



February 21, 2018

**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
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Building Division 233-5100
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Contractors Certification 233-5525
Administration Office 233-5005
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**Palm Beach County
Board of County
Commissioners**

Melissa McKinlay, Mayor
Mack Bernard, Vice Mayor

Hal R. Valeche
Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

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

RE: February 28, 2018 LDRAB Annual Organizational Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC Meeting on Wednesday, February 28, 2018.

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 Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at MCantor@pbcgov.org.

Sincerely,

Jon MacGillis, ASLA
Zoning Director

JM/zc

Attachments: February 28, 2018 LDRAB/LDRC Agenda

- c: Faye W. Johnson, Assistant County Administrator
- Patrick Rutter, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Maryann Kwok, Deputy Zoning Director
- Monica Cantor, Senior Site Planner, Zoning

PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

FEBRUARY 28, 2018

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

Vacant

Michael J. Peragine(District 1)

Drew Martin, (District 2)

Philip L. Barlage (District 3)

James Knight (District 4)

Dr. Lori Vinikoor (District 5)

Pending (District 6)

Robert J. Harvey (District 7)

Daniel J. Walesky (Gold Coast Builders Assoc.)

Anna Yeskey (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

Xavier Salas (American Institute of Architects)

Vacant (Environmental Organization)

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

Derek Zeman (Fl. Surveying and Mapping Society)

Charles Drawdy (Association Gen. Cont. of America)

Abraham Wein (Member at Large/Alternate)

Winifred Park Said (Member at Large/Alternate)

Board of County Commissioners

Melissa McKinlay
Mayor, District 6

Mack Bernard
Vice Mayor, District 7

Hal R. Valeche
Commissioner, District 1

Paulette Burdick
Commissioner, District 2

David Kerner
Commissioner, District 3

Steven L. Abrams,
Commissioner, District 4

Mary Lou Berger
Commissioner, District 5

Verdenia C. Baker
County Administrator



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

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LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

WEDNESDAY, FEBRUARY 28, 2018 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. Annual Election of Chair and Vice-Chair
5. Adoption of October 25, 2017 Minutes (Exhibit A)

B. ANNUAL ORGANIZATION DISCUSSION

1. Useful Internet Links for LDRAB/LDRC Members (Attachment 1)
2. 2017 LDRAB Attendance (Attachment 2)
3. 2017 Amendments
 - a. Amendment Round 2017-01 Summary (Attachment 3)
 - b. Amendment Round 2017-02 Summary (Attachment 4)
4. 2018 LDRAB Members (Attachment 5)
5. 2018 Meeting Schedule (Attachment 6)
 - a. Deadlines/Scheduling for 2018 Amendments (Attachment 7)
 - b. Initiation of Amendment Round 2018-01 (Attachment 8)
 - c. Status of Subcommittee and Appointments (Attachment 9)
6. Sunshine Law Overview (Attachment 10)

C. ULDC AMENDMENTS

1. Exhibit B - Modifications by the DRO [Related to PDD]; Accessory Quarters and Caretaker Quarters; and Excavation, Performed by a Public Agency to Provide Drainage For A Public Street
2. Exhibit C - Art. 4.B.3.C.5, Fitness Center
3. Exhibit D - Art. 4.B.4.C.6, Crematory
4. Exhibit E - Art. 5, Supplementary Standards [Related to Art. 5D.2.G.3.a, Landscape Island (Public Parks) and Art 5.E.4.E, Outdoor Lighting Exceptions]
5. Exhibit F - Art. 11, Subdivision, Platting and Required Improvements
6. Exhibit G - Art. 12.Q, Proportionate Fair Share Program
7. Exhibit H - Art. 14.C, Vegetation Preservation and Protection
8. Exhibit I - Art. 15.A.5.C, [Related to Onsite Sewage Treatment and Disposal System (OSTDS)]

D. PUBLIC COMMENTS

E. STAFF COMMENTS

1. LDRAB Subcommittees
 - Landscaping Subcommittee
 - New Subcommittees:
 - Equestrian Waste Management Facilities
 - CLF, Nursing or Convalescent Facilities and Sober Homes

F. ADJOURN

ATTACHMENT 1

USEFUL INTERNET LINKS FOR LDRAB/LDRC MEMBERS

The following provides a few helpful links to web pages containing information applicable to Land Development Regulation Advisory Board (LDRAB) and Land Development Review Commission (LDRC) members:

Palm Beach County (PBC) Unified Land Development Code (ULDC) Article 2.G.2, General Provisions: <http://www.pbcgov.com/epzb/uldc/Articles/Article2.pdf>

PBC ULDC Article 2.G.3.A, Land Development Regulation Advisory Board (LDRAB): <http://www.pbcgov.com/epzb/uldc/Articles/Article2.pdf>

Palm Beach County Commission on Ethics: <http://www.palmbeachcountyethics.com/>

- Palm Beach County Code of Ethics (Effective June 1, 2011): http://www.palmbeachcountyethics.com/pdf/Code_of_Ethics_Ordinance_June_1_2011.pdf
- Palm Beach County Code of Ethics – Guide for Elected Officials and Advisory Board Members: http://www.palmbeachcountyethics.com/pdf/Training_Guide_for_Elected_Officials_and_Advisory_Board_Members.pdf
- Quick Reference to Advisory Board Conflicts, Disclosures and Waivers: http://www.palmbeachcountyethics.com/pdf/Advisory_Boards_Reference_Guide.pdf

LDRAB Rules of Procedure: <http://discover.pbcgov.org/pzb/zoning/ULDCPDF/LDRAB-LDRC-rulesofprocedure.pdf>

Palm Beach County Charter: <http://discover.pbcgov.org/PDF/Publications/Charter.pdf>.

Voting Conflict Form: <http://discover.pbcgov.org/pzb/zoning/ULDCPDF/LDRAB-LDRC-Voting-Conflict-Form-8b.pdf>.

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
2017 ATTENDANCE MATRIX
(Updated 10/27/17)

Seat	Member	District or Organization	Term Expires	2017 Dates												Rescheduled	
				1/25	2/22	3/29	4/26	5/24	6/28 Cancelled	7/26	8/23	9/27	10/25	11/29 Cancelled	12/13 Cancelled		
1	Michael Peragine	District 1	Feb. 5, 2019	Vacant	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	-	-
2	David Carpenter	District 2	Feb. 6, 2018	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
3	Philip Barlage	District 3	Feb. 5, 2019	Vacant	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
4	James Knight	District 4	Feb. 6, 2018	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
5	Lori Vinikoor	District 5	Feb. 5, 2019	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
6	Rena Borkhataria	District 6	Feb. 6, 2018	Vacant	Vac	Vac	Vac	Vac	Vac	Y	Y	Y	Y	Y	Y	-	-
7	Robert J. Harvey	District 7	Feb. 5, 2019	Y	Y	N	Y	Y	Vac	N	Y	Y	Y	Y	Y	-	-
8	Daniel Walesky	Gold Coast Builders Association	Feb. 2, 2018	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	-	-
9	Anna Yeskey	League of Cities	Feb. 6, 2018	Vacant	Vac	Vac	Vac	Vac	Vac	Vac	Y	Y	Y	Y	Y	-	-
10	Terrence Bailey	Florida Eng. Society	Feb. 5, 2019	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
11	James McKay	American Institute of Architects	Feb. 6, 2018	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	-	-
12	Tommy Strowd	Environmental Organization	Feb. 2, 2018	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
13	Frank Gulisano	PBC Board of Realtors	Feb. 6, 2018	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	-	-
14	Derek Zeman	Florida Society Prof. Surveyors	Feb. 5, 2019	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	-	-
15	Charles D. Drawdy	Assoc. General Contractors of America	Feb. 3, 2010	Vacant	Vac	Vac	Vac	Vac	Vac	Vac	Vac	Vac	Vac	Vac	Y	-	-
16	Wes Blackman	PBC Planning Congress	Feb. 2, 2018	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
17	Winifred P. Said	Alternate #1	Feb. 8, 2019	Y	N	N	N	Vac	Vac	Vac	Vac	Vac	Vac	N	Y	-	-
18	Abraham Wien	Alternate #2	Feb. 6, 2018	Vacant	Vac	Vac	Vac	Vac	Vac	Y	Y	Y	Y	Y	Y	-	-
Total Attendees:				9	12	12	12	12	12	13	11	13	12	12	16		

