Compliance expiration.

F. Effect of Changes to Final Subdivision Plan

Any change to a Final Subdivision Plan, however approved, which would either increase or decrease the number of units in, or would, in the opinion of the County Engineer, cause a substantial change or revision to any preliminary plat or associated construction plans under review or approved for Technical Compliance, shall void any approvals issued for same pursuant to this article and shall require a new submittal and fee for such plat and construction plans, unless a modification to such plat and construction plans is approved by the County Engineer. ~~Such determination shall be in writing and forwarded within ten days to the Developer's Engineer, with a copy to the Zoning Director.~~

Section 2 4 Land Development Permit

A. Land Development Permit Application Submittal

A Land Development Permit shall be required prior to commencement of construction of any required improvement. The effective date of the Land Development Permit shall be the date the County Engineer signs it. The Land Development Permit shall expire not more than 21 months from the effective date, unless extended pursuant to Article 11.B.57.B, Time of Completion of Required Improvements. Except when the installation of all required improvements has been waived pursuant to Article 11.A.8.C, Exceptions to Installation of Improvements Requirement, the Final Plat or certified boundary survey, as applicable, shall not be recorded until the developer has either installed the improvements or has guaranteed ~~guaranteed~~ the installation of the improvements pursuant to the requirements of Article 11.B.2 4.A.6, Guarantees, below. As the final step in the review procedures to obtain development approval under this Article, the developer shall have prepared and shall submit, prior to expiration of the Technical Compliance, an application for Land Development Permit. The application for Land Development Permit shall be accompanied by the required fee and the required number, as determined by the County Engineer, of the following documents applicable to the subdivision or approved phase thereof: **[Ord. 2011-016]**

....
2. Certified Abstracted Boundary Survey

The developer of a subdivision for which the requirement to plat has been waived pursuant to this Article shall submit a check payable to the Clerk of the Circuit Court of PBC for the recordation of the certified boundary survey. When construction plans are not required, the

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certified abstracted boundary survey may be recorded without further review, provided, however, that the County Engineer shall review any documents submitted in compliance with Article 11.B. 2 4.A.3, Maintenance and Use Documents. [Ord. 2011-016]

....
4. **Construction Plans and Supplemental Engineering Information**

Construction plans shall conform to the plans which received Technical Compliance or, if modified, shall be accompanied by a written statement from the Developer's engineer which details, explains, and justifies the modifications. Construction plans shall comply with the requirements of Article 11.B.46, Construction Plans and Supplemental Engineering Information, and prior to issuance of a Land Development Permit, shall have received all applicable approvals of requisite governmental agencies.

5. **Developer's Acknowledgment of Responsibility for Construction of Required Improvements**

The application shall indicate whether the required improvements are to be constructed prior to recordation or after recordation of the plat or certified boundary survey. When the required improvements are to be constructed after recordation, the Developer shall submit a statement acknowledging responsibility for completion of said required improvements. The statement shall be in the form contained in the latest version of the Land Development Forms Manual and shall be executed by all owners shown on the applicable final plat. The statement shall be accompanied by a guaranty guarantee for completion of required improvements, pursuant to Article 11.E.1.A, Minimum Required Improvements for All Subdivisions. Said guaranty guarantee shall meet the applicable requirements of Article 11.B. 2 4.A.6, Guarantees. [Ord. 2011-016]

6. **Guarantees**

All guarantees required pursuant to ~~to~~ Article 11.E.1.A, Minimum Required Improvements for All Subdivisions, shall be in one of the forms prescribed in the Land Development Forms Manual or in an alternate form approved by the County Attorney. The initial guaranty guarantee shall be in an amount equal to 110 percent of the construction cost of the required improvements. The guaranty guarantee shall be in one of the following types:

....
Section ~~35~~ **Substitution of Developers**

A. **Voluntary Substitution of Developers**

When there is a voluntary substitution of developers after the Land Development Permit has been issued but before PBC has acknowledged completion of the required improvements, it shall be the responsibility of both developers to transfer the rights and responsibilities from the original developer to the succeeding developer. The original and succeeding developers shall make a joint application to the County Engineer for a transfer of the original developer's Land Development Permit. If the original developer posted a guarantee with PBC for completion of required improvements, the succeeding developer must post a substitute guarantee in the current amount of the original developer's guarantee and in a form acceptable to PBC. The application for transfer shall include the executed acknowledgment of responsibility for completion of required improvements pursuant to Article 11.B. 2 4.A.5, Developer's Acknowledgment of Responsibility for Construction of Required Improvements.

B. **Involuntary Substitution of Developers**

When a developer becomes the succeeding developer through foreclosure or some similar action and it is not possible to obtain the original developer's signature on a joint application for transfer of the Land Development Permit, the succeeding developer must comply with all provisions of Article 11.B. ~~35~~.A, Voluntary Substitution of Developers, except that, in lieu of said original developer's signature, the succeeding developer shall submit a current certification of title, foreclosure judgment, or other proof of ownership of the lands encompassed by the plat referred to in the Land Development Permit.

Section ~~46~~ **Construction Plans and Supplemental Engineering Information**

....
B. **Submittal Requirements**

Construction plans and supplemental engineering information shall be submitted under separate cover for each of the categories of improvements listed in this Section. Plan sets shall be submitted in the number required ~~by the County Engineer, as prescribed~~ in the Land Development Forms Manual.

....
2. **Submittals for Other Improvements**

Construction plans shall be submitted for the following additional improvements which the developer may be required to install or otherwise elect to provide:
a. Landscaping within streets;

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
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- b. Guardhouse, gates, or other structures within streets;
- c. Landscaping or structures in lake maintenance easements: See Article 11.B.68.A, Construction and Landscaping in Lake Maintenance Easements and Water Management Tracts.

....
F. Soils Report

The Technical Compliance application shall include a soils report describing soil profiles of the work site to such depth and extent necessary to determine special design or construction needs. In lieu of Article 11.B.46.F.4 and Article 11.B.46.F.5, the Developer may submit as part of the report a certified statement from an engineer that he has investigated the subsurface conditions of the site and has determined that such conditions are suitable for the work as shown on the construction plans. The soils report shall include:

- 1. A map, drawn to stated scale, showing boring, penetrometer, and/or test pit locations;
- 2. Results of each boring or other soil test, keyed to the map;
- 3. Soil profiles with horizons described according to the USDA, ASTM, or Unified standard soils classified system;
- 4. Location and extent of muck, hardpan, marl, or other deleterious materials which may require special consideration in design or construction; and
- 5. A description of groundwater conditions which may require special consideration in design or construction.

Section 57 Construction of Required Improvements

....
B. Time of Completion of Required Improvements

- 1. The time of completion of all required improvements shall not exceed 21 months from the date of issuance of the Land Development Permit unless an extension is granted pursuant to this Section. For government facilities within the Public Ownership (PO) Zoning District, the completion of required improvements shall be permitted to: **[Ord. 2007-013]**
 - a. coincide with a Certification of Occupancy (CO) for the first building on a parcel of land that adjoins a required street improvement; or, **[Ord. 2007-013]**
 - b. be phased to coincide with a ~~Certification of Occupancy (CO)~~ for the first building within each phase of development that is accessed by a required street improvement. **[Ord. 2007-013]**
- 2. A one year time extension may be granted by the County Engineer after review of the written application for extension of the developer. The developer should submit the application for extension, including but not limited to a statement of justification and proof that an acceptable ~~guaranty guarantee~~ will remain in place for the duration of the extension, not less than two months prior to expiration of the Land Development Permit. ~~Applications submitted after expiration of the Land Development Permit shall not be accepted.~~ The County Engineer shall review and advise the developer in writing of his decision within ~~one month~~ 30 calendar days of receipt of the application.

C. Completion Prior to Plat Recordation

When the developer elects to complete required improvements prior to recording of the final plat or certified boundary survey, the following procedures shall apply, as applicable. **[Ord. 2011-016]**

- 1. Upon approval of the final plat and acknowledgment of completion of the required improvements pursuant to Article 11.B.57.G, Acknowledgment of Completion and Maintenance of Required Improvements, the plat shall be submitted to the Office of the Clerk of the Circuit Court for recordation.

....
D. Completion After Plat Recordation

....
2. Amount of Reductions in Guaranty Guarantee

The County Engineer shall not reduce the amount of any ~~guaranty guarantee~~ below 20 percent of the original cost estimate amount. In addition to this limitation, no reduction in the dollar amount of the ~~guaranty guarantee~~ shall be made unless sufficient funds will remain to complete the remaining required improvements and the cost of required improvements installed equals or exceeds the amount of the request. To ensure that sufficient funds remain for completion of the remaining required improvements, the County Engineer shall release not more than 90 percent of the dollar amount of required improvements certified as completed during the period for which a reduction is requested, provided the amount is not reduced to less than 20 percent of the original cost estimate amount.

3. Release of Guaranty Guarantee

The ~~guaranty guarantee~~ shall only be released upon acknowledgment of completion of the required improvements pursuant to Article 11.B.57.G, Acknowledgment of Completion and Maintenance of Required Improvements. Two weeks prior to the release of the ~~guaranty~~

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guarantee, the County Engineer shall notify the appropriate District Commissioner of intent to release.

E. PBC Use of Funds; Failure of Developer to Complete

The County Engineer, as the authorized agent of the Board, shall have the right to any funds available under the guaranty guarantee to secure satisfactory completion of the required improvements in the event of default by the developer or failure of the developer to complete such improvements within the time required by Article 11.B.57.B, Time of Completion of Required Improvements. The County Engineer shall send the developer a courtesy written notice of PBC's intent to expend any drawn funds or demand performance, as applicable. Such notice shall be sent at least 30 calendar days prior to said expenditure or demand, and shall be mailed to the last known address of the developer or his authorized agent according to the Land Development Permit records on file with the County Engineer.

F. Administration of Construction

....
2. Inspections, Reports, and Stop Work Orders

The County Engineer shall be notified in advance of the date of commencement of construction pursuant to the Land Development Permit, and of such points during the progress of construction for which joint review by the County Engineer and developer's engineer are required.

- a. Construction shall be performed under the surveillance of, and shall at all times be subject to, review by the County Engineer; however, this in no way shall relieve the developer of the responsibility for ensuring close field coordination and final compliance with the approved plans, specifications and the requirements of this Code.
- b. The developer's engineer shall ~~provide~~require progress reports of the construction of the required improvements ~~to from~~ the developer's ~~engineer~~. The developer's engineer may also be required to submit construction progress reports directly to and at points of progress prescribed by the County Engineer. The developer's engineer shall coordinate joint reviews of the construction with the County Engineer at points specified by the County Engineer.
- c. The County Engineer and his or her designees shall have the right to enter upon the property for the purpose of reviewing the construction of required improvement during the progress of such construction. The County Engineer shall have the authority to stop the work upon failure of the developer or his engineer to coordinate the construction of the required improvements as required by this subsection.

....
G. Acknowledgment of Completion and Maintenance of Required Improvements

....
2. Acknowledgment of Completion by County Engineer; Release of Guaranty Guarantee

Upon submittal of the documents and records required by Article 11.B.57.F.4, Engineer's Certificate of Completion, and Article 11.B.57.G.1, Developer's Warranty on Workmanship and Material, and recorded copies of the approved Maintenance and Use Covenants, the County Engineer shall determine the completeness of the required improvements in accordance with the provisions of this Article and the Land Development Permit. When the County Engineer determines that the required documentation is acceptable and the required improvements have been installed as required by this Article, he shall acknowledge completion of the required improvements and, when a guaranty guarantee has been posted, release the guaranty guarantee in accordance with the following:

....
c. Effect of Release

Issuance of the statement acknowledging completion and, when applicable, releasing the guaranty guarantee shall relieve the developer of his obligations for construction of required improvements but shall not relieve the developer of his obligations under the warranty for required improvements required under Article 11.B.57.G.1, Developer's Warranty on Workmanship and Material.

....
5. Developer's Failure to Complete Improvements in Unrecorded Subdivisions

Where a developer has elected to install the required improvements prior to recordation of the plat and fails to complete such improvements within the time limits prescribed in Article 11.B.57.B, Time of Completion of Required Improvements, all previous approvals applicable to the proposed subdivision shall be deemed void.

Section ~~68~~ Supplemental Procedures

A. Construction and Landscaping in Lake Maintenance Easements and Water Management Tracts

....
4. Application Requirements for Structures or Plantings in LME

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
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1 Persons desiring to place trees or shrubs or construct or place structures within a LME shall
2 apply to the County Engineer. Approval by the County Engineer shall be required prior to
3 installation when said planting or construction is to encroach a lake maintenance easement
4 within a plat for which the associated required improvements have not been acknowledged
5 as complete, pursuant to the applicable land development permit and Article 11.B.57.G,
6 Acknowledgment of Completion and Maintenance of Required Improvements, or when the
7 County Engineer determines that there is a continuing PBC or public beneficiary interest in
8 said easement. Prior to granting such approval, the County Engineer shall ensure that
9 adequate conditions are imposed, and appropriate documents are executed and, if
10 appropriate, recorded to ensure compliance with the provisions of this Subsection and
11 approvals granted pursuant to this Article.
12

....