Legend/Notes:

Y	Present	*Y*	Present (Participated via teleconference with quorum physically present and Board approval)	N	Absent	*N	Absent (Attended less than ¾ of meeting)
1	Michael Peragine	reappointed on February 2, 2016.	Term February 2, 2016 to February 5, 2019				
2	David Carpenter	reappointed on February 3, 2015,	eligible for first meeting on February 25, 2015. Term February 4, 2015 to February 6, 2018.				
3	Philip Barlage	replaced Barbara Katz,	eligible for first meeting on February 22, 2017. Term February 3, 2016 to February 5, 2019				
4	James Knight	reappointed on Dec. 16, 2014	for new term Feb. 4, 2015 to Feb. 6, 2018.				
5	Lori Vinikoor	reappointed on Jan. 26, 2016	for new term Feb. 2, 2016 to Feb. 5, 2019.				
6	Rena Borkhataria	replaced Stuart Fischer,	eligible for first meeting on May 24, 2017. Term Feb. 4, 2015 to February 6, 2018				
7	Robert J. Harvey	replaced Henry Studstill,	eligible for first meeting on May 24, 2017. Term February 3, 2016 to February 5, 2019.				
8	Daniel Walesky	replaced Raymond Puzitello on Jan. 13, 2015.	Position term is Feb. 5, 2013 to Feb. 2, 2016. Raymond Puzitello resigned in Nov. 2014. Term wrong - 2/4/2015 to 2/2/2018				
9	Anna Yeskey	replaced Joni Brinkman on August 15, 2017.	Position term is Feb. 4, 2015 to February 6, 2018.				
10	Terrence Bailey	reappointed on March 1, 2016	for new term Feb. 3, 2016 to Feb. 5, 2019				
11	James McKay	appointed Sept. 27, 2016,	eligible for first meeting on October 14, 2016. Term ends Feb. 6, 2018.				
12	Tommy Strowd	took vacant position,	apptd on Jan. 13, 2015. Position term is Feb. 5, 2013 to Feb. 2, 2016. Ed Tedtmann resigned July 25, 2014. Term wrong in appointment 2/4/2015 to 2/2/2018				
13	Frank Gulisano	reappointed on Jan. 13, 2015	for new term Feb. 4, 2015 to Feb. 6, 2018.				
14	Derek Zeman	appointed on March 1, 2016.	Eligible for 1 st LDRAB meeting on March 23, 2016. Term ends February 5, 2019.				
16	Wes Blackman	reappointed on Jan. 13, 2015	for new term Feb. 4, 2015 to Feb. 2, 2018.				
17	Winifred P. Said	replaced James Brake.	Appointed on August 15, 2017 for term Feb. 2, 2016 to Feb. 8, 2019.				
18	Abraham Wien	replaced Leo Plevy.	Eligible for first meeting on May 24, 2017. Seat term Feb. 4, 2015 to Feb. 6, 2018				
*	Special meetings will not be a factor in calculating total attendance.						
**	Attendance reflects previous LDRAB member.						
ULDC Art. 2.G.2.B.1.c, Attendance: 1) "Lack of attendance is defined as a failure to attend three consecutive meetings... or, 2) "...a failure to attend at least two-thirds of the meetings scheduled during the calendar year." Also "Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting."							
A total of 11 meetings are scheduled for 2015. A special meeting will be held on June 24, 2015. Minimum attendance – seven of all meeting scheduled. (Cancelled meetings are counted towards total of meetings attended). Members cannot miss more than three meetings.							

ATTACHMENT 3



UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2017-01 SUMMARY OF PROPOSED AMENDMENTS – SHORT FORM

(UPDATED 08/01/2017)

BCC PUBLIC HEARINGS
JUNE 22, 2017 – REQUEST FOR PERMISSION TO ADVERTISE
JULY 27, 2017 – FIRST READING
AUGUST 24, 2017 – ADOPTION

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS

MARCH 29, 2017
APRIL 26, 2017
MAY 24, 2017 (ALSO INCLUDES LDRC)

EXHIBIT A – Rules of Construction [Rounding of Fractions]

Establish standards to clarify how and when the rounding of numbers may be permitted to determine minimum or maximum requirements.

EXHIBIT B– Mobile Home Owner Disclosure Requirements to Potential Buyers

Establish additional notification requirements for rezoning applications involving the redevelopment of mobile home parks, to provide additional disclosure to persons who may unknowingly purchase a dwelling unit without knowledge that future tenancy in the park may be short term.

EXHIBIT C – Administrative Approvals Unmanned Retail Structures

Clarify administrative authority to amend projects approved by the Zoning Commission or Board of County Commissioners, to allow for the addition or modification of an unmanned retail structure.

EXHIBIT D – Article 3.E, Planned Development Districts

- Re-affirm that the High Residential (RH) district is consistent with the Medium Residential (RM) district and not subject to rezoning.
- Remove the Mixed Use Planned Development (MXPDP) from the High Residential (HR) 12 and 18 future land use designations, for consistency with the Comprehensive Plan.
- Delete the internal trip capture requirement for MXPDP in accordance with recent amendment to Comprehensive Plan Policy 4.4.6-a.

EXHIBIT E – Art. 3.B.14.F, Property Development Regulations [Related to WCRAO]

- Clarify that provisions for Plazas and Squares only apply when used with exceptions to Build to Line provisions and are otherwise optional.
- Clarify provisions allowing for administrative reductions to Build to Line requirements for infill lots with limited frontage or access, emphasis on reductions being the minimum necessary to accommodate required landscaping or access points.

EXHIBIT F – Lifestyle Commercial Center (LCC)

Delete the LCC as a standalone zoning district for consistency with recent Comprehensive Plan amendments.

EXHIBIT G - Article 4, Use Regulations

- Establish additional reference to Density Bonus Programs to assist applicants and staff in ensuring appropriate approvals are requested at time of application.
- Clarify that Multifamily is Permitted by Right in the RM Zoning District with HR8, 12 and 18 FLU designation.
- Expand provisions for new Microbrewery use to allow in the Multiple Use Planned Development District (MUPDP) with the Economic Development Center (EDC) future land use designation.

EXHIBIT H – Use Classification [Related to URAO]

Reincorporate URAO Use Matrix note inadvertently deleted during Use Regulations Project, which allows for certain uses to be Permitted by Right within existing structures.

EXHIBIT I – Retail Gas and Fuel – Standards for Approval

Delete additional standards for Retail Gas and Fuel uses, which are either redundant to existing Standards for Conditional Uses, or are otherwise mitigated by site development standards.

EXHIBIT J – Art. 5.B.1.A, Accessory Uses and Structures General Exceptions

Clarify exceptions allowing for certain accessory structures in the front and side street yard.

EXHIBIT K – Art. 5.B.1.A, Accessory Uses and Structures\ Exceptions for Buildings Accessory to Residential

Establish standards to allow for limited types of accessory structures, such as accessory dwellings, to be located in the front or side street yard.

EXHIBIT L – Accessory Solar Energy Systems

Memorialize and expand upon existing ULDC provisions allowing for use of accessory solar energy systems, to include a recent request from Florida Power and Light to allow for solar trees, and to assist the County Climate Change and Sustainability Coordinator as relates to the County SolSmart certification effort.

EXHIBIT M – Art. 5.B.1.B, Temporary Structures – Portable Storage Containers and Shipping Containers

- Establish standards to regulate the use of portable storage containers, typically used to for the temporary storage of household goods.
- Clarify limited exceptions allowing for use of shipping containers, including exception for repurposed shipping containers that comply with Florida Building Code.

EXHIBIT N – Requested Use Reference

Delete reference to Requested Use which was consolidated under Conditional Use with the Use Regulations Project.

EXHIBIT O – Art. 6, Parking

- Reduce the number of loading spaces required for Congregate Living Facilities (CLFs) and Nursing Homes, or allow for Waivers, to address scenario's where excessive loading spaces may be required.
- Update references to new use classifications adopted as part of the Use Regulations Project.

EXHIBIT P – Art. 8.F.5, Illumination [Related to Signage]

- Exempt Electronic Message Signs (e.g. digital gas station fuel prices) from Tier based limitations for internally illuminated signage.
- Update limits on internally illuminated signage within the Agricultural Reserve (AGR) Tier for commercial properties commensurate with recent amendments to the Comprehensive Plan.

EXHIBIT Q – Art. 8.G.3.B, Electronic Message Signs

- Sunset the Electronic Changeable Copy Message Sign PRA Pilot Program pursuant to BCC discussion and direction at the March 23, 2017 BCC Zoning Hearing, pertaining to the Zoning Director update on the status of the PRA Pilot Program.
- Streamline and simplify the evaluation and approval requirements for Type I Electronic Message Signs.

EXHIBIT R – Department of Airports Chapter 333, Florida Statutes Update Exceptions

Update provisions related to Airport Regulations for compliance with amendments to Florida Statutes Chapter 333 adopted in 2016, including clarification of review processes for potential obstructions to airport approach zones, new prohibitions on the location of landfills, and change to eliminate options for Variance relief in favor of an appeal process, among others.

ATTACHMENT 4



UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2017-02 SUMMARY OF PROPOSED AMENDMENTS – SHORT FORM

(UPDATED 1/16/2018)

BCC PUBLIC HEARINGS

NOVEMBER 30, 2017 – REQUEST FOR PERMISSION TO ADVERTISE

JANUARY 4, 2018 – FIRST READING

JANUARY 25, 2018 – ADOPTION

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS

AUGUST 23 AND SEPTEMBER 27, 2017

OCTOBER 25, 2017 (ALSO INCLUDES LAND DEVELOPMENT REGULATION COMMISSION (LDRC))

EXHIBIT A – Art. 1.C.4 – Measurement [Related to Rules of Construction] (page 204)

Revise how separation should be measured between two properties in different zoning districts or Future Land Use (FLU) designations when they are divided by a Right-Of-Way. Should be measured from the property line and not the center line of the road.

EXHIBIT B – Art. 2, Development Review Procedures (pages 205-304)

- Reorganize Art. 2 for consistency with current methodology of applications process.
- Consolidate all Zoning applications under the first three Chapters of Article 2. Chapter A is related to the General Application requirements and procedures. Chapter B is for all the Legislative and Quasi-Judicial processes, and Chapter C is for the Administrative Processes.
- Highlights of Chapter A, General –
 - Clarify categories of Processes – Legislative, Quasi-Judicial and Administrative
 - Replace the **Zoning Director's authority** by the **DRO** as the DRO is the authority that approves all the administrative types of applications.
 - Reference the **Annual Zoning Calendar** for all critical application dates such as Submittal, Resubmittal, Staff Comments, etc.
 - Require applicants to pay **fees** at the **application submittal time**.
 - Add **Justification Statement** as part of the Submittal requirement.
 - Add procedures for **Type 2 and 3 Concurrent Reviews** – Zoning/Building Permit/Land Development Platting
 - Clarify that an Administrative Inquiry (AI) is not subject local newspaper posting requirements, but that staff is required to mail Courtesy Notices related to the AI to the adjacent property owners.
- Highlights of Chapter B, Public Hearing Processes –
 - Codify current practice of Sufficiency Review and Insufficiency , Time Extension and Administrative Withdrawal of applications.
 - Clarify the **role of DRO** who only reviews, certifies and provides a recommendation to the ZC or BCC for their decision.
 - **Reorder the hearing proceedings** to require the applicant to make their presentation prior staff's one.
- Highlights of Chapter C, Administrative Processes -
 - Clarify the role of DRO who performs final reviews on those applications that are approved by ZC or BCC, i.e. Off The Board review.
 - Clarify the role of DRO as the decision making person for those uses listed under Use Matrix, Development Thresholds, etc.
 - Combine **Zoning Review** under **Zoning Agency Review** since the timeline of the 2 processes is the same.
 - Replace the **Special Permit** process with the **Zoning Agency Review** process to be applicable mostly to Temporary Uses.
 - Under **Administrative Modifications to a prior BCC or ZC development order**, create Tables to clearly identify thresholds of the 2 processes- Full DRO (16 Agencies) and Zoning Agency Review (1-5 Agencies).
 - Add **Zoning Confirmation Letter (ZCL)** processes to reflect the current service that is provided by the Zoning Division. Interpretations of the ULDC by the Zoning Director is subject to a Formal ZCL.
 - Delete the Type 1A Variance process and consolidate under the Type 1 Waiver process. Type 1B Administrative Variance will be renamed to Type 1 Variance.
- Highlights of Chapter D, Privately Initiated Amendment (PIA) -
 - Codify the PIA process, which consists of Phase1 and Phase 2,as follows:
 - Phase 1-The Phase 1 PIA allows an applicant to submit a preliminary request for staff evaluation and recommendation, presentation to the LDRAB for recommendation, and final presentation to the BCC to deny the request, or direct the responsible PBC Official to accept a request for a Phase 2 PIA, or other direction including scheduling, limitations or other similar.

- Phase 2 -The Phase 2 PIA allows for the applicant to coordinate with staff and any interested parties, and may require a more detailed analysis and supporting documentation to substantiate the request. Upon certification, the application shall be presented to the LDRAB, also sitting as the LDRC, to obtain a final recommendation and determination of consistency with the Comprehensive Plan, prior to being scheduled for presentation to the BCC for Request for Permission to Advertise. Pursuant to approval of the request, one or more duly noticed Public Hearings are required, in accordance with F.S. 125.66.
- Chapter F- Delete Public School Concurrency and codify Coordinated School Planning as a result of the County and the School District planning agreement in December 2015. It provides the ability to conduct an analysis on the direct impact of new development on schools, through the School Capacity Availability Determination letter sets forth the findings and recommendations of the School District.
- Chapter H - Reorganize Future Land Use (FLU) plan amendment regulations; clarify that the term 'concurrently' with Small Scale Amendments indicates that the zoning and plan amendment hearings are held at the Board of County Commissioners hearing; reduce the deadline for submittal of a Small Scale Amendment concurrent zoning application from 90 days to 45 days; Establish that an applicant's revisions to a FLU amendment are grounds for postponement to a subsequent amendment round.