13 **Section 79 Requirements for Certified ~~Abstracted~~ Boundary Survey**

14

15

16

17 **Part 11. ULDC Art. 11.D.1.B., Final Plat (page 30 of 47), is hereby amended as follows:**

18

Reason for amendments: [Land Development] To correct errors in final plat requirements and to allow more than one title page for a plat.

19 **CHAPTER D PLATTING**

20 **Section 1 Requirements for the Preliminary and Final Plat**

21 **B. Final Plat**

22 **15. Certification and Approvals**

23 The plat shall contain on ~~the any of the title face or first~~ page(s) the following certifications
24 and approvals, acknowledged as required by law, all being in the form set forth below.
25 However, the County Engineer's approval certification and seal shall be contained on the
26 face or first page.

27

28

29

30 **Part 12. ULDC Art. 11.E, Required Improvements (pages 33-39, 41, 43, and 45-46 of 47), is**
31 **hereby amended as follows:**

32

Reason for amendments: [Land Development] To delete requirements covered by other code sections, to clarify design requirements and to correct inconsistencies between Code language and County practices. Specifically, Parks & Recreation regulations are covered by ULDC Article 5.D. Further, parking lot tracts are no longer accepted as legal access to a subdivision lot.

33 **CHAPTER E REQUIRED IMPROVEMENTS**

34 **Section 1 Required Improvements**

35 **A. Minimum Required Improvements for All Subdivisions**

36 Except when waived pursuant to Article 11.A.8.DC, Exceptions to Installation of Improvements
37 Requirement, the improvements set out herein shall be the minimum required improvements for
38 all subdivisions in order to provide the physical improvements necessary to implement certain
39 performance standards, objectives and policies of the Capital Improvements Element and other
40 elements of the Plan. These required improvements shall be installed prior to recordation of the
41 corresponding plat or certified boundary survey unless the developer furnishes a ~~guaranty~~
42 ~~guarantee~~ assuring their installation in accordance with the provisions of this Article. Except as
43 provided in this Section, the cost of all required improvements shall be guaranteed. **[Ord. 2011-**
44 **016]**

45

46 **~~C. Parks and Recreation~~**

47 ~~The developer shall satisfy all applicable requirements for provision of parks, recreation areas,~~
48 ~~and recreational facilities to serve residents of a proposed subdivision in accordance with Art.~~
49 ~~5.D, Parks and Recreation – Rules and Recreation Standards. The means of complying with said~~
50 ~~requirements shall be fully addressed on the Final Subdivision Plan. **[Ord. 2005 – 002]**~~

51 **Section 2 Access and Circulation Systems**

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/31/2014)

1 A. Vehicular Circulation Systems

2
3 2. Minimum Legal Access Requirement

4 There is hereby established a hierarchy of legal access as shown on Table 11.E.2.A-1, Chart
5 of Access Hierarchy. Except as provided below, each lot shall abut a street of suitable
6 classification to provide said lot with legal access consistent with the standards set forth in
7 Table 11.E.2.A-2, Chart of Minor Streets.

8 ~~a. When legal access to a lot is permitted by this Code to be by a common parking area~~
9 ~~which serves more than one lot, it shall be dimensioned and depicted on the construction~~
10 ~~plans and reserved on the plat as a "parking tract". Said tract shall be reserved for~~
11 ~~parking and access purposes to the property owners association having jurisdiction over~~
12 ~~the parking area and the abutting lots.~~

13 ~~ab.~~ A 32-foot Residential Access Street, common driveway may, with prior approval by the
14 County Engineer, be utilized for legal access to a group of not more than four abutting
15 lots ~~situated adjacent to a curve on a residential access street~~ where said lots would
16 otherwise have no reasonable means of obtaining direct access to or required frontage
17 on ~~the an~~ adjacent ~~residential access~~ street. Said residential access street driveway
18 shall be delineated and reserved on the applicable plat for purposes of perpetual access
19 to the lots served.

20 [Renumber Accordingly]

21
22 4. Double Frontage Lots

23 Where a lot has two frontage lines, legal access to the lot shall be restricted as follows:

24 a. Residential Lots

25 Where a lot abuts both a street of non-plan collector or higher classification and a local
26 street, access to said lot shall be by the local street. ~~The lot line(s) abutting any street of~~
27 ~~higher classification than a local street shall be buffered in accordance with the provisions~~
28 ~~of Article 11.E.9.B, Buffering.~~

29
30 6. Street Intersections and Street Jogs

31 The centerline intersections of local or residential access streets with non-plan or plan
32 collector streets shall be spaced a minimum distance of 200 feet, as measured along the
33 centerline of the collector street, or as otherwise required by the County Engineer.
34 ~~Intersections which warrant traffic signalization shall be spaced a minimum distance of 1320~~
35 ~~feet, centerline to centerline.~~ Connection of local streets to arterial streets may be permitted
36 by the County Engineer only where other access is unavailable. Local street jogs connections
37 with centerline offsets of less than 125 feet are prohibited, unless the offset is to allow
38 through lanes to align and is approved by the County Engineer.

39
40 10. Bridges and Culverts

41 Bridges or culverts shall be provided as necessary to facilitate the proposed vehicle and
42 pedestrian system. The bridge or culvert requirement is subject to approval by the agency
43 having jurisdiction over the facility being crossed. Bridges shall be designed in general accord
44 with the current Department of Transportation practices and shall include planning for utility
45 installation. They shall be reinforced concrete, unless, other low maintenance materials are
46 approved by the County Engineer. Bridges shall have a clear roadway width between curbs
47 two feet in excess of the pavement width in each direction, and shall have sidewalks ~~four~~ six
48 feet wide on each side. All bridge structures shall be designed for H-20-S16-44 loading HL-93
49 and all Florida Legal loads, incorporating adequate corrosion protection for all metal work and
50 erosion protection for associated shorelines and embankments.

51
52 19. Limited Access Easements

53 Limited access easements five foot in width may be required along non-plan collector streets
54 and major streets in order to control access to such streets from abutting property, when
55 necessary. Easements for controlling access to local and residential access streets may also
56 be required by the County Engineer in order to ensure continued control of access to such
57 streets from abutting property. All limited access easements shall be conveyed or dedicated
58 to PBC. [Ord. 2013-001]

59 20. Street Names

60 Proposed streets which are in alignment with existing named streets should bear the name of
61 the existing street. All street names shall have a suffix and in no case, except as indicated in
62 the preceding sentence, should the name of the proposed street duplicate or be phonetically
63 similar to existing street names. All proposed street names shall be submitted to the
64 Executive Director of the PZB for approval prior to submittal of the Final Subdivision Plan
65 application.

66 21. Alignment, Tangent, Deflection, Radii

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/31/2014)

1 Streets shall be laid out to intersect as nearly as possible at right angles. ~~Multiple~~
2 ~~intersections~~ Intersections involving the junction of more than two streets shall be prohibited.
3 The point of curvature of any local street or residential access street shall not be closer than
4 100 feet to any intersection, measured along the centerline from the extension of the
5 intersecting street lines ~~unless the Engineer of Record provides documentation assuring~~
6 ~~adequate safe sight distance is provided as prescribed in the most recent FDOT or the~~
7 ~~Florida “Green Book”.~~ Reverse curves shall be prohibited. Reversals in alignment shall be
8 connected by straight tangent segment at least 50 feet in length. All intersections shall be
9 designed to provide at least the minimum stopping and turning sight distances, in accordance
10 with criteria prescribed in the most recent edition of the FDOT Manual of Uniform Minimum
11 Standards for Design, Construction and Maintenance for Streets and Highways. When the
12 centerline of a local street deflects by more than ten degrees, it shall be curved with a radius
13 adequate to assure safe sight distance and driver comfort. ~~Street pavement return radii shall~~
14 ~~be a minimum of 30 feet.~~

....
23. **Median Strips**

Median strips which are part of a public street may not be utilized for any purpose other than
by PBC or public utility. However, a developer or property owner may install landscaping in a
median strip or within shoulders in accordance with requirements as established by the
County Engineer pursuant to the PBC Streetscape Standard Manual. ~~Median strips shall not~~
~~be developed solely for the purpose of creating decorative entrances to subdivisions served~~
~~by public streets.~~

24. **Subdivision Entranceways**

Subdivision entranceways consisting of signs, walls, fences, gates, rock piles or other
entrance features are not permitted within the median strip or other areas in a public street.
Decorative entranceways must be constructed ~~upon plots of land adjacent to a public street~~
in compliance with applicable PBC codes and placed so as not to constitute a traffic hazard.

25. **Guardhouses**

A guardhouse, located so as not to create a traffic hazard, may be constructed in the median
of an entrance to a subdivision having only private streets. The minimum setback to a
guardhouse shall be 150 feet, measured from the extension of the intersecting street lines,
unless waived by the County Engineer. Two lanes shall be required on each side of the
median in the area of the guardhouse.

Table 11.E.2.A-1 - Chart of Access Hierarchy

| |
|--|
| |
| MARGINAL ACCESS FRONTAGE ROAD |
| LOCAL |
| RESIDENTIAL ACCESS (private streets only): |
| - 40 FOOT |
| - 32 FOOT |
| ALLEY (secondary access only) |

Table 11.E.2.A-2 - Chart of Minor Streets

| CLASSIFICATION | MINIMUM WIDTH (FT.) STREET (b) PAVEMENT (c) | | MAXIMUM ALLOWABLE ADT (d) | ALLOWED AS LEGAL ACCESS FOR (a) | |
|--|--|----|---------------------------------|------------------------------------|-------------|
| | | | | COMMERCIAL | RESIDENTIAL |
| | | | | | |
| Residential Access (ef) | | | | | |
| | | | | | |
| No Sidewalk (f) | 32 | 20 | 150 40 | | X |
| Notes: | | | | | |
| | | | | | |
| (d) Dead end streets of all classifications shall not exceed 1,320 feet in length unless otherwise approved by the County Engineer. | | | | | |
| (de) Streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface. | | | | | |
| (ef) Use is restricted to private streets providing access to townhouse and zero lot line units within a Planned Development district. | | | | | |
| (f) <u>Use is restricted to private streets providing access to up to four lots.</u> | | | | | |

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/31/2014)

1

Table 11.E.2.A-3 - MGTS Cross Section Streets

| CLASSIFICATION | MINIMUM WIDTH (FT): (e) | | MAXIMUM ALLOWABLE ADT (d) | ALLOWED AS LEGAL ACCESS FOR: (a) | |
|--|-------------------------|--------------|---------------------------|----------------------------------|-------------|
| | STREET | PAVEMENT (c) | | COMMERCIAL | RESIDENTIAL |
| | | | | | |
| Notes: | | | | | |
| | | | | | |
| (d) Dead-end streets of all classifications shall not exceed 1,320 feet in length unless otherwise approved by the County Engineer. | | | | | |
| (de) Streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface. | | | | | |
| (ef) Required for all TDD's. | | | | | |

2

3

B. Pedestrian Circulation System

4

1. Requirement for Sidewalks

5

Except as provided in this Section, sidewalks shall be constructed on both sides of all streets. For ~~marginal access streets~~ frontage roads and streets with a width of less than 50 feet and greater than 32 feet, a sidewalk on one side at a minimum dimension of six feet is required. No sidewalk is required in streets with a width of 32 feet or less. Required sidewalks shall be constructed by the Developer except as provided in Article 11.E.1.A.1, Access and Circulation Systems.