EXHIBIT C – Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO) (pages 305 - 307)

Remove the requirement for mixed use in NC, NRM, and NG sub areas as it is a redevelopment challenge and has deterred development interest.

EXHIBIT D – Art. 3.E.1.E.1.c, Housing Classification and Type (page 308)

Clarify changes related to housing type for Planned Development District (PDD) that can be approved by the Development Review Officer (DRO) as long as the structures height is the same as the original approval.

EXHIBIT E – Overlay and Zoning Districts [Related to Requested Uses Reference] (pages 309 - 311)

Delete reference to Requested Use and consolidate with Conditional Use for consistency with changes done to the Code through the Use Regulations Project in 2016.

EXHIBIT F – Use Regulations [Related to SSSF and Gas and Gas and Fuel Wholesale] (pages 312 - 313)

- Delete redundant standards in Self Service Storage Facility use regarding the orientation of storage unit doors; and establish additional exceptions on fenestration for interior corridors with storage unit doors visible from outside.
- Clarify Wholesale Gas and Fuel use is intended to address wholesaling involving flammable or explosive gases and fuels, which commonly includes motor vehicle fuels or fuels for other uses; and, delete a standard applicable to the Airport Zoning Overlay that limited the use to airport related only.

Exhibit G – Art. 5.B.1.A.8, Dumpsters (pages 314 - 315)

- Clarify dumpsters setbacks and prohibit its location on easements and landscape buffers.

EXHIBIT H – Art. 5.B.1.A- Accessory Uses and Structures [Related to Government Owned Towers] (pages 316 - 318)

- Establish standards for government owned towers by identifying whether they are for emergency purpose or not, and identify applicable standards under the Commercial Communication Towers section.
- Allow government owned towers to be Permitted by Right in all zoning districts when they are less than 100 feet in height, and provided that the separation, setbacks and distance between towers is equal to the height of the tower.

EXHIBIT I – Guidelines [Related to Architectural Guidelines] (page 319)

- Clarify that all rooflines are required to incorporate roof design elements, and revise language pertaining to certain structures in the Rural and Exurban Tiers.

EXHIBIT J – Art. 7, Landscaping (pages 320 - 399)

Reorganize Article 7.

- Highlights of Chapter A , General Clarify that planting requirements are based on the Managed Growth Tier System (MGTS) of the County's Comprehensive Plan.
- Highlights of Chapter B, Applicability and Approval Process – Relocate Landscape Plan application and Permits under application procedures. Update requirements under the Type 1 Waiver for Landscaping.
- Highlights of Chapter C, Landscape Buffers and Interior Planting Requirements –
 - Consolidate landscape buffer and interior landscape requirements, the proposed amendment will reorganize the order of the requirements starting with the types of buffers (R-O-W, Compatibility and Incompatibility); interior planting and other miscellaneous standards pertinent to the overall landscape layout and design for both the perimeter and interior of a property.
 - Establish a new type of **R-O-W Buffer for those streets that are 0-40 feet in width**. The proposed buffer width is 10 feet.
 - Increase width of **Compatibility Buffer from 5 feet to 8 feet**. All prior approved are legal and not considered to be non-conforming.
 - **Vehicular Use Area** - Establish landscaping for vehicular use areas for those auto-related or outdoor storage operations. Proposed 10% of the vehicular use areas that are open to the public.
 - **Divider Median** – Clarify how to apply divider median, see graphics. Every third aisle or sixth row of parking spaces. **Increase median width to 10 feet** for all Tiers.
- Highlights of Chapter D, Landscaping Standards
 - **Establish Average Tree Height** – A maximum of 25% for trees at 8 feet. The remainder can be a range of height (must be 9 feet and up) so that the overall total average tree height is at 12 feet.
 - Add **palm or pines as a requirement in R-O-W and Incompatibility Buffers** since they are always included as Conditions of Approval.
- Highlights of Chapter E, Existing Vegetation, Prohibited and Controlled Species
Establish procedures for Vegetation Barricade Permits.
- Highlights of Chapter F, Installation and Maintenance

- Clarify Phasing of landscape installation must follow the approved phasing for a development. For application that has no phasing (i.e. develop under one phase), then all the landscape requirements must be completed prior to the issuance of a Certificate of Occupancy of the facilities.
- Add Option for Special Certificate of Compliance – for those situations when PZB is shortage of staff to meet critical deadlines of applicant.
- Install R-O-W Buffers (where property fronts) first if there are more than one phasing.
- Chapter G – Enforcement - Minor revisions.

EXHIBIT K – Art. 8, Signage [Related to Temporary Signs] (pages 400 - 407)

Modify language related to small signs by: deleting all references to sign content; but these signs are subject to meet certain dimensions and setback requirements.

Clarify temporary types of signs,

EXHIBIT L – Art. 8.G.3.B, Electronic Message Signs (pages 408 - 410)

- Create a definition for Regional Facility to determine facilities that would be eligible for Type 1 Electronic Message Sign. It also clarifies that live performance venue with at least 2,000 patrons or seats are considered Regional Facility.
- Changes the number of signs from one per parcel to one per frontage.
- Establish criteria to allow deviations of Type 1 Electronic Message Signs through the Type 2 Waiver process. Allowing the sign height to increase up to 35 feet; increase a maximum of 50% of the total sign face area; reduce setback to residentially zoned property from 100 feet to 50 feet; allow this type of sign be located on Urban Collector Road or greater street classification; and, reduce separation from intersection.

2018
PALM BEACH COUNTY ZONING DIVISION
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
CURRENT MEMBER LIST

Updated: February 8, 2018

SEAT	MEMBER (OCCUPATION)	DISTRICT OR ORGANIZATION	TERM ENDS
1	Michael Peragine (Real Estate Broker)	District 1 Commissioner Valeche	February 5, 2019
2	Drew Martin (Conservation Chair)	District 2 Commissioner Burdick	February 3, 2021
3	Phillip L. Barlage (Retired Property Appraiser/ Officer COWBRA)	District 3 Commissioner Kerner	February 5, 2019
4	James Knight (Builder/Developer)	District 4 Commissioner Abrams	February 6, 2021
5	Lori Vinikoor (Community Activist)	District 5 Commissioner Berger	February 5, 2019
6	Pending	District 6 Commissioner McKinlay	
7	Richard J. Harvey (Attorney)	District 7 Commissioner Bernard	February 5, 2019
8	Daniel Walesky (Residential Builder)	Gold Coast Builders Association	February 2, 2021
9	Anna Yeskey (Dir. PBC Intergovernmental)	PBC League of Cities	February 6, 2021
10	Terrence N. Bailey (Engineer)	Florida Engineering Society	February 5, 2019
11	Xavier Salas (Architect)	American Institute of Architects	February 8, 2021
12	Pending	Environmental Organization	February 2, 2018
13	Frank J. Gulisano (Realtor)	Realtor Association of the Palm Beaches	February 2, 2021
14	Derek Zeman (Surveyor)	Florida Surveying & Mapping Society	February 5, 2019
15	Charles Duane Drawdy (Commercial Builder)	Associated General Contractors of America	February 5, 2019
16	Wesley Blackman, AICP (AICP Planner)	PBC Planning Congress	February 2, 2021
17	Winifred (Winnie) Park Said (Environmental)	Alternate #1	February 3, 2021
18	Abraham Wien (Environmental Architect)	Alternate #2	February 3, 2021

U:\Zoning\CODERE\2018\LDRA\Meetings\2-28-18 - Kick-off\4 - Final Packet\Attach 5 - 2018 LDRAB Members list - term ends.docx

ATTACHMENT 6

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

2018 MEETING DATES
(Updated 02/12/2018)

DATE	DAY
January 24, 2018 <i>(Cancelled)</i>	Wednesday (4 th)
February 28, 2018	Wednesday (4 th)
March 28, 2018	Wednesday (4 th)
April 25, 2018	Wednesday (4 th)
May 23, 2018	Wednesday (4 th)
June 27, 2018 <i>(Rescheduled)</i> June 20, 2018*	Wednesday (4 th)
July 25, 2018	Wednesday (4 th)
August 22, 2018	Wednesday (4 th)
September 26, 2018	Wednesday (4 th)
October 24, 2018	Wednesday (4 th)
November 14, 2018**	Wednesday (2 nd)
December 12, 2018**	Wednesday (2 nd)
January 23, 2019	Wednesday (4 th)
Notes:	
* <i>Back-up dates to be used if necessary.</i>	
** <i>Meeting date rescheduled to accommodate holidays</i>	

Meeting location and start times are typically as follows:

Planning, Zoning and Building Department
Vista Center
2300 North Jog Road
West Palm Beach, Florida 33411
Kenneth S. Rogers Hearing Room (VC-1W-47)
Meetings typically commence at 2:00 p.m.

(1) DISCLAIMER: Meetings are subject to change, cancellation, or may be continued, rescheduled, relocated, or commenced at a different time as necessary. (Reasons for the change include but not limited to length of agenda, as needed to respond to Hurricanes or other similar natural disasters, etc.).



**INTER-OFFICE COMMUNICATION
DEPARTMENT OF PLANNING, ZONING AND BUILDING
ZONING DIVISION**

TO: Interested County Staff, Related Agencies and Public in General

FROM: Jon MacGillis, ASLA, Zoning Director 

DATE: November 3, 2017

RE: **Deadlines/Scheduling for Proposed 2018 Unified Land Development Code (ULDC) Amendment Rounds: County Agencies and Privately Initiated Amendments**

**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**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche

Dave Kerner

Steven L. Abrams

Mary Lou Berger

Mack Bernard

County Administrator

Verdenia C. Baker

This memo serves to notify County Agencies and individuals seeking Privately Initiated Amendments (PIA) of the scheduling for 2018 ULDC Amendment Rounds. To minimize redundancy and staffing needs, County Agencies are required to submit amendments in accordance with the timeframes and deadlines indicated below. Applicants proposing to submit PIAs are encouraged to utilize the County submittal dates but may also seek to proceed under a separate timeline; however, this may incur additional expenses to cover required legal advertisements. It is critical that all applicants coordinate with Zoning Division staff to meet the established schedules and deadlines for any amendments.

ULDC Amendment Rounds:

The following lists the tentative deadlines, and Land Development Regulation Advisory Board (LDRAB) and Board of County Commission (BCC) Zoning Hearing dates for the two ULDC Amendment Rounds scheduled for 2018.

ACTIVITY	ROUND 2018-01	ROUND 2018-02
Deadline to submit amendment requests to the Zoning Division	December 8, 2017	May 11, 2018
Deadline to submit backup documentation	January 5, 2018	June 8, 2018
LDRAB Update	January 24, 2018	June 27, 2018
BCC Initiation	January 25, 2018	June 28, 2018
LDRAB Meetings (1) (2)	January 24, 2018(3)	July 25, 2018
	February 28, 2018	August 22, 2018
	March 28, 2018	September 26, 2018
	April 25, 2018	October 24, 2018
	May 23, 2018	
BCC Hearing – Request for Permission to Advertise	June 28, 2018	November 29 2018
BCC Public Hearing – 1 st Reading (4)	July 26, 2018	January 3, 2019
BCC Public Hearing – 2 nd Reading and Adoption (4)	August 23, 2018	January 24, 2019

NOTES:

- (1) LDRAB Agenda's will be scheduled by the Zoning Division.
- (2) On the last meetings of the Round, or as otherwise required, the LDRAB will also serve as the Land Development Regulation Commission (LDRC).
- (3) Tentative LDRAB Annual Meeting.
- (4) Some amendments may only require one public hearing.



Dates may be subject to change. See the Zoning Division 2018 ULDC Amendment Schedule webpage at:

- <http://discover.pbcgov.org/pzb/zoning/ULDC/2018-Amendments-Schedule.aspx>.

Application Requirements

Initial submittal of amendment requests must include the following:

- 1) Cover letter from Department or Division Director, or other authorized staff;
- 2) Name, title and contact information of primary contact person (will be required to attend LDRAB, LDRC and BCC Hearings to answer any questions);
- 3) Location in ULDC of proposed amendment(s), to include exact article citation and title (or nearest relevant title), and page number(s); and,
- 4) A detailed summary of each proposed amendment.

Backup documentation must include the following for each proposed amendment:

- 1) Verification that any interested or affected persons or organizations have been consulted during the initiation of amendments, and are being updated where applicable;
- 2) A detailed background and summary; and,
- 3) Preparation of amendment exhibits using the file template provided by Zoning, providing citation and title, a concise "reason for amendment", and text, tables or images to be deleted, relocated or added.

Privately Initiated Amendments (PIA):

In 2012 the BCC adopted the Privately Initiated Amendment (PIA) process to assist the public and specific provisions are scheduled to be codified in January 2018. The County will coordinate with interested parties who choose to submit a PIA and ensure it follows the newly established process. For a copy of the flow chart process for a PIA, please visit the Zoning Web Page at:

- http://discover.pbcgov.org/pzb/zoning/PDF/FlowchartsProcesses/ULDC_Amend_Public_Initiat_Flowchart.pdf.

Pre-application Meeting:

A pre-application meeting is required prior to submittal of a County or privately initiated amendment. Please contact Code Revision staff at (561) 233-5566 to schedule an appointment.

If you have any questions or require additional information regarding the proposed schedules, please contact me at (561) 233-5234.

JPM/MC/zc

- C. Hard Copy to:
Faye W. Johnson, Assistant County Administrator
Patrick W. Rutter, Executive Director PZB

Electronic Copy to: Distribution List (attached)

DISTRIBUTION LIST

Honorable Paulette Burdick, Mayor, and Members of the Board of County Commissioners
Jerry Allen, Deputy Director, Department of Airports
Robert P. Banks, Chief Land Use County Attorney
Ali Bayat, Director Utilities Eng. Division, Water Utilities
Leonard Berger, Chief Assistant County Attorney
Todd J. Bonlarron, Assistant County Administrator
Eric Call, Director, Parks and Recreation
Lisa DeLaRionda, Director, Public Affairs Department
Bonnie Finneran, Director, Environmental Resources Management
Clinton B. Forbes, Executive Director, Palm Tran
Shannon Fox, Assistant County Attorney III
James E. Green, Director, Community Services
Sherry Howard, Deputy Director, Department of Economic Sustainability
Faye W. Johnson, Assistant County Administrator
Joanne M. Keller, Director of Land Development
Richard C. Radcliffe, Executive Director, League of Cities
Ronald W. Rice, Director, Cooperative Extension Service
Robert Robbins, Director, Environmental Resources Management
David L. Ricks, County Engineer
Dianne Sauve, Director, Animal Care and Control
Stephanie Sejnoha, Director, Public Safety Department
James C. Stiles, Director, Water Utilities
Gary M. Sypek, Director of Planning, Department of Airports
Nick Uhren, Executive Director, Metropolitan Planning Organization
Audrey Wolf, Director, Facilities Development and Operations