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~~**2. Master Pedestrian Circulation Plan; Waiver of Requirement**~~

~~The DRO may approve a Master Pedestrian Circulation Plan and, upon such approval, may waive, in whole or in part, the requirement for sidewalks within the street of a subdivision, or portion thereof, where it finds that the alternative pedestrian circulation system provides accessibility, convenience, continuity and safety equivalent to or greater than that which would be provided by the required sidewalks. The Master Pedestrian Circulation Plan shall be submitted by the developer for approval concurrently with, and shall be considered part of the approved Final Subdivision Plan.~~

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~~**a. Requirements for Master Pedestrian Circulation Plan**~~

~~An application, the required fee, and the required number of copies of a Master Pedestrian Circulation Plan shall be submitted in accordance with Article 2.D.1.D, Application Requirements, for placement on the agenda of the DRO. The Master Pedestrian Circulation Plan shall be a full-sized reproducible copy of the approved Final Subdivision Plan, and shall be modified, when necessary, to show:~~

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~~1) The location of all lots and the number and type of dwelling units on each lot;~~

26

~~2) The classification and width of each street;~~

27

~~3) The location, width, and type of each pedestrian path, including those sidewalks and bicycle paths to be constructed within the streets; and~~

28

~~4) Locations of all connections to pedestrian systems outside the development.~~

29

~~**b. Distribution of Approved Plan**~~

~~Upon approval of a MPCP, a copy of the approved plan shall be forwarded to the County Engineer, Zoning Director, Building Director, and Metropolitan Planning Organization.~~

30

31

32

33

[Renumber Accordingly]

34

C. Reduction of Street Width

When pedestrian circulation is to be accomplished solely by paths constructed outside the streets, the County Engineer through the DRO may approve a concurrent request by the developer to reduce local street widths from those required pursuant to Article 11.E.2.A.2, Minimum Legal Access Requirement, by no more than eight feet if such reduction would neither reduce the vehicular carrying capacity and safety of the streets nor compromise the safety of pedestrians.

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Section 4 Stormwater Management

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E. Tertiary Stormwater System Design and Performance

The tertiary system shall consist of all drainage features and facilities such as storm sewerage, swales, gutters, culverts, ditches, erosion protection, and site grading necessary for the immediate drainage and rapid removal of stormwater from building sites, streets, and areas of other land uses subject to damage or disruption by inundation in accordance with acceptable levels of service as established by the Plan.

1. Lot and Building Site Drainage

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In order to provide for such levels of service, tertiary drainage for lots and buildings shall meet the following minimum requirements:

....

- e. Each residential lot with a gross area greater than one-quarter acre shall have a finished grade as specified in Article 11.E.4.E.1.d within 20 feet of any principal building site, unless alternate construction methods such as stemwalls are approved by the County Engineer. The remainder of the lot shall be graded at sufficient elevation to ensure that inundation does not persist for more than eight hours following cessation of the three-year, 24-hour rainfall event, unless such area is designated for stormwater management purposes and included in an expressed easement for drainage, floodplain, or the like.

F. Secondary Stormwater System Design and Performance

The secondary system, including all facilities and appurtenant structures for detention, retention, discharge, and conveyance to legal positive outfall, shall be designed and constructed to provide the degree of treatment and control of all stormwater runoff discharged from a development site necessary to meet the requirements of the agency having jurisdiction over receiving waters at each point of legal positive outfall.

- 2. No discharge of stormwater runoff resulting from rainfall up to and including the 25-year, 72-hour event shall take place from a development site except by means of one or more approved discharge control structures, other than those existing inflows from off-site for which separate, approved means of conveyance through the site have been provided. Further, the overflow weir within the approved discharge structures shall be set with an invert at the 25-year, 72-hour event unless otherwise permitted by the authority having jurisdiction over the property's point of legal positive outfall.

- 4. Except where bulk heading is approved in accordance with Article 4.D, EXCAVATION, each wet detention/retention facility designed for storage of stormwater runoff in an open impoundment shall have:

- a. Side slopes no steeper than four(H): one(V) extending to a depth of at least two feet below the design control elevation;
- b. Side slopes no steeper than two(H): one(V) from two feet below control elevation to the bottom of the facility; and
- c. For properties requiring a Land Development Permit in accordance with Article 11.B.4, LAND DEVELOPMENT PERMIT, a A continuous berm, at least 20 feet wide with a cross-slope no steeper than eight (H): one (V), graded adjacent to the shoreline. Where said berm abuts any residential lot, it shall be graded at an elevation not lower than the maximum design water surface elevation resulting from the three-year, 24-hour rainfall event. Along portions of the impoundment where the design water surface is less than 40 feet wide at control elevation a berm shall be required on only one side, provided that adequate legal and physical access is established from a minor street to each separate segment of the remaining berm.

- 9. In order to protect against overdrainage of surrounding lands, no control elevation shall be lower than the pre-development average annual mean water table elevation of the detention facility site. In areas with variable water table elevations, the County Engineer may require soil testing or additional information to determine onsite water table elevations.

- 10. A perimeter berm with a top elevation equal to or greater than the stage for the onsite 25-year, 72-hour event shall be provided onsite within a minimum of 3 feet from the property line such that all required grading occurs onsite unless written approval is obtained from abutting property owners. Perimeter berms established onsite greater than 3 feet from the property line shall include drainage provisions to prevent offsite stormwater discharge.

- 11. If exfiltration trench is utilized for onsite water storage, the County Engineer may require stormwater stage calculations for the relationship between the exfiltration trench and rising water table.

....

Section 7 Utilities

A. Required Improvement

All utilities, including power and light, telephone and telegraph, cable television, wiring to street lights, and gas shall be installed underground, unless such requirement is waived by the County Engineer, as provided in this Section. Utilities shall be constructed in easements as prescribed by this Section. The developer shall make arrangements for utilities installation with each entity person furnishing utility service involved.

Notes:

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EXHIBIT K

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/31/2014)

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Section 9 Subdivision Design and Survey Requirements

~~A. Required Improvement~~

~~The Developer shall install the required buffering and, when recording a plat, shall comply with Article 11.E.9.F, Survey Requirements, for setting of "P.R.M.s" and "P.C.P.s."~~

~~B. Buffering~~

~~Residential developments shall be buffered and protected from adjacent expressways, arterials and railroad rights of way with a five foot limited access easement, which shall be shown and dedicated on the plat, except where access is provided by means of a marginal access road or where such expressway, arterial or railroad R-O-W abuts a golf course.~~

~~AC. Maximum Length of Blocks~~

~~1. General Considerations~~

~~The length, width and shape of blocks shall be determined with due regard to:~~

- ~~a. Provision of adequate building sites suitable to the special needs of the type of use contemplated;~~
- ~~b. Zoning requirements as to lot size and dimensions;~~
- ~~c. Need for convenient access, circulation, control and safety of vehicular and pedestrian traffic; and~~
- ~~d. Limitations and opportunities of topography.~~

~~2. Maximum Length~~

~~Block lengths shall not exceed 1320 feet between intersecting streets. Provided, however, that greater lengths may be approved by the County Engineer on an individual basis after considering such factors such as but not limited to, lot size, the ADT, number of through streets, street layout and other engineering considerations, in accordance with acceptable engineering practices.~~

[Renumber Accordingly]

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EXHIBIT L

ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 03/18/2014)

1
2 Part 1. ULDC Art. 12.B.2.A.1.a.2), [Related to Part One, Intersections under Buildout Test –
3 Test 1 – Part One and Two], (page 13 of 59), is hereby amended as follows
4

Reason for amendments: [Traffic Division] The intent of this amendment is to clarify the language that states how a significance of a link is calculated to analyze intersections as part of Test 1, Part 1, if the intersection is the interchange on Southern Blvd. There is no change in the criteria. The text language is modified to make it easier to understand the standards and requirements of this section of the Code.

5 Chapter B STANDARD

6 Section 2 Project Buildout/Five Year Standard

7 A. Buildout Test – Test 1 – Part One and Two

8 1. Part One - Intersections

9 a. The following major intersections shall be analyzed: [Ord. 2007-013]

10 2) For a the Projects on Southern Boulevard, the ~~Single Point~~ Urban Interchange(s) ~~on~~
11 ~~Southern Blvd. where when~~ it is the nearest Major Intersection to the point at which
12 the Project's Traffic enters the Project Accessed Link and ~~where when~~ the Project
13 Traffic entering and exiting the intersection is significant. For purposes of
14 determining significance of the traffic entering and exiting the ~~intersection~~
15 ~~interchange~~, the traffic entering and exiting the ramps shall be considered against a
16 directional ramp the combined LOS D ~~capacity~~ Service Volume of 2,100 vehicles per
17 hour per lane the ramps, which shall be 4,200 vehicles per hour. [Ord. 2007-013]
18 [Ord. 2009-040]

19

21
22 Part 2. ULDC Art. 12.C.1.C.2, Traffic Generation, (page 24 of 59), is hereby amended as
23 follows:
24

Reason for amendments: [Traffic Division] The intent of this change is to modify the source reference of the trip generation rates from ULDC Article 13, Impact Fees, to that published on the PBC Traffic Engineering web site and the latest version of the Institute of Transportation Engineers' Trip Generation Manual. The Trip Generation table on the PBC Traffic Engineering web site is always updated and maintained with the latest information.

25 Chapter C TRAFFIC IMPACT STUDIES

26 Section 1 Traffic Impact Study

27 C. Traffic Volume Components

28 2. Traffic Generation

29 a. Rates

30 ~~Trip generation rates presented in Table 13.H.4-20, Fair Share Road Impact Fee~~
31 ~~Schedule, shall be used to calculate Average Daily Project trips. For peak hour Project~~
32 ~~trip generation and where no appropriate daily rates are listed in Table 13.H.4-20, Fair~~
33 ~~Share Road Impact Fee Schedule, the rate equation or tables published in the latest~~
34 ~~edition of the ITE Trip Generation and Informational Report shall be used unless the~~
35 ~~County Engineer accepts that other standards provide a more accurate means to~~
36 ~~evaluate the rates of generation or if documentation is supplied by the Applicant which~~
37 ~~affirmatively demonstrates more accurate generation rates based on accepted~~
38 ~~engineering principles. To estimate daily and peak hour trips generated from the Project,~~
39 ~~trip rates published on the PBC Traffic Engineering web site shall be used. If the use in~~
40 ~~the proposed Project is not listed in the PBC Traffic Engineering web site Trip Generation~~
41 ~~tables, then the latest available Trip Generation Manual published by the Institute of~~
42 ~~Transportation Engineers (ITE) shall be used. A prior consultation with the County Traffic~~
43 ~~Engineer is required before using trip rates, other than that published on the PBC Traffic~~
44 ~~Engineering web site. If the applicant feels that any other method to estimate trips would~~
45 ~~provide more realistic trip estimate for the proposed Project, prior consultation and~~
46 ~~approval from the County Engineer is required.~~

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EXHIBIT L

ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 03/18/2014)

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Reason for amendments: [Traffic Division] The intent of this change is to modify the source reference of the trip generation rates from ULDC Article 13, Impact Fees, to that published on the PBC Traffic Engineering web site and the latest version of the Institute of Transportation Engineers' Trip Generation Manual. The Trip Generation table on the PBC Traffic Engineering web site is always updated and maintained with the latest information.

e. Pass by Trips

It is acknowledged that some trips generated by a proposed non-residential Project are from existing traffic passing the proposed Project and are not newly generated trips. Credit against the trip generation of the proposed Project may be taken for these trips ~~up to the percentage shown in Article 13, IMPACT FEES, or the ITE manual when approved by the County Engineer as published on the PBC Traffic Engineering web site Trip Generation tables or in the latest Trip Generation Handbook, published by the Institute of Transportation Engineers (ITE), or as approved by the County Engineer.~~ The study must detail: (1) all traffic generated from the Project, and (2) the number of Pass-By Trips subtracted from the traffic generated by the Project during the Buildout Period of the Project. ~~Pass by rates~~ for ~~Uses~~ other than those listed in ~~Article 13, IMPACT FEES the PBC Traffic Engineering web site or the ITE Trip Generation Handbook,~~ and any percentage credit proposed to be taken in excess of that ~~shown in Article 13, IMPACT FEES mentioned in this Article,~~ must be justified based on accepted traffic engineering principles to the satisfaction of the County Engineer as part of the required traffic study, based upon the peculiar characteristics and location of the proposed Project. Factors which should be considered in determining a different Pass-by rate include type and size of land use, location with respect to service population, location with respect to competing uses, location with respect to the surrounding Major Thoroughfare system, and existing and projected traffic volumes. In no case shall the number of Pass-By Trips exceed 25 percent of Existing traffic plus Background Traffic on the Link, unless demonstrated otherwise to the satisfaction of the County Engineer based on generally accepted traffic engineering principles.

....

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EXHIBIT M

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS
(Updated 12/03/2013)

1
2 Part 1. ULDC Art. 2.G.3.I, Impact Fee Appeals Board (page 79-80 of 88), is hereby deleted:
3

Reason for amendments: [Impact Fee Coordinator] Parts 1 and 3 are proposed to replace the Impact Fee Appeals Board with Hearing Officers to hear appeals from decisions of the Impact Fee Coordinator.