Lorenzo Aghemo, Director, Planning Division
Patricia Behn, Deputy Director, Planning Division
Ramsay Bulkeley, Deputy Director, PZB
Scott B. Cantor, Assistant Director, Land Development
William J Cross, AICP, Principal Site Planner, Zoning Division
Bryan Davis, Principal Planner, Planning Division
Wendy N. Hernandez, Zoning Manager, Community Development Review, Zoning Division
Michael Howe, Senior Planner, Planning Division
Robert Kraus, Senior Site Planner, Environmental Resources Management
Maryann Kwok, AICP, Deputy Director, Zoning Division
Barbara C. Pinkston, Principal Site Planner, Zoning Division
Patrick Rutter, PZ&B Executive Director
Robert Santos-Alborná, Director of Code Enforcement
Alan Seaman, Principal Site Planner, Admin Review, Zoning Division
Willie Swoope, Impact Fee Manager, PZ&B
Houston L. Tate, Director, Office of Community Revitalization
Bruce Thomson, Principal Planner, Planning Division – Monitoring
Doug B. Wise, Director, Building Division

Dr. Alina Alonso, M.D., Director, Health Department
Kristin Garrison, Director, Planning and Real Estate, School District of Palm Beach County
Darrel Graziani, Environmental Administrator, Palm Beach County Health Department
Arthur Kirstein, IV, Agricultural Economic Development Coordinator, PBC Coop. Ext. Service
Bob A. Hamilton, Director, Park Planning, Research and Development Division, Parks and Recreation
Jean Matthews, Senior Planner, Parks and Recreation
Timothy Mayer, Director, Division of Environmental Health and Engineering
Eric McClellan, Director, Facilities Development and Operations Strategic Planning
Elizee Michel, Executive Director, Westgate Community Redevelopment Area



ATTACHMENT 8

MEMORANDUM

TO: Melissa McKinlay, Mayor, and
Members of the Board of County Commissioners

FROM: Jon MacGillis, ASLA, Zoning Director *JM*

DATE: January 11, 2018

RE: **Initiation of Unified Land Development Code (ULDC) Amendment Round 2018-01**

This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the scheduling of ULDC amendments that have been prioritized for inclusion in Round 2018-01.

This memo will be presented at the January 25, 2018 BCC Zoning Hearing for discussion under "ULDC Amendments". In addition, staff has scheduled briefings with each Commissioner in advance of the Hearing to discuss the proposed amendments.

If you should have any questions or require additional information, please contact me at (561) 233-5234.

JM/MC

Attachment 1 - Initiation of ULDC Amendment Round 2018-01

C: Verdenia C. Baker, County Administrator
Faye W. Johnson, Assistant County Administrator
Patrick Rutter, PZ&B Executive Director
Ramsay Bulkeley, PZ&B Deputy Director
Wes Blackman, Chair and Members of the LDRAB
Robert Banks, Chief Land Use Assistant County Attorney
Leonard Berger, Chief Assistant County Attorney
Lorenzo Aghemo, Planning Director
Maryann Kwok, AICP, Deputy Director, Zoning
Monica Cantor, Senior Site Planner, Zoning
Zoning Division Staff

**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
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Planning Division 233-5300
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**Palm Beach County
Board of County
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Melissa McKinlay, Mayor

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Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

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"An Equal Opportunity
Affirmative Action Employer"

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2018-01
(Updated 1/8/18)

SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS	
Land Development Regulation Advisory Board (LDRAB) Meetings:	BCC Zoning Hearings:
<ul style="list-style-type: none"> • February 28, 2018 (Annual Meeting) • March 28, 2018 • April 25, 2018 • May 23, 2018 [Land Development Regulation Commission (LDRC)] 	<ul style="list-style-type: none"> • June 28, 2018: Request for Permission to Advertise • July 26, 2018: 1st Reading • August 23, 2018: 2nd Reading/Adoption

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
ART. 2, DEVELOPMENT REVIEW PROCEDURES		
Art. 2.D, Administrative Process*	Zoning	Provide authority to the Development Review Officer (DRO) to modify a BCC and ZC Site Plan ingress/egress for parcels in the Urban Redevelopment Area (URA) Overlay when the property frontages any main thoroughfare road. Currently the URA requires or encourages cross access and if the parcel has an approval prior to the adoption of the URA requirements, the applicant has to go back to the BCC or ZC for a Development Order Amendment (DOA) to the site plan. This amendment will allow the new ingress/egress to be done by DRO.
Art. 2.D.7, Reasonable Accommodation*	County Attorney	Allow reasonable accommodation for residential facilities serving the disabled with approximately 10 or fewer persons without requiring a public hearing as the equivalent Congregate Living Facility (CLF).
Art. 2.E, Monitoring	Planning	Update Monitoring regulations and review approved development order provisions.
ART. 3, OVERLAYS AND ZONING DISTRICTS		
Art. 3.A.3.E.2, Planned Development Districts	Zoning	Amend to allow a prior Special Exception (SE) for a Planned Industrial Development (PID) to correspond to the subject site's Light Industrial (IL) or General Industrial (IG) Zoning District where the minimum acreage or maximum building standards for Multiple Use Planned Development (MUPD) result in non-conformities. Currently the Code requires any previously approved PID to correspond to MUPD district. SE for Planned Developments such as PID are not required to rezone when submitting an application for amendment to the prior approval.
Art 3.B.14 - WCRAO	WCRA/ Zoning	Multiple amendments requested by Westgate Community Redevelopment Agency (WCRA) to update the provisions in the Westgate Community Redevelopment Area Overlay (WCRAO). WCRA has hired a consultant to assist them to identify and draft the ULDC amendments.
Art 3.D.2, PDRs for Specific Housing Type	Zoning	Add Cottage (AKA Tiny Home) as a new housing type and establish approval process, property development regulations and design standards.
Art. 3.E.1.E.1, Modifications [Related to Planned Developments]	Facilities Dev. & Operations	Expand DRO authority to add access points to civic pods supporting government facilities when traffic impacts are equal or less than approved by the BCC.

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2018-01

(Updated 1/8/18)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
Art. 3.E.2.F.3, Preserve Area [Related to Agricultural Reserve (AGR) Planned Unit Development (PUD)]*	Zoning/ Land Dev.	Establish when Agricultural Reserve (AGR) Planned Unit Development (PUD) preserve parcels are required to comply with concurrency along with Legal Positive Outfall or other requirement, needed to accommodate new Agricultural Uses.
ART. 4, USE REGULATIONS		
Art. 4.B.1.C.1, Congregate Living Facilities (CLF)	Zoning/ Planning	Codify Planning policies contained in Ordinance 2017-036 which established the new Congregate Living Residential (CLR) Future Land Use (FLU) designation for Type 3 CLF (more than 14 residents) in the Urban/Suburban Tier. Additional amendment may include modifications to Art. 4, Use Regulations, pertaining to Congregate Living Facilities and Nursing Home uses.
	County Attorney	Clarify that 24-hour nursing is not allowed in a CLF as it conflicts with the definition of the use.
Art. 4.B.1.E.2, Caretaker Quarters	Facilities Dev. & Operations	Expand Caretaker Quarters 800 to 1,000 square footage limitation for government uses as the structure also serves as an extension of services provided by the main use on site.
Art. 4.B.10.C.4.f.4), Excavation, Performed by a Public Agency, To Provide Drainage For A Public Street	Facilities Dev. & Operations	Clarify excavations necessary to create a public Right-of-Way (R-O-W) are subject to limited Type 2 Excavation standards.
Art. 4.B.2.C.20, Landscape Service:	Zoning/ Planning/	Landscape Service use amendments were not modified as part of the 2017 Use Regulations Project (URP). Staff and Industry have been meeting on a regular basis in 2017 to ascertain how best to accommodate the Landscape Service use that is integrated with the nursery industry. After 3 subcommittee meetings in April, May and November, the subcommittee motion was to seek direction from the BCC to: <ul style="list-style-type: none"> • Take into account more than 30 percent of the land area for accessory Landscape Service use, as that is the maximum percentage allowed for accessory uses, or; • Consider a Comprehensive Plan amendment to address this Commercial use in residential or agricultural zoning districts.
Art. 4.B.4.C.6, Crematory	Zoning	Update the use definition for consistency with State Statutes 497.005 to respond to new industry trends.
Art. 4.B.4.C.12, Nursing Home or Convalescent Facility	County Attorney	Revise the definition of nursing home to categorize residential treatment pursuant to Chapter 397 as included in the nursing home use.
Art. 4.B.5.4, Equestrian Waste Management Facility	Zoning	Establish regulations to address issues included in the Moratorium for Equestrian Waste, Animal Waste or Bio-Solids in the Glades Tier.
ART. 5, SUPPLEMENTARY STANDARDS		
Art. 5.B.1.A.2.e.2), Electrified Fences – Exceptions and Regulations	Zoning	2017 State Statute requires amendments to Electrified Fences for consistency.

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2018-01

(Updated 1/8/18)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
Art. 5.B.1.B Temporary Structures	Zoning/ Building	Reorganize zoning regulations related to temporary structures and accessory structures primarily reviewed through the Building Division permit review process.
Art. 5.D.2.G.3.a, Landscape Island [Related to Public Park Landscape Standards]	Parks and Recreation Department	Allow County owned and operated boat launching facilities to be exempt from the requirement of one landscape island for every 10 parking spaces on parking areas, particularly related to oversize parking spaces.
Art 5.E.4.E, Outdoor Lighting		Exempt public parks operated by PBC from the outdoor lighting provisions in Art. 5.E.4.E when they are closed after sunset.
Art. 5.E.5, Hours of Operation*	Zoning	<ul style="list-style-type: none"> • Provide consistency in the criteria used for the measurement of hours of operation to apply to non-residential uses adjacent to parcels with residential FLU designation or residential uses instead of residential zoning district. • Change Type 2 Variance application for hours of operation to Type 2 Waiver to allow the BCC to review such request instead of the Zoning Commission.
Temporary Construction Fence	Zoning/ Building	Establish regulations to address Temporary Construction Fencing required during construction Standards will include approval process, fencing material, signage and removal timeframes.
Vehicle Charging Stations	Zoning	Address new industry trend to allow Electric Vehicle Charging Stations as new use for which electricity is sold; or, expand site requirements when limited number of charging stations are located in parking areas of non-residential developments. It may include amendments to Art. 6, Parking.
ART. 6, PARKING AND LOADING*		
Art 6, Parking	Zoning	Update parking requirements for certain uses to respond to industry trends and current engineering studies. Also look at existing standards to determine when a Parking Demand Study and Shared Parking Agreement may be used to address specific parking needs.
ART. 9, ARCHAEOLOGICAL AND HISTORIC PRESERVATION		
Art. 9.A, Archeological Resources Protection	Planning	Update antiquated terminology consistent with current practice of identifying and reviewing potential historical sites.
ART. 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS		
Art. 2.G.4, Staff Officials	Land Dev.	Update duties for the County Engineer and the Director of Land Development.
Art. 11, Subdivision, Platting and Required Improvements		Update several sections to be consistent with current practices and to clarify several requirements.
ART. 12, TRAFFIC PERFORMANCE STANDARDS		
Art. 12.Q, Proportionate Fair Share Program	County Engineer	Bring the regulations into compliance with changes to state law and to reflect actual Department processes in administering the regulations.
ART. 13, IMPACT FEES		
Art. 13, Impact Fees	Financial Mngmnt & Budget	Update impact fee schedules as required under Art. 13.A.3.F, Biennial Review of the ULDC.

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2018-01
(Updated 1/8/18)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
ART. 14, ENVIRONMENTAL STANDARDS		
Art. 14.C, Vegetation Preservation and Protection	ERM	Delete language inconsistent with the Building Division Residential 1 and 2 family checklist, clarify the size of native vegetation that needs to be relocated and provide exemptions.
ART. 15, HEALTH REGULATIONS		
Art. 15.A.5.C, [Related to Onsite Sewage Treatment and Disposal System (OSTDS)]	Health Department	Update regulations pertaining to reporting data of the Onsite Sewage Treatment and Disposal System (OSTDS) for Single Lot or Parcel for compliance with recently updated State Statutes and local regulations.
PRIVATELY INITIATED AMENDMENTS (PIA) (MAY BE PROCESSED OUT OF ROUND)*		
Pioneer Road Overlay	Zoning	Phase 1 – Pioneer Road Property Owner's Association- Establish a new Zoning Overlay for an area of approximately 508 acres covered by the Pioneer Road Neighborhood Plan which is West of Jog Road along the South side of Southern Boulevard. The Overlay will establish minimum property development regulations such as minimum lot size that preserve the rural character of the area and protect rural and estate home uses.
OTHER - 2018 LEGISLATIVE SESSION		
	Zoning	PENDING: Review of laws adopted in 2018 Session to determine if any ULDC amendments are required for consistency.
	Zoning	The 2018 session filed State Senate Bill (SB) 574 and House Bill (HB) 521, preempts to the state the regulation of trimming, removal or harvesting of trees and timber on private property. If the Bill passes, ULDC Art. 7, Landscaping and Art. 14, Environmental Standards will be subject to amendments to comply with the State mandate.
OTHER		
2018 Comprehensive Plan Text Amendments	Zoning/ Planning	Proposed 2018 Comprehensive Plan amendments, may need the ULDC to be amended to: <ul style="list-style-type: none"> • Allow commercial FLU designation at the intersection of Boynton Beach Blvd and Acme Dairy Rd and increase the maximum square footage of commercial development in the AGR Tier. • Add floor area ratio maximums to the ULDC as they are currently in the Plan. • Establish standards pertaining to the location requirements, uses allowed, and compatibility of non-residential zoning districts to encourage collocation of uses and stimulate infill development. • Update mixed and multiple zoning districts regulations to address Future Land Use amendments that promote mixed uses. Address policies oriented to promote urban agriculture in the County where feasible.

* ULDC References are based on ULDC Supplement 22 and subject to change upon publication Supplement 23.