4 CHAPTER G DECISION MAKING BODIES

5 Section 3 APPOINTED BODIES

6 ~~I. Impact Fee Appeals Board~~

7 ~~1. Establishment~~

8 ~~There is hereby established an Impact Fee Appeals Board (IFAB).~~

9 ~~2. Powers and Duties~~

10 ~~The IFAB shall have the following powers and duties:~~

11 ~~a. to hear and decide appeals from decisions of the Impact Fee Coordinator on independent~~
12 ~~calculation studies pursuant to Article 13, IMPACT FEES; and~~

13 ~~b. to hear and decide appeals from an interpretation of the Impact Fee Coordinator on~~
14 ~~Article 13, IMPACT FEES.~~

15 ~~3. Board Membership~~

16 ~~a. Qualifications~~

17 ~~The IFAB shall be composed of five members. There shall be one traffic engineer, one~~
18 ~~accountant, one attorney, one representative of the general public, and one~~
19 ~~developer/builder on the IFAB. No member of the Impact Fee Review Committee may~~
20 ~~serve on the IFAB.~~

21 ~~b. Appointment~~

22 ~~The members of the IFAB shall be approved at large by a majority vote of the BCC.~~

23 ~~c. Terms of Office~~

24 ~~All IFAB members shall serve a term of three years.~~

25 ~~4. Secretary and Staff~~

26 ~~The Impact Fee Coordinator shall serve as Secretary of the IFAB. The staff of PZB shall be~~
27 ~~the professional staff of the IFAB. County Attorney shall attend meetings to serve as counsel~~
28 ~~to the IFAB. The Impact Fee Coordinator shall represent PBC by presenting PBC's position to~~
29 ~~the IFAB.~~

30 ~~5. Meetings~~

31 ~~a. General~~

32 ~~General meetings of the IFAB will be called as necessary to carry out business, but no~~
33 ~~more frequently than once a month. Special meetings may be called by the Chair of the~~
34 ~~IFAB, or in writing by a majority of appointed members of the Board. Staff shall provide~~
35 ~~24-hour written notice to each IFAB member for a special meeting.~~

36 [Renumber Accordingly]

37
38
39 Part 2. ULDC Art. 13.A.1, Intent, Authority and Findings [Related to Impact Fees General]
40 (page 5 of 48), is hereby amended as follows:
41

Reason for amendments: [Impact Fee Coordinator] To indicate compliance with statutory requirements.

42 CHAPTER A GENERAL

43 Section 1 Intent, Authority and Findings

44

45 **B. Authority**

46 The provisions of this Article are authorized by Art. VIII, Sec. 1(g), Fla. Const., F.S. § 125.01 et
47 seq., F.S. §163.3161 et seq., F.S. § 163.3801, F.S. §1011.19, and F.S. §380.06, Sec. 1.3(2), the
48 PBC Charter, and the Capital Improvements Element of the Plan. In addition, the provisions of
49 this Article are necessary for the implementation of the Plan. The inclusion of certain capital
50 facilities in these impact fees shall not be construed as a limitation on the authority of PBC to
51 impose impact fees for additional capital facilities consistent with Florida law. [Ord. 2005-047]

52 **C. Findings**

53 PBC finds that the provisions of this Article are land development regulations which are:
54 necessary for the implementation of the Plan; needed to ensure that developments of regional
55 impact are assessed impact fees under F.S. §380.06; innovative land development regulations
56 authorized by F.S. §163.3202(3); necessary to ensure the coordination of new development and
57 the provision of capital facilities, especially sites for new schools; a mandatory responsibility of
58 PBC under the Local Government Comprehensive Planning and LDR Act, §163.3161 et seq.;

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EXHIBIT M

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS
(Updated 12/03/2013)

1 consistent with the requirements in F.S. § 163.3801; and necessarily and reasonably related to
2 the public health, safety and welfare.

3
4
5

6 **Part 3. ULDC Art. 13.A.6.G, Appeal (page 8 and 9 of 48), is hereby amended as follows:**
7

Reason for amendments: [Impact Fee Coordinator] To replace the Impact Fee Appeals Board with Hearing Officers to hear appeals from decisions of the Impact Fee Coordinator – see part 1. above.

8 **CHAPTER A GENERAL**

9 **Section 6 Independent Fee Calculation Study**

10 **G. Appeal**

11 1. Hearing Officers, as established in Article 2.G.3.G., are hereby authorized to hear and decide
12 appeals of decisions by the Impact Fee Coordinator concerning independent fee calculations
13 and interpretations of Article 13, Impact Fees.

14 ~~42. Any An~~ applicant ~~may shall file an~~ appeal ~~with the decision of~~ the Impact Fee Coordinator by
15 filing ~~an appeal with the Impact Fee Appeals Board (IFAB) a letter of appeal~~ within 15
16 working days of a decision by the Impact Fee Coordinator. The letter of appeal must state
17 with specificity the reasons for the appeal and shall contain such data and documentation
18 upon which the applicant seeks to rely. The Impact Fee Coordinator may establish a
19 reasonable fee to be paid by the applicant upon filing an appeal. This fee shall not exceed
20 the cost to the County in processing the appeal. **[Ord. 2005-047]**

21 ~~23.~~ The Impact Fee Coordinator shall schedule ~~an appeal a hearing~~ before the ~~Impact Fee~~
22 ~~Appeals Board Hearing Officer~~ no later than 90 working days after an appeal has been filed.
23 The Impact Fee ~~Coordinator Appeals Board~~ shall notify the applicant ~~within of the hearing~~
24 ~~date at least~~ 15 working days in advance of the hearing and invite the applicant or the
25 applicant's representative to attend the hearing. Any of the time limitations set forth in this
26 paragraph may be waived upon mutual agreement of the Impact Fee Coordinator and the
27 party filing the appeal.

28 ~~34.~~ At the hearing, the ~~IFAB Hearing Officer~~ shall provide the applicant and the Impact Fee
29 Coordinator an opportunity to present testimony and evidence, provided such information
30 was part of the review before the Impact Fee Coordinator. The ~~IFAB Hearing Officer~~ shall
31 reverse the decision of the Impact Fee Coordinator only if there is substantial competent
32 evidence in the record that the Impact Fee Coordinator erred from the standards in this
33 Chapter. **[Ord. 2011-016]**

34 ~~45.~~ Any aggrieved party, including PBC, may appeal an order of the ~~Impact Fee Appeals Board~~
35 ~~Hearing Officer~~ to the Fifteenth Judicial Circuit Court of PBC. Such appeal shall not be a
36 hearing de novo, but shall be a petition for Writ of Certiorari and the Court shall be limited to
37 appellate review of the record created before the ~~Board Hearing Officer~~. PBC may assess a
38 reasonable fee for the preparation of the record to be paid by the Petitioner in accordance
39 with F.S. §119.07, as amended from time to time. **[Ord. 2011-016]**
40
41

42 **Part 4. ULDC Art. 13.A.10., Refunds (page 11 of 48), is hereby amended as follows:**
43

Reason for amendments: [Impact Fee Coordinator] To clarify conditions under which an impact fee refund may be granted.

44 **CHAPTER A GENERAL**

45 **Section 10 Refunds**

46 **A. General**

47 **1. Non-Commencement of Construction**

48 If a building permit or other permit requiring payment of an impact fee expires or is canceled
49 or revoked, the structure has not been completed, and no certificate of occupancy has been
50 issued, or if the permit is modified prior to completion of construction so as to change the land
51 use or structure to one of lower impact than that on which the permit was originally issued,
52 ~~and the impact fee paid for approval of the permit has not been encumbered or spent by~~
53 ~~PBC,~~ then the feepayer, ~~or if the property has been conveyed after payment of the fee, or a~~
54 ~~the~~ successor in interest to the real property, shall be entitled to a refund ~~if provided:~~ an
55 application for refund is submitted within three years of the payment of the impact fee; within
56 one year of the permit's expiration, cancellation, revocation or modification, or of the event
57 giving rise to the refund; ~~and within three years of the payment of the impact fee, except that~~

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EXHIBIT M

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS
(Updated 12/03/2013)

1 and the impact fee paid for approval of the permit has not been encumbered or spent by PBC
2 or the School District as applicable. PBC shall retain an additional 3.4 percent of the impact
3 fee to offset the costs of administering the refund. [Ord. 2010-018]

4 **2. Untimely Encumbrance**

5 **a. Untimely Encumbrance**

6 Notwithstanding Article 13.A.10.A.1, Non-Commencement of Construction, above, if PBC
7 fails to encumber the impact fees paid by the feepayer by the end of the calendar quarter
8 immediately following six years from the date the impact fees are paid, and fails to spend
9 the impact fee within nine years of the end of the calendar quarter in which the impact
10 fees are paid, the feepayer, or if the property has been conveyed after payment of the
11 fee, or a the successor in interest to the real property, shall be entitled to a refund except
12 that PBC shall retain an additional 3.4 percent of the impact fee to offset the costs of
13 refund. The feepayer, or if the property has been conveyed after payment of the fee, the
14 successor in interest shall submit an application for refund to the Impact Fee Coordinator,
15 within one year following the end of the calendar quarter in which the right to a refund
16 occurs. In determining whether the impact fee paid by the feepayer has been
17 encumbered or spent, monies in the trust funds shall be considered to be expended on a
18 first in, first out basis; that is, the first impact fees paid shall be considered the first
19 monies withdrawn. [Ord. 2010-018]

20

21 **B. Procedure to Obtain Refund**

22

23 **2. Contents of Application**

24

25 **d. Documents**

26 If the refund is requested ~~due to the County's failure to encumber or spend funds,~~ a
27 notarized sworn statement that the applicant is the current owner of the land for which the
28 impact fee was paid, a certified copy of the current deed, and a copy of the most recent
29 ad valorem tax bill; If refund is requested due to computational or clerical error, evidence
30 sufficient to demonstrate overpayment including but not limited to receipt indicating
31 payment, building permit application, impact fee tables in effect at the time of payment
32 and such other evidence deemed appropriate by the Impact Fee Coordinator. [Ord.
33 2005-047]

34

37 **Part 5. ULDC Art. 13.A.11., Credits (page 12 – 13, 17 of 48), is hereby amended as follows:**

Reason for amendments: [Impact Fee Coordinator] To clarify conditions under which an impact fee credit may be granted and applied; to eliminate obsolete language concerning valuation of in-kind credits received prior to 1989.

39 **CHAPTER A GENERAL**

40 **Section 11 Credits**

41 **A. General**

42 Credit against impact fees shall be given to the feepayer, or if the property has been conveyed
43 after payment of the fee, the or a successor in interest to the property for the following, as limited
44 or permitted by specific provisions of this Section.

45
46 **4. In-Kind Contributions**

47
48 ~~**b. In-Kind Contributions Made Prior to October 1, 1989, for Facilities Other Than**~~
49 ~~**Roads**~~

50 ~~In the case of in-kind contributions other than road facilities made to PBC prior to October~~
51 ~~1, 1989, and except as specifically provided in the development order or Development~~
52 ~~Agreement, the value of the in-kind contribution at the time of its conveyance, dedication,~~
53 ~~construction, placement, delivery or remittance shall be apportioned between building~~
54 ~~permits for which a complete application was made prior to October 1, 1989 and building~~
55 ~~permits in the development which remain to be issued and for which no complete~~
56 ~~application was made as of October 1, 1989. The portion of the value allocated to~~
57 ~~building permits made on or after October 1, 1989, shall be adjusted to its present value~~
58 ~~as of October 1, 1989, using a compound interest rate of six percent per year,~~
59 ~~compounded quarterly. Only that portion of the contribution allocated to building permits~~
60 ~~for which a complete application was filed on or after October 1, 1989, shall be credited~~
61 ~~against impact fees. For the purpose of apportioning the contribution between uses and~~

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EXHIBIT M

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS
(Updated 12/03/2013)

~~square footage or dwelling units, the number of permits shall be determined using the most recently approved master plan or site plan, the size and use of the buildings proposed for the remainder of the development, the effect of other land development regulations on the feepayer's ability to complete the development as proposed, and other information deemed relevant by the Impact Fee Coordinator. If the conveyance, dedication, construction, placement, delivery or remittance was required to be made prior to October 1, 1989, pursuant to a condition in a development order, a Development Agreement, or otherwise required by a local government, the value of the conveyance shall be established as of the required date of contribution. The present value of the contribution as of October 1, 1989 shall be established at six percent per year from the required date of the contribution. The apportionment of the value of the contribution to building permits shall be based on the date on which the contribution was to have been made. At the option of the feepayer, any remaining credit may be adjusted by the percentage change in the cost of the capital facility when PBC reviews capital facilities costs in the review and update process.~~

[Renumber Accordingly]

9. Application of Credits

The credit shall be applied to the respective full impact fee associated with the first building permits issued for the development for which complete application was made on or after October 1, 1989, or if the credit is for roads, the date upon which the road impact fee was effective within the development, until the credit is exhausted. After such exhaustion the remainder of the impact fee for which a credit was obtained shall be paid in full. The credit shall be calculated and applied in dollar amounts and not in number of permits. No credit may be assigned, delegated, or otherwise conveyed to any development outside the boundaries of the development that originally received the credit.