ATTACHMENT 9

LDRAB SUBCOMMITTEES

2017 Land Development Regulation Advisory Board (LDRAB) Subcommittees	
LANDSCAPE	
<p>The Landscape Subcommittee will reconvene in 2017 to address pending topics and work on the reorganization of Chapters in Article 7, Landscaping. The Subcommittee will be making recommendations for Unified Land Development Code (ULDC) amendments to be presented to the Land Development Regulation Advisory Board (LDRAB) and the Board of County Commissioners (BCC) in Round 2017-02, for tentative adoption in January 2018.</p>	
<p>LDRAB Subcommittee Members in 2017:</p> <p style="text-align: center;">Terrence Bailey Stuart R. Fischer David Carpenter Joanne Davis</p>	
LANDSCAPE SERVICE	
<p>Solicit feedback from industry, primarily in the AGR Tier, to ascertain how best to accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.</p>	
<p>LDRAB Subcommittee Members in 2017:</p> <p style="text-align: center;">Michael Peragine Philip L. Barlage Jim Knight Lori Vinikoor Frank J. Gulisano Tommy Strowd</p>	
GENERAL	
<p>General</p> <p>This Subcommittee will be reviewing minor amendments that require feedback from industry and interested parties. In Round 2017-02, this subcommittee is scheduled to review Article 2, Development Review Procedures to consider amendments oriented to address current applications review practice and the reorganization of some chapters in Article 2.</p>	
<p>LDRAB Subcommittee Members in 2017:</p> <p style="text-align: center;">James Knight Dan Walesky Abraham Wiem</p>	

Attachment 10

Sunshine Law Overview for Advisory Board Members

The Sunshine Law applies to *all* meetings of any governmental board at which “official acts” are to be taken and applies to any gathering or discussions of two or members of the same board regarding issues that *may* come in front of that board in the future.

All meetings of public agencies at which “official acts” are taken must be open to the public.

The term “official acts” includes not only the final act of the public agency, but ***every step in the decision making process*** which leads to the final act.

- ❖ The Sunshine Law requires all meetings to be held in the public.
- ❖ Advisory boards that recommend action to the ultimate decision making body must meet in the sunshine.
- ❖ Quasi-Judicial boards make final decisions must meet in the sunshine.
- ❖ All meetings must be reasonably noticed prior to the meeting. Notice of meetings can be posted on a website, in a newspaper and posting at the place of the meeting whenever possible.
- ❖ All meetings must be held at a facility that does not discriminate on the basis of sex, age, race, color, origin or economic status.
- ❖ All meetings must be conducted in a public facility that does not unreasonably restrict access.
- ❖ Written minutes must be taken at every meeting and must be accessible upon request within a reasonable amount time.

Ex-Parte Communications

- ❖ The Sunshine law prohibits two or more members from privately discussing ***any matter that might come before the board in the future.***
- ❖ No secret ballots may be conducted. Staff may not poll the board in advance of a meeting.
- ❖ Board members cannot have private discussions during a meeting (ex-parte communications), to avoid the appearance of impropriety. All discussions must be heard by everyone.
- ❖ Staff members are prohibited from serving as a go-between for board members when trying to circumvent the sunshine law, in order to pass messages from one board member to another.
- ❖ Members cannot circulate memos or e-mails to other board members for their comments.
 - (Note: any communication that you make concerning official county business even if by text message on your personal phone or on your personal email account is a public record subject to disclosure).

Quorum for Meetings

- A quorum of the board must be physically present at the meeting for official action to take place.

Penalties for violating the Sunshine Law

- Any member who *knowingly* violates the sunshine law is guilty of a **second degree misdemeanor**, punishable by a term of up to 60 days in jail, a fine of up to \$500 or both. Any appointed official convicted of a misdemeanor may be **removed from office**.
- Any member who violates the sunshine law is subject to a \$500 civil penalty.
- Agency decisions linked to sunshine law violation **can be rendered void**, although in some situations, decisions have been reinstated after full, public airing of the decision at issue.
- Agency must pay attorney's fees and costs to person who successfully alleges Sunshine Law violation.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 10/25/17)

Minutes of October 25, 2017 LDRAB Meeting

On Wednesday, October 25, 2017 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, Wesley Blackman called the meeting to order at 2:05 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 16

Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Philip Barlage (District 3)
James Knight (District 4)
Lori Vinikoor (District 5)
Rena Borkhataria (District 6)
Robert J. Harvey District 7)
Terrence Bailey (Florida Eng. Society)
Frank Gulisano (PBC Board of Realtors)
Tommy Strowd (Environmental Organization)
Daniel Walesky (Gold Coast Bld. Assoc.)
Anna Yeskey (PBC League of Cities)*
James McKay (AIA)
Charles Drawdy (Assoc. Gral Contractors of America)
Abraham Wein (Member at Large, Alt. 1)
Winifred Park Said (Member at Large, Alt. 2)

Members Absent: 2

Michael Peragine (District 1)
Derek Zeman (Fl. Surveying & Mapping)

County Staff Present:

Leonard Berger, Assistant County Attorney
Maryann Kwok, Deputy Zoning Director
Patricia Behn, Deputy Planning Director
Lisa Amara, Principal Planner, Planning
Monica Cantor, Senior Site Planner

Scott Rodriguez, Site Planner 2
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted the distribution of an add/delete sheet, and requested that it be included in the motion to adopt the agenda.

3. Motion to Adopt Agenda

Motion to adopt the agenda by Dr. Vinikoor, seconded by Mr. Carpenter. Motion passed (16 - 0)

4. Adoption of September 27, 2017 Minutes (Exhibit A)

Motion to adopt the Minutes by Mr. Carpenter, seconded by Dr. Vinikoor. Motion passed (16 - 0).

B. ULDC AMENDMENTS

1. Exhibit B - Art. 2, Development Review Procedures

Ms. Kwok briefly summarized and highlighted some parts of Article 2, especially those affected by the add delete sheet.

Ms. Kwok clarified that the purpose of the amendments is to reorganize the Article, and rename it, more appropriately "Application Processes and Procedures". A general overview of the changes include:

- Chapters A through C, re-organize Zoning Applications related to the Legislative, Quasi-judicial or Administrative Processes
- Chapter D - codify ULDC Privately Initiated Amendment (PIA) process.
- Chapter F, Concurrency for Development Orders deletes School Concurrency which is replaced in Chapter I where the Coordinated School Planning is established; and,
- Relocate the chapter on Future Land Use (FLU) Plan Amendments.

Ms. Kwok highlighted the main areas of reorganization:

- Chapter A provides general information pertaining to the Legislative, quasi-judicial and administrative processes. Establish Types 2 and 3 Concurrent review, which allows application to be submitted for simultaneous examination by different County agencies. Ms. Kwok mentioned an example of large and small scale land use amendments being heard concurrently with a zoning application at the same hearing. Clarification of when a Pre-Application Conference (PAC) and Pre-Application Appointment (PAA), are mandatory for Applicants to meet with staff prior to the official submittal of some applications. The purpose is to identify issues and ensure the applications are in compliance with the Comprehensive Plan and the ULDC. Mr. Carpenter expressed approval, voicing the time- saving benefit for both applicant and staff.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 10/25/17)

Minutes of October 25, 2017 LDRAB Meeting

- Chapter B, Public Hearing Processes consolidates all Public Hearing Procedures subject to BCC of ZC approval. Review, re-submittal, certification, Conduct of Hearing, Postponement, notifications, etc., are addressed. The changes also include re-ordering the hearing proceedings to require the applicant to make their presentation prior to staff's presentation
- Chapter 2.C. Administrative Processes, now replaces FLU Plan Amendment, which has been relocated to Chapter H. This section revises the standards for Administrative Modifications to Prior Development Orders and consolidates them into table format to make the process more understandable.
- DRO function is clarified to indicate what applications are subject to Full DRO or Zoning Agency Review (ZAR). It also identifies administrative modification thresholds for BCC or Zoning Commission approved site plans