10. Special Allocation of Credits

Provided that the conditions of this Subsection are satisfied, the fee payer making an in-kind contribution, or its heirs, assigns or successors in interest, may have all or some portion of the resulting credit allocated to specific parcels within the ~~benefited~~ development that originally received the credit.

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EXHIBIT N

ARTICLE 15 – HEALTH REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 03/27/2014)

1
2 Part 1. ULDC Art. 15.B.13, Operation and Maintenance [Related to Drinking Water Supply
3 Systems] (page 16 of 24), is hereby amended as follows:
4

| |
|--|
| Reason for amendments: [Health Department] To place fire hydrant testing responsibility on the operators of systems and the Fire Department. |
|--|

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

6 Section 13 Operation and Maintenance

- 7
- 8 I. Fire hydrant maintenance and fire flow testing shall be the responsibility of the owner of the fire
9 hydrant. Maintenance and fire flow testing shall be performed in accordance with the "Standards
10 of the American Water Works Association Manual M-17" and as indicated below: [Ord. 2006-004]
11 1. A routine maintenance program shall be established for each fire hydrant. [Ord. 2006-004]
12 2. Fire flow testing of hydrants shall be performed on a three year cycle, such that all hydrants
13 in a system are fire flow tested at least once every three years unless recommended by the
14 manufacturer or the Department to be more frequent. Owners of fire hydrants which do not
15 utilize local fire departments or water utility departments to perform or oversee the fire flow
16 testing shall ~~report all available results of testing to the local fire department and water utility~~
17 ~~department have completed all testing and submitted a letter of completion to the local fire~~
18 ~~authority~~ by January 1st of each year with all hydrants accounted for within the required
19 cycle. These records shall be maintained on site for review by the applicable fire authority.
20 [Ord. 2006-004] [Ord. 2013-002]
21 3. The minimum required fire flow from fire hydrants shall be determined as per Art.
22 15.B.8.A.21.a. [Ord. 2006-004]

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Notes:

Underlined indicates new text.

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

EXHIBIT O

MODIFICATIONS TO BCC/ZC APPROVALS
SUMMARY OF AMENDMENTS
(Updated 04/17/14)

1
2 Part 1. ULDC Art. 2.A.1.L, Actions by Decision Making Bodies or Persons [Related to Art.
3 2.A.1.L.2, Administrative Processes] (page 21 of 90), is hereby amended as follows:
4

Reason for amendments: [Zoning] Delete reference to 2.D.4.D which was relocated and consolidated with 2.D.1.G.2, Expedited Administrative Modifications in Round 2013-02. The reference was inadvertently left under Action by the DRO.

5 CHAPTER A GENERAL

6 Section 1 Applicability

7 L. Actions by Decision Making Bodies or Persons

8 1. General

9 All decision making persons and bodies shall act in accordance with the time limits
10 established in this Code.

11 2. Administrative Processes

12 a. Action by DRO

13 The DRO shall approve, approve with conditions, revoke, deny or administratively
14 withdraw an application based upon the recommendation of the reviewing agencies, in
15 accordance with the procedures, standards and limitations of this Code and Article 2.D,
16 ADMINISTRATIVE PROCESS, including where applicable: the standards of Art. 2.D.1.E,
17 Standards for Administrative Approval, ~~and the standards of Art. 2.D.4.D, Standards,
18 applicable to Administrative Amendments;~~ or, the standards of Art. 2.D.7.C, Standards,
19 applicable to Type I Waivers. [Ord. 2012-027]

20
21 Part 2. ULDC Art. 2.D.1.G, Administrative Review [Related to Art. 2.D.1.G.1, Amendments to
22 BCC/ZC Approvals] (page 40 of 89), is hereby amended as follows:
23

Reason for amendments: [Zoning] Clarify that the addition of square footage to Board of County Commissioner (BCC) / Zoning Commission (ZC) approved plans by the DRO is limited to 5% or 5,000 SF square feet for any freestanding building or structure and cannot exceed 5,000 square feet of the total approved square footage.

NOTE: This provision does not allow for the creation of any new freestanding building or structure, or outdoor area considered as square footage except unless attached to an existing wall.

24 CHAPTER D ADMINISTRATIVE PROCESS

25 Section 1 Development Review Officer (DRO)

26 G. Modifications to Prior Development Orders

27 The DRO may approve amendments to Preliminary Plans approved by the BCC/ZC, and approve
28 Final Plans, in accordance with the following procedures. [Ord. 2007-001] [Ord. 2008-003] [Ord.
29 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-001]

30 1. Modifications to BCC/ZC Approvals

31 The DRO shall have the authority to approve modifications to a Development Order approved
32 by the BCC or ZC. An application for an amendment shall be submitted in accordance with
33 Article 2.A.1, Applicability, and reviewed in accordance with the standards in Article 2.D.1.C,
34 Review Procedures. Applications must be submitted on deadlines established on the Zoning
35 Calendar. The authority of the DRO to modify a BCC or ZC approved plan shall be limited to
36 the following: [Ord. 2008-003] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]

37
38 b. An increase ~~of no more than five percent~~ in the ~~total floor area square footage indicated~~
39 ~~on the most recently ZC or BCC approved Plan(s) of any building or structure, or outdoor~~
40 ~~area considered as square footage, provided that the increase does not exceed 5,000~~
41 ~~square feet whichever is less; shall be subject to the following:~~ [Ord. 2008-003] [Ord.
42 2009-040]

- 43 1) Maximum of five percent or 5,000 square feet of any building, structure or outdoor
44 area considered as square footage, whichever is less; and,
- 45 2) Maximum 5,000 square feet of the total ZC or BCC approved square footage.

46 4)c. For a Renewable Energy Facility (Wind) within the AP Zoning eDistrict, an increase in no
47 more than ten percent, up to a maximum of ten, of the number of wind turbines approved
48 by the BCC, ~~for a Renewable Energy Facility (Wind) within the AP Zoning district.~~ [Ord.
49 2011-016]

50 [Renumber Accordingly.]

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Notes:
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EXHIBIT P

RVPD REAL ESTATE SALES OFFICES
SUMMARY OF AMENDMENTS
(Updated 4/18/14)

1
2 Part 1. ULDC Art. 3.E.1.G.1, General [Related to PDD Sales Office and Models] (pages 154-155
3 of 229), is hereby amended as follows:
4

Reason for amendments: [Zoning] Campgrounds or recreational vehicle (RV) parks have traditionally been perceived as being operated by a single owner/operator who collects fees for the use of campsites or RV spaces and related amenities. However, the RV industry is seeing an increase in ownership of individual RV spaces, typically associated with larger upscale RVs. While both temporary and permanent real estate sales offices are permitted within a PDD, minor revisions are required to address how these uses would function within a Recreational Vehicle Park Development (RVPD).

5 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

6 Section 1 General

7 G. Sales Office and Models

8 1. General

9

10 b. Permanent

11 A permanent real estate sales office is permitted in a commercial pod only, except where
12 allowed otherwise within a Recreational Vehicle Park Development (RVPD).

13 c. Definitions – see Art. 1.I, Definitions and Acronyms

14 1) Real Estate Sales Office, Planned Development

15 An office for the sale and resale of new and existing residential units, or Recreation
16 Vehicle (RV) sites, in a planned development.

17 a) Temporary, Pod

18 A temporary real estate sales office for the sale of new units only shall be
19 permitted in a residential pod or other temporary location approved by the DRO.
20 Sales shall be limited to only new units in the pod. A temporary sales office in a
21 mobile home shall be subject to Article 5.B.1.B, Temporary Structures. Sanitary
22 facilities shall be available in the office. A temporary real estate sales office shall
23 be removed from the site prior to the issuance of the CO for the last remaining
24 unit in the pod. Temporary access to the sales office may be permitted, subject
25 to approval by the DRO. The temporary access shall be limited to one year,
26 unless extended by the DRO.

27 b) Temporary, Project

28 A temporary real estate sales office for the sale and resale of units in the entire
29 project, or phase of a project, shall be permitted in a residential pod, private civic
30 pod, commercial pod, or recreation pod, subject to approval by the BCC. A
31 temporary sales office in a mobile home shall be subject to Article 5.B.1.B,
32 Temporary Structures. Sanitary facilities shall be available in the office. A
33 temporary real estate sales office serving an entire project shall only be permitted
34 within a planned development and/or phase approved for 300 or more units.
35 Sales and resales shall be limited to only units within the planned development.
36 A temporary real estate sales office shall be removed from the site prior to the
37 issuance of the CO for the last remaining unit in the project or phase, as
38 applicable. Temporary access to the sales office may be permitted, subject to
39 approval by the BCC.

40 c) RVPD

41 A temporary real estate sales office for the sale of RV sites shall be permitted
42 within an RVPD in accordance with the provisions above, and the following:

43 (1) Units shall mean RV sites;

44 (2) May be located within the Recreation Pod;

45 (3) The temporary RVPD real estate sales office shall be removed upon
46 completion of the project, CO of a permanent RV site real estate sales office,
47 or upon expiration of the maximum time to commence development for the
48 last phase, in accordance with Table 2.E.3.B, Time Limitation of
49 Development Order for Each Phase. The BCC may impose a Condition of
50 Approval with a specific date for compliance;

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Notes:

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EXHIBIT P

RVPD REAL ESTATE SALES OFFICES
SUMMARY OF AMENDMENTS
(Updated 4/18/14)

1
2 Part 2. ULDC Art. 3.E.7, Recreational Vehicle Park Development (RVPD) (pages 183-184 of
3 229), is hereby amended as follows:
4

Reason for amendments: [Zoning]
1. As noted in Part 1 above, accommodate minor revisions necessary to clarify allowances for temporary real estate sales offices where RV sites will be for sale.
2. RVPDs are comprised of a recreation pod a minimum of 98% of the overall project, with allowances for a commercial pod of up to 2% or a maximum of 1 acre, whichever is less. Whether owned by one entity or owner, or where RV sites are sold to individual owners, management offices are typically required to handle property maintenance and security issues, or to manage reservations and rentals of campsites or RV sites. Management offices would be permitted as an accessory use; however, additional clarification is required to accommodate permanent real estate sales offices.

5 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

6 Section 7 Recreational Vehicle Planned Development District (RVPD)

7
8 C. Pods

9
10 2. Commercial
11 No commercial use, building or structure shall front or have direct legal access on any arterial
12 or collector street bordering or traversing the RVPD. Commercial uses shall be intended for
13 the use of temporary residents in the RVPD only, with exception to a permanent real estate
14 sales office for the sale of RV sites located within the RVPD.

15
16 G. Supplemental Standards

17
18 3. Temporary Structures
19 Temporary structures, such as construction trailers, RV site real estate sales office and
20 security quarters, may be allowed, subject to Article 5.B.1.B, Temporary Structures. A mobile
21 home may be used as a caretakers quarters, security quarters, watchmans trailer, or
22 temporary structure.

23
24 5. Real Estate RV Site Sales
25 A permanent real estate sales office for RV sites may be collocated with an accessory
26 management office in a Recreational Pod.
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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

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Reason for amendments: [Zoning] The Future Land Use Element (FLUE) of the Comprehensive Plan establishes an Economic Development Center (EDC) category, which has been interpreted under current provisions for the Industrial FLU category in the ULDC and use of related Future Land Use Atlas (FLUA) Regulations of the Plan. However, due to the differences in uses permitted within an EDC project, several amendments are required to recognize the EDC FLU within the ULDC.

Part 1. ULDC Art. 3.A.3.B, Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts (page 17 of 229), is hereby amended as follows:

Reason for amendments: [Zoning] A review of Planning staff reports for EDC related text and FLUA Regulations and supporting backup indicates that the EDC FLU designation is not consistent with Standard Zoning districts.

Table 3.A.3.B - Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts (1)

| FLU Designation | Zoning District (2) | | | | | |
|---|---------------------|-----------|-----|--|--|--|
| | | | | | | |
| Industrial | | | | | | |
| IND | IL | IG | CRE | | | |
| <u>EDC</u> | <u>IL</u> | <u>IG</u> | | | | |
| | | | | | | |
| [Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016] | | | | | | |
| Notes: | | | | | | |
| | | | | | | |

Part 2. ULDC Table 3.A.3.C, Future Land Use Designation and Corresponding Planned Development Districts (page 18 of 229), is hereby amended as follows:

Reason for amendments: [Zoning] A review of Planning staff reports for EDC related text and FLUA Regulations and supporting backup necessitates the use of the Multiple Use Planned Development (MUPD) or Planned Industrial Park Development (PIPD) districts for implementation of an EDC project.

Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)

| | AGR (2) | RR | AGE | LR1 | LR2 | LR3 | MR5 | HR8 | HR12 | HR18 | MLU | EDC |
|------|---------|----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|
| PUD | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | |
| MHPD | | √ | | √ | √ | √ | √ | √ | √ | √ | | |
| MXPD | | | | | | | | | (3) | (3) | | |

| | AGR (1) | RR | CL | CH | CLO | CHO | IND | INST | CRE | MLU | EDC |
|------|---------|----|----|----|-----|-----|-----|------|-----|-----|----------|
| MUPD | | | √ | √ | √ | √ | √ | √ | √ | √ | √ |
| MXPD | | | | √ | | √ | | | | √ | <u>√</u> |
| PIPD | | | | | | | √ | | | √ | √ |
| RVPD | | √ | | | | | | | √ | | |
| LCC | | | √ | √ | | | | | | | |

[Ord. 2008-037] [Ord. 2009-040] [Ord. 2009-040] [2010-005] [Ord. 2010-022]
Notes:
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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

1
2 Part 3. ULDC Table 3.A.3.D, Corresponding Land Use (page 18 of 229), is hereby amended as
3 follows:
4

| |
|---|
| Reason for amendments: [Zoning] |
| 1. Correct title of Table for consistency with preceding Standard District and PDD FLU consistency tables; |
| 2. Correct glitch in table inadvertently permitting EDC FLU to be developed as a Traditional Neighborhood Development (TND) or Traditional Marketplace Development (TMD), where the development patterns and uses are primarily residential and commercial, respectively. The only situation where EDC is permitted within a TDD, is per Plan FLUE Table 4.4.1-1, Allowable Mix of Future Land Uses in a TTD, which allows for an EDC MUPD within a TTD with a minimum of 320 acres; and, |
| 3. Correct scrivener's error inadvertently permitting TMD with Commercial Recreation (CRE) FLU. |

5 Table 3.A.3.D - FLU Designation and TDD Corresponding Traditional Development Districts (TDD) Land Use

| | AGE | AGR | RR | LR1 | LR2 | LR3 | MR5 | HR8 | HR12 | HR18 | MLU | EDC |
|--|-------|-----|----|-----|-----|-----|-----|-----|------|------|-----|-----|
| TND | √ (1) | | | √ | √ | √ | √ | √ | √ | √ | √ | √ |
| TTD | √ (1) | | | √ | √ | √ | √ | √ | √ | √ | √ | |
| | AGE | AGR | RR | CL | CH | CLO | CHO | IND | INST | CRE | MLU | EDC |
| TMD | √ (1) | | | √ | √ | √ | √ | | | √ | √ | √ |
| [Ord. 2010-022] | | | | | | | | | | | | |
| Legend: Check (√) indicates the TDD corresponds to the FLU category. Any application for a rezoning to a TDD shall be to a TDD that corresponds to a FLU designation. [Ord. 2008-037] | | | | | | | | | | | | |
| Note: | | | | | | | | | | | | |

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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

1
2 Part 4. ULDC Table 3.E.1.B, PDD Use Matrix (pages 141 - 147 of 229), is hereby amended as
3 follows:
4

Reason for amendments: [Zoning] The list of uses permitted within an MUPD or PIPD with an EDC FLU designation has previously been established as those uses permitted in the column for an MUPD with an Industrial FLU designation, or the Light Industrial Pod of a PIPD. However, staff have noted that the MUPD with IND FLU designation may allow for application of certain Heavy Industrial uses that may not be compatible with the “primarily utilized by office and research parks” provisions of the Plan (FLUE Section III.C.4-2), so a separate EDC FLU column is proposed for the MUPD.* Additional language is proposed elsewhere to ensure that proposed uses are consistent with the Plan.

* Note: The EDC column has been inserted into the Matrix as part of the Use Regulations Project, and to date has been presented to the LDRAB for Industrial and Recreational uses, on October 23, 2013 and February 26, 2014, respectively. Uses listed under other Use Classifications may be subject to change pending further review and analysis as part of the Use Regulations Project.

5
Table 3.E.1.B - PDD Use Matrix

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | | | | | | | | |
|---|-------------|-------------|-------------|-------------|-----------------------|--------|--------|--------|--------|--------|--------|-------------|--------------------------|------------------|----------|--------|--------|-------------|-------------|-------------|------------------|------------------|--------|--------|------------------|----|-----|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | | | | | |
| | R E S | C O M | R E C | C I V | A G R / P | C L | C H | C L | C H | C O | C O | I N D | <u>E</u> C | I N S T | C H | C H | C O | I N D | C O M | I N D | M H P D | R V P D | C L | C H | N O T E | | |
| Residential Uses | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single Family | P | | | | | | | | | | | | | | | | | | | | | | | | | | 122 |
| Zero Lot Line Home | P | | | | | | | | | | | | | | P | P | | | | | | | | | | | 142 |
| Townhouse | P | | | | | | | | | | | | | | P | P | | | | | | | | P | P | | 132 |
| Multi-Family | P | | | | | | | | | | | | | | P | P | | | | | | | | P | P | | 87 |
| Mobile Home Dwelling | | | | | S | | | | | | | | | | | | | | | | P | | | | | | 85 |
| Accessory Dwelling | S | | | | S | | | | | | | | | | | | | | | | | | | | | | 1 |
| Congregate Living Facility, Type 1 | P | | | | | | | | | | | | | | | | | | | | | | | | | | 34 |
| Congregate Living Facility, Type 2 | R | | | S | | | | | | | | | | | | | | | | | | | | D | D | | 34 |
| Congregate Living Facility, Type 3 | R | R | | R | | R | R | R | R | | | | | R | R | R | | | | | | | | R | R | | 34 |
| Estate Kitchen | P | | | | | | | | | | | | | | | | | | | | | | | | | | 48 |
| Farm Residence | | | | | | | | | | | | | | | | | | | | | | | | | | | 50 |
| Farm Worker Quarters | | | | | P | | | | | | | | | | | | | | | | | | | | | | 51 |
| Garage Sale | P | | | | P | | | | | | | | | P | P | P | | | | | P | | | | | 60 | |
| Guest Cottage | P | | | | | | | | | | | | | | | | | | | | | | | | | | 66 |
| Home Occupation | P | | | | P | | | | | | | | | | P | P | | | | | P | | P | P | | 70 | |
| Kennel Type I (Private) | P | | | | | | | | | | | | | | | | | | | | | | | | | | 73 |
| Nursing Or Convalescent Facility | | R | | R | | R | R | | | | | | | D | R | | | | | | | | | | | | 90 |
| Security Or Caretaker Quarters | | S | | S | S | S | S | S | S | S | S | <u>S</u> | S | S | S | S | S | S | S | S | S | S | | | | | 119 |
| [Ord. 2005-002] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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Notes:
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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | | NOTE | | | | | |
|---|-------------|-------------|-------------|-------------|------------------|--------|--------|--------|--------|--------|--------|----------|--------------------------------|------------------|----------|--------|---|--------|--------|--------|------|------------------|------------------|--------|--------|----|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | | | | |
| | R E S | C O M | R E C | C I V | A G / P | C L | C H | C L | C H | C O | C O | I R | <u>E</u> N <u>D</u> C | I N S T | C H | C H | O | I N | C O | I N | | M H P D | R V P D | C L | C H | |
| Commercial Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Adult Entertainment | | | | | | | | | | | | | | | | | | S | S | | | | | | | 2 |
| Auction, Enclosed | | R | | | | | P | | | | P | D | | | | | | | P | | | | | P | P | 16 |
| Auction, Outdoor | | | | | | | R | | | | R | R | | | | | | P | P | P | | | | | | 16 |
| Auto Paint Or Body Shop | | R | | | | | R | | | | R | | | | | | | P | P | P | | | | | | 17 |
| Bed And Breakfast | D | D | | | | S | S | S | S | S | | | | S | S | | S | | | | | | | | | 20 |
| Broadcast Studio | | R | | | | R | P | R | P | P | P | <u>P</u> | | R | R | | P | P | | | | | R | R | 21 | |
| Building Supplies | | R | | | | | R | | | | | | | R | | | P | | | | | | R | R | 22 | |
| Butcher Shop, Wholesale | | | | | | | R | | | | P | | | R | | | P | P | P | | | | | | 23 | |
| Car Wash | | R | | | | | R | | | | P | | | R | | | P | P | P | | | | R | R | 25 | |
| Catering Service | | | | | | | | | | | | | | | | | D | | | | | | | | 26 | |
| Contractor Storage Yard | | | | | | | | | | | P | <u>D</u> | | | | | P | | P | | | | | | 35 | |
| Convenience Store | | P | | | | P | P | | | | | | | P | P | | P | | | P | P | P | P | P | 36 | |
| Convenience Store With Gas Sales | | | | | | R | R | | | | R | | | R | | | R | P | | | | | R | | 37 | |
| Crematory | | | | | | R | R | | | | R | | R | R | | | R | | | | | | | | 59-2 | |
| Day Labor Employment Service | | R | | | | | R | | | | R | | | | | | | P | | | | | | | 41 | |
| Dispatching Office | | | | | | | R | | | | | | | R | | | P | P | P | | | | | | 42 | |
| Dog Day Care | | | | | | | R | | | | | | | R | | | P | R | | | | | R | R | 43 | |
| Financial Institution | | R | | | | R | P | R | P | | | | | P | P | | P | | | | | | R | R | 55 | |
| Flea Market, Enclosed | | P | | | | | R | | | | | | | R | | | P | | | | | | R | | 57 | |
| Flea Market, Open | | | | | | | R | | | | | | | | | | R | | | | | | | | 58 | |
| Funeral Home | | P | | | | R | R | | | | D | | R | R | | | P | | | | | | | | 59-1 | |
| Gas and Fuel, Retail | | R | | | | R | R | | | | | | | R | | | P | R | P | | | | R | R | 18 | |
| Green Market | | | | | | | | | | | | | | | | | | | | | | | D | D | 64 | |
| Hotel, Motel, SRO, Rooming And Boarding | | | | | | | R | | R | R | | | | R | R | | P | | | | | | R | | 72 | |
| Kennel, Type II (Commercial) | | R | | | | | R | | | | | | | R | | | | | | | | | | | 74-1 | |
| Kennel, Type III (Commercial-Enclosed) | | R | | | | R | R | | | | | | | R | | | | | | | | | R | R | 74-2 | |
| Kiosk | | | | | | P | P | P | P | P | | | | P | P | | P | P | P | | | | P | P | 75 | |
| Landscape Service | | R | | | | | R | | | | P | <u>D</u> | | R | | | P | P | P | | | | | | 77 | |
| Laundry Services | | R | | | | P | P | | P | | | | | P | P | | P | P | | P | P | P | P | P | 78 | |
| [Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016] [Ord. 2012-003] [Ord. 2012-027] [Ord. 2013-001] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | | | | |

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

EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | NOTE | | | | | |
|---|-------------|-------------|-------------|------------------|------------------|--------|--------|--------|--------|--------|--------|--------------------------------|------------------|--------|----------|---|------------------|------------------|------------------|------|------------------|------------------|--------|--------|-------|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | | | |
| | R E S | C O M | R E C | C I V / | A G R / | C L | C H | C L | C H | C O | I R | I N D C | I N S T | C H | C H | O | I N D / | C O N D | I N D / | | M H P D | R V P D | C L | C H | |
| Commercial Uses | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lounge, Cocktail | | R | | | | R | R | | R | R | | | | | R | R | | R | | | | | R | R | 79 |
| Medical Or Dental Office | | P | | | | P | P | P | P | | | | | | P | P | | P | | | | | P | P | 83 |
| Monument Sales, Retail | | | | | | P | P | | | | | | | | P | | | P | | | | | | | 86 |
| Office, Business Or Professional | | P | | | | P | P | P | P | | | | | | P | P | | P | | | | | P | P | 91 |
| Parking Garage, Commercial | | P | | | | | R | | R | R | | | | | | | | P | | | | | | | 95 |
| Parking Lot, Commercial | | R | | | | | R | | R | P | | | | | | | | | | | | | | | 96 |
| Pawnshop | | | | | | | R | | | | | | | | | | | | | | | | | | 97 |
| Personal Services | | P | | | | P | P | | P | | | | | | P | P | | P | | P | | | P | P | 98 |
| Printing And Copying Services | | P | | | | P | P | P | P | | | | | | P | P | | P | | | | | P | P | 100 |
| Repair And Maintenance, General | | R | | | | | R | | | | | P | D | | | | P | P | P | | | | | | 107 |
| Repair Services, Limited | | P | | | | P | P | | P | | | P | P | | P | P | | P | | | | P | P | 108 | |
| Restaurant, Type I | | R | | | | R | R | | R | | | | | | R | R | | R | | | | | R | R | 109 |
| Restaurant, Type II | | R | | | | R | D | | R | R | | | | | D | R | | R | | | | | D | D | 111 |
| Retail Sales, Auto Accessories and Parts | | P | | | | P | P | | | | | | | | P | P | | P | | | | | P | P | 113 |
| Retail Sales, General | | P | | | | P | P | | | | | | | | P | P | | P | | | | | P | P | 114 |
| Retail Sales, Mobile Or Temporary | | S | | | | | | | | | | | | | S | | | S | | | | | | | 115 |
| Self-Service Storage | | | | | | R | R | | | | | P | D | | | | P | R | P | | | | | | 120 |
| Theater, Drive-In | | | | | | | R | | | R | | | | | | | | R | | | | | | | 128 |
| Theater, Indoor | | R | | | | | R | | | P | | | | | R | | | | | | | | | R | 129 |
| Towing Service And Storage | | | | | | | | | | | | P | | | | | P | | | | | | | | 130 |
| Vehicle Sales And Rental | | R | | | | R | R | | | | | | | | R | | | R | | | | | R | R | 135 |
| Veterinary Clinic | | R | | | | R | P | R | P | | | | | | R | R | | P | | | | | R | R | 136 |
| Vocational School | | R | | | | R | P | | P | | | P | R | D | R | R | | R | P | R | | | R | P | 137 |
| Work/Live Space | | P | | | | P | P | P | P | | | | | | P | P | | P | | | | | P | P | 141-1 |
| Live/Work | | | | | | | | | | | | | | | D | D | | | | | | | D | D | 141-2 |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2007-013] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-027] | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | | | |

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

EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | NOTE | | | | | | |
|---|-------------|-------------|-------------|-----------------------|---|--------|--------|--------|--------|--------|----------|----------|--------------------|------------------|----------|--------|---|------------------|-------------|----------|------------------|------------------|------------------|--------|--------|-------------------|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | | | | |
| | R E S | C O M | R E C | C I V I P | A G R I C U L T U R E | C L | C H | C L | C H | C O | C O | I R | <u>E</u> D C | I N S T | C H | C H | O | I N D L | C O M | | I N D G | M H P D | R V P D | C L | C H | |
| Public and Civic Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Airport, Helipad & Landing Strip | | | | | | | | | | | R | R | <u>R</u> | | | | R | | R | | | | | | | 10 |
| Assembly, Nonprofit Institutional | | R | | R | | R | R | | | R | | | | R | R | R | | R | | | | | | R | R | 14 |
| Assembly, Nonprofit Membership | | | | R | | R | R | R | R | R | | | | R | R | R | | R | | | | | | R | R | 15 |
| Cemetery | | | | R | | | | | | | | | | | | | | | | | | | | | | 27 |
| Place Of Worship | | R | | R | | R | R | R | R | R | | | | R | R | R | | R | | | R | | | R | R | 29 |
| College Or University | | | | R | | R | R | R | R | R | R | | | R | R | | | R | | | | | | R | R | 30 |
| Day Camp | | | P | P | | | R | | | P | | | | P | R | | | | | | | | | R | R | 39 |
| Day Care, General | | R | | R | | R | R | R | R | R | | | | R | R | R | | R | R | R | R | R | | R | R | 40 |
| Day Care, Limited | | D | | D | | D | D | D | D | D | D | <u>D</u> | | D | D | D | | D | D | D | D | D | | D | D | 40 |
| Government Services | | P | | P | | P | P | P | P | P | P | <u>P</u> | | P | P | P | | P | P | P | P | P | | P | P | 63 |
| Homeless Resource Center | | | | | | | R | | R | | | | | R | | | | R | R | | | | | | | 70-1 |
| Hospital Or Medical Center | | R | | | | R | R | | R | | | | | R | R | R | | R | | | | | | R | R | 71 |
| Kennel, Type IV (Animal Shelter) | | | | | | R | R | | | | | | | R | R | | | | | | | | | | | 74-3 |
| School, Elementary Or Secondary | | | | R | | R | R | R | R | | | | | D | R | R | | R | | | | | | R | | 118 |
| Recreation Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Arena, Auditorium Or Stadium | | R | | | | | R | | | R | | | | | R | | | | | | | | | | | 12 |
| Campground | | | | | | | | | | P | | | | | | | | | | | | | P | | | 24 |
| Entertainment, Indoor | | R | | | | R | R | | | P | | | | | R | | | | P | | | | | R | R | 45 |
| Entertainment, Outdoor | | R | | | | R | R | | | P | D | | | | R | | | | P | | | | | | | 46 |
| Fitness Center | | R | P | R | | R | R | | R | P | | | | | P | P | | R | P | | | | | R | P | 56 |
| Golf Course | | | R | | | R | R | R | R | R | R | | | | R | R | | P | | P | P | R | | | | 62 |
| <u>.... Gun Club, Enclosed</u> | | | | | | | R | | | R | R | <u>R</u> | | | | | | <u>P</u> | <u>R</u> | <u>P</u> | | | | | | <u>....</u> 67 |
| <u>.... Gun Club, Open</u> | | | | | | | | | | R | | | | | | | | | | | | | | | | 67 |
| Marine Facility | | R | R | | | | R | | R | R | | | | | R | R | | | P | | | | | | | 82 |
| Park, Passive | P | P | P | P | R | P | P | P | P | P | | | | P | P | P | | P | P | P | P | P | | P | P | 93 |
| Park, Public | | | P | P | | R | P | | | P | P | | | P | P | P | | P | | | R | R | | P | P | 94 |
| Special Event | | S | S | S | | S | S | | S | S | <u>S</u> | | | S | S | | | S | S | | | | | S | S | 124 |
| Zoo | | | | | | R | | | R | | | | | | | | | | | | | | | | | 143 |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-007] [Ord. 2012-027] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | | | | |

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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | NOTE | | | | | | |
|---|-------------|-------------|-------------|-------------|-----------------------|--------|--------|--------|--------|--------|--------|----------|--------------------------------------|------------------|----------|--------|---|------------------|------------------|------|------------------|------------------|------------------|--------|--------|-----|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | | | | |
| | R E S | C O M | R E C | C I V | A G R / P | C L | C H | C L | C H | C O | C O | I R | I N <u>D C</u> | I N S T | C H | C H | O | I N D / | C O M / | | I N D / | M H P D | R V P D | C L | C H | |
| Agricultural Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agriculture, Bona Fide | | | | | P | | | | | | | | | | | | | | | | | | | | | 3 |
| Agriculture, Light Manufacturing | | | | | | | | | | | | | | | | | | | | | | | | | | 4 |
| Agriculture, Packing Plant | | | | | R | | | | | | | | | | | | | | | | | | | | | 5 |
| Agriculture, Research/Development | | | | | | P | P | P | P | P | P | <u>P</u> | P | | | | | P | P | | | | | | | 3.1 |
| Agriculture, Sales And Service | | | | | | | P | | | | | | | | | | | | P | | | | | | | 6 |
| Agriculture, Storage | | | | | | | | | | | | | | | | | | | | | | | | | | 7 |
| Agriculture, Transshipment | | | | | | | | | | | | P | <u>P</u> | | | | | P | P | | | | | | | 8 |
| Aviculture, Hobby Breeder | | | | | P | | | | | | | | | | | | | | | | | | | | | 19 |
| Community Vegetable Garden | | | | | | | | | | | | | | | | | | | | | | | | | | 32 |
| Equestrian Arena, Commercial | | | | | R | | | | | | | | P | | | | | | | | | | | | | 47 |
| Farmers Market | | | | | | | P | | | | | | | | | | P | P | P | | | | | | | 52 |
| Farrier | | | | | | | | | | | | | | | | | | | | | | | | | | 53 |
| Groom's Quarters | P | | | | P | | | | | | | | | | | | | | | | | | | | | 65 |
| Nursery, Retail | | P | | | P | P | | | | | | | | | | P | | | P | | | | | | | 88 |
| Nursery, Wholesale | | | | | P | | | | | | | | | | | | | P | P | | | | | | | 89 |
| Potting Soil Manufacturing | | | | | | | | | | | | | | | | | | | | | | | | | | 99 |
| Produce Stand | | | | | | | | | | | | | | | | | | | | | | | | | | 101 |
| Shadehouse | | | | | P | | | | | | | | | | | | | | | | | | | | | 121 |
| Stable, Commercial | | | | | P | | | | | | | P | | | | | | | | | | | | | | 125 |
| Stable, Private | P | | | | P | | | | | | | | | | | | | | | | | | | | | 126 |
| Sugar Mill Or Refinery | | | | | | | | | | | | | | | | | | | | P | | | | | | 127 |
| [Ord. 2005-002] [Ord. 2006-036] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2012-027] | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | | | | |

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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | NOTE | | | | |
|---|-------------|-------------|-------------|-------------|-----------------------|--------|--------|--------|--------|--------|----------|---------------------------|------------------|--------|----------|-----------|------------------|------------------|------------------|------|------------------|------------------|--------|--------|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | | |
| | R E S | C O M | R E C | C I V | A G R / P | C L | C H | C L | C H | C O | I R | <u>E</u> D <u>C</u> | I N S T | C H | C H | C O | I N D / | C O N D | I N D / | | M H P D | R V P D | C L | C H |
| Utilities and Excavation Uses | | | | | | | | | | | | | | | | | | | | | | | | |
| Air Curtain Incinerator | | | | | | | | | | | | | | | | | | | | | | | | 9 |
| Air Stripper, Remedial | | | | | | | | | | | | | | | | | | | | | | | | 11 |
| Chipping and Mulching | | | | | | | | | | | P | | | | | | P | P | | | | | | 28 |
| Communication Cell Sites On Wheels (COW) Tower, Mobile | S | S | S | S | S | S | S | S | S | S | <u>S</u> | S | S | S | S | S | S | S | S | S | S | S | S | 31 |
| Communication Panels, Or Antennas, Commercial | B | D | D | D | | D | D | D | D | D | <u>P</u> | <u>P</u> | D | D | D | P | P | P | | | | D | D | 31 |
| Communication Tower, Commercial | | | | | | R | | | | | <u>R</u> | <u>B</u> | R | R | | R | R | R | | | | | R | 31 |
| Composting Facility | | | | | | | | | | | P | | | | | | P | P | | | | | | 33 |
| Electric Power Facility | | R | | | | | R | | R | R | R | | | | | | R | R | R | | | | | 44-1 |
| Electric Transmission Facility | | R | | | | | R | | R | R | R | <u>R</u> | | | | | R | R | R | | | | | 44-2 |
| Excavation, Agricultural | | | | | P | | | | | | | | | | | | | | | | | | | 49 |
| Excavation, Type I | | | | | | | | | | | | | | | | | | | | | | | | 49 |
| Excavation, Type II | P | P | P | P | P | P | P | P | P | P | <u>P</u> | P | P | P | P | P | P | P | P | P | P | P | P | 49 |
| Excavation, Type III A | | | | | | | | | | | | | | | | | | | R | | | | | 49 |
| Excavation, Type III B | | | | | | | | | | | | | | | | | | | R | | | | | 49 |
| Recycling Center | | | | | | | A | | | | P | <u>D</u> | | | | | P | A | P | | | | | 103 |
| Recycling Drop-Off Bin | | D | D | D | | D | D | D | D | D | <u>D</u> | D | D | D | D | D | D | D | D | | | D | D | 104 |
| Recycling Plant | | | | | | | | | | | P | | | | | | <u>RP</u> | P | | | | | | 105 |
| Renewable Energy Facility, Solar | | D | D | D | | D | D | D | D | D | <u>D</u> | D | D | D | D | D | D | D | D | B | B | | | 106-1 |
| Renewable Energy Facility, Wind | | | | | | R | R | R | R | R | R | <u>R</u> | R | R | R | | R | R | R | R | R | | | 106-2 |
| Sanitary Landfill Or Incinerator | | | | | | | | | | | | | | | | | | | | | | | | 117 |
| Solid Waste Transfer Station | | | | | | | R | | R | R | R | | R | | | <u>RP</u> | R | P | | | | | | 123 |
| Utility, Minor | P | P | | P | | P | P | P | P | P | <u>P</u> | P | P | P | P | P | P | P | P | P | P | P | P | 134 |
| Water Or Treatment | | | | R | | | R | | R | R | R | | | R | R | | P | P | R | R | | | | 139 |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2013-001] | | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | | |

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Notes:
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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.1.B - PDD Use Matrix Continued

| Use Type | PUD | | | | | MUPD | | | | | | | MXPD | | PIPD | | | LCC | | NOTE | | | |
|---|-------------|-------------|-------------|-------------|-----------------------|--------|--------|--------|--------|--------|----------|--|------------------|--------|----------|-------------|--------|--------|------------------|------|------------------|--------|--------|
| | Pods | | | | | FLU | | | | | | | FLU | | Use Zone | | | FLU | | | | | |
| | R E S | C O M | R E C | C I V | A G R / P | C L | C H | C L | C O | C O | I R | E N D C | I N S T | C H | C O | I N D | C M | I D | M H P D | | R V P D | C L | C H |
| Industrial Uses | | | | | | | | | | | | | | | | | | | | | | | |
| Asphalt Or Concrete Plant | | | | | | | | | | | | R | | | | | | | | | | 13 | |
| Data Information Processing | | | | | | P | P | | P | | <u>P</u> | | | P | P | | P | P | P | | | 38 | |
| Film Production Studio | | | | | | | P | | P | R | <u>P</u> | | | | | P | P | P | | | | 54 | |
| Gas And Fuel, Wholesale | | | | | | | | | | | R | | | | | | P | | | | | 61 | |
| Heavy Industry | | | | | | | | | | | R | | | | | R | | P | | | | 69 | |
| Laboratory, Research | | | | | | R | R | R | R | R | P | <u>P</u> | R | R | | P | R | P | | | R | R | 76 |
| Machine Or Welding Shop | | | | | | | | | | | P | <u>P</u> | | | | P | | P | | | | 80 | |
| Manufacturing And Processing | | | | | | R | R | R | R | R | P | <u>RP</u> | | | | P | | P | | | | 81 | |
| Medical Or Dental Laboratory | | P | | | | P | P | P | P | | <u>P</u> | | | | | P | | | | | | 84 | |
| Salvage Or Junk Yard | | | | | | | | | | | R | | | | | | R | | | | | 116 | |
| Transportation Facility | | | | | | | | | | | <u>P</u> | | | | | P | | P | | | | 133 | |
| Truck Stop | | | | | | | | | | | R | | | | | R | | R | | | | 131 | |
| Warehouse | | | | | | | R | | | | P | <u>P</u> | | | | P | | P | | | | 138 | |
| Wholesaling, General | | | | | | | | | | | P | <u>P</u> | | | | P | | P | | | | 140 | |
| [Ord. 2005-002] [Ord. 2004-040] [Ord. 2009-040] [Ord. 2010-005] | | | | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | | | | |
| P Permitted by right | | | | | | | | | | | | | | | | | | | | | | | |
| D Permitted subject to approval by the DRO | | | | | | | | | | | | | | | | | | | | | | | |
| S Permitted in the district only if approved by Special Permit | | | | | | | | | | | | | | | | | | | | | | | |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. | | | | | | | | | | | | | | | | | | | | | | | |

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Part 5. ULDC Art. 3.E.3, Multiple Use Planned Development (MUPD) (pages 171 - 173 of 229), is hereby amended as follows:

Reason for amendments: [Zoning]

1. Clarify the “primarily utilized by office and research parks” provisions of the Plan (FLUE Section III.C.4-2);
2. Outline Use Limitations for EDC FLU – which requires that the MUPD Final Site Plan (FSP) appropriately separate or otherwise mitigate uses which may be incompatible with the “primarily office or research park” provision of the Plan; and,
3. Clarify current application of standard under IND by adding separate column for EDC for freestanding buildings, Thresholds, PDRs and Work Live Space tables.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 3 Multiple Use Planned Development (MUPD)

A. General

1. Purpose and Intent

The purpose of an MUPD is to provide for the efficient use of land by the integration of multiple uses, or large single uses, within a unified development. The intent of an MUPD is to provide opportunities for enlightened and imaginative approaches to community planning and site design by:

- allowing flexibility from standard PDRs;
- applying PDRs to the entire project rather than individual lots, such as: access, parking, lot dimensions, lot frontage, and landscaping; and
- encouraging the creation of a unified image between buildings and signage through architecture and linkages between land uses.

....

Notes:

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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

B. Objectives and Standards

1. Design Objectives

A MUPD shall comply with the following objectives:

- e. Allow for landscape design that enhances the appearance of the project; and,
- f. An MUPD with an EDC FLU designation shall be primarily utilized by office and research parks, which may also include manufacturing and processing, research and development, wholesale distribution and storage of products.

2. Performance Standards

Table 3.E.3.B - Freestanding Buildings

| FLU Designations | CL | CH | CLO | CHO | IND | EDC | CR | INST |
|---------------------|----|----|-----|-----|-----|-----|----|------|
| Number of buildings | 1 | 3 | 1 | 3 | 3 | 3 | 3 | 3 |

4. EDC FLU – Use Limitations

~~Uses with characteristics of heavy industry such as significant amounts of noise, heat, mechanical and chemical processing, large amounts of material transfer, or, outdoor activities, shall be prohibited. All other permitted Commercial, Public and Civic, Agricultural, Utility or Industrial uses shall comply with the following:~~

- a. Shall be clustered within the overall project so as to minimize any adverse impacts, including heavy truck traffic, on office and research portions of the project; and,
- b. Outdoor storage or activity areas shall be buffered and screened from view of office or research areas, or operate completely in enclosed buildings.

C. Thresholds

Table 3.E.3.C - MUPD Thresholds

| FLU | CL | CH | CLO | CHO | IND | EDC (1) | CR | INST |
|--|--------|--------|--------|--------|---------|---------|---------|--------|
| Square Feet | 30,000 | 50,000 | 30,000 | 50,000 | 100,000 | 50,000 | 100,000 | 50,000 |
| <u>[Ord. 2013-]</u> | | | | | | | | |
| Notes: | | | | | | | | |
| 1. <u>Minimum square footage may be reduced if a lower square footage is approved as part of a FLUA amendment.</u> | | | | | | | | |

D. Property Development Regulations

Table 3.E.3.D - MUPD Property Development Regulations

| FLU Designations | Lot Dimensions | | | FAR (2) | Max. Bldg. Coverage | Setbacks (1) | | | |
|--|----------------|------------------|------------|----------|---------------------|--------------|----------------------------|-------------|----------------------------|
| | Size | Width & Frontage | Depth | | | Front | Side | Side Street | Rear |
| <u>EDC</u> | <u>5 ac</u> | <u>300</u> | <u>300</u> | <u>-</u> | <u>45 percent</u> | <u>30</u> | <u>C-15</u> <u>R-40</u> | <u>30</u> | <u>C-20</u> <u>R-40</u> |
| [Ord. 2007-001] | | | | | | | | | |
| Notes: | | | | | | | | | |
| C Indicates the building setback if the lot abuts a non-residentially zoned or designated lot. | | | | | | | | | |
| R Indicates the setback from an adjacent parcel with a residential zoning designation. | | | | | | | | | |
| 1. Setbacks are measured in linear feet from the boundary of the MUPD. | | | | | | | | | |
| 2. The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted. | | | | | | | | | |

1. Work/Live Space

Table 3.E.3.D - - Work/Live Space PDD

| FLU Designation | <u>CL/Commercial</u> <u>Pod in a PUD</u> | CH | CLO | CHO | IND (1) | <u>EDC (1)</u> |
|--|---|--------|--------|--------|---------|----------------|
| Number of Spaces | 1/acre | 5/acre | 3/acre | 3/acre | 3/acre | <u>3/acre</u> |
| DRO (2) | 8 | 24 | 24 | 24 | 24 | <u>24</u> |
| [Ord. 2004-040] | | | | | | |
| Notes: | | | | | | |
| (1) Limited to commercial <u>and light industrial</u> pods in a PIPD only. | | | | | | |
| (2) Maximum number of spaces. | | | | | | |

Notes:

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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

1
2 Part 6. ULDC Art. 3.E.5, Planned Industrial Park Development (PIPD) (pages 177 – 179 of 229),
3 is hereby amended as follows:
4

Reason for amendments: [Zoning]
1. Reduce minimum acreage requirement for an EDC PIPD from 40 to 20 acres, which will help facilitate infill use of the EDC FLU; and,
2. Clarify current application of standard under IND by adding separate columns for EDC for PDRs and Land Use Mix. The latter prohibits use of the General Industrial Pod and further limits heavy industrial uses when incompatible with the “primarily utilized by office and research parks” requirement of the Plan.

5 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

6 Section 5 Planned Industrial Park Development (PIPD)

7 A. General

8 1. Purpose and Intent

9 The purpose of the PIPD district is to create an industrial development alternative, which
10 provides employment opportunities for industries, manufacturing, research and development
11 and encourages internal trip capture by offering support uses. *The intent of a PIPD is to*
12 *promote creative design approaches to community planning and site design for planned*
13 *industrial developments.* Support uses, such as hotels, offices, commercial, institutional, and
14 residential are intended to serve the PIPD workforce, and ~~other~~ residential populations. [Ord.
15 2004-040]

16
17 B. Objectives and Standards

18 1. Design Objectives

19 ~~The intent of a PIPD is to promote creative design approaches to community planning and~~
20 ~~site design for planned industrial developments.~~—A PIPD shall comply with the following
21 objectives:
22

- 23 b. Be designed as a predominantly industrial development, with exception to:
24 1) the SR-7 EDO, which shall allow for larger percentages of business or professional
25 office uses, or other similar uses that are identified in Art. 3.B.18, SR-7 EDO; and,
26 [Ord. 2010-022]
27 2) the EDC FLU designation, which shall be primarily utilized by office and research
28 parks, but may also include manufacturing and processing, research and
29 development, wholesale distribution and storage of products.

30
31 2. Performance Standards

32
33 C. Thresholds

34 1. General

35
36 a. Lot Size

37 The minimum gross land area required for a PIPD ~~is 40 contiguous acres~~ shall be as
38 follows: [Ord. 2006-004]

- 39 1) IND FLU designation: 40 contiguous acres; or,
40 2) EDC FLU designation: 20 acres, except for parcels approved with a lower acreage as
41 part of a FLUA amendment.

42 b. Land Use Mix

43 Land uses shall be grouped into Pods ~~poes~~ which limit and define the types of uses
44 within a specific area of a PIPD. Table 3.E.5.D, PIPD Land Use Mix, indicates the range
45 of each pod within required for a PIPD.
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Notes:

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EXHIBIT Q

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS
(Updated 4-23-14)

Table 3.E.5.D - PIPD Land Use Mix

| Pods | Minimum | Maximum |
|--|---------------|---------|
| Industrial | 60% | 100% |
| Light General (1) | 20% | 100% |
| Commercial | - | 50% |
| Residential | - | 20% |
| Recreation | .006 acre (3) | 20% |
| Notes: | | |
| 1. <u>A General Industrial Pod shall only be permitted with an IND FLU designation. General Industrial Pods shall be prohibited with an EDC FLU designation.</u> | | |
| 2-1. The maximum commercial acreage shall not apply to an Economic Development Center (EDC). | | |
| 3. <u>Minimum Recreation Pod requirement only applies to Residential Pods. Other residential uses such as Live/Work located in other than a Residential Pod shall still comply with Art. 5.D, Parks and Recreation – Rules and Recreational Standards.</u> | | |

.....
E. Pods

1. Industrial Pods

An industrial pod is intended to provide areas for light and general industrial uses, and accessory uses. [Ord. 2004-040]

a. Use Regulations

Uses shall be permitted in accordance with Table 3.E.1.B, PDD Use Matrix; and Art. 4, Use Regulations. [Ord. 2004-040] [Ord. 2008-003]

b. EDC Future Land Use Designation

1) Industrial Pods

General Industrial Pods are prohibited.

2) Use Limitations

Uses with characteristics of heavy industry such as significant amounts of noise, heat, mechanical and chemical processing, large amounts of material transfer, or outdoor activities, shall be prohibited. All other Commercial, Public and Civic, Agricultural, Utility or Industrial uses permitted within a Light Industrial Pod shall comply with the following:

- a) Shall be clustered within the overall project so as to minimize any adverse impacts, including heavy truck traffic, on office and research portions of the project; and,
- b) Outdoor storage or activity areas shall be buffered and screened from view of office and research areas, or operate completely in enclosed buildings.

.....
Part 7. ULDC 3.F.5, Traditional Town Development (pages 226 - 227 of 229), is hereby amended as follows:

Reason for amendments: [Zoning] Correct scrivener's error referencing CH-O FLU designation where an MUPD is permitted within a TTD and replace with Economic Development Center (EDC) to be consistent with Plan FLUE Table 4.4.1-1, Allowable Mix of Future Land Uses in a TTD.

CHAPTER E CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 5 Traditional Town Development (TTD)

.....
B. Organization and Applicability

The requirements of this Section, Article 3.F.1, General Provisions for TDDs, and Article 3.F.2, General Standards, shall apply to all TTDs. In addition, the components of a TTD shall be subject to the following requirements:

.....
4. ~~Office~~ Multiple Use Planned Development (MUPD)

A MUPD may be included within a TTD with a minimum of 320 acres, ~~provided it has a CH-O FLU designation~~, subject to the requirements ~~for a of Article 3.E.3~~, Multiple Use Planned Development (MUPD) with an EDC FLU designation.

Notes:

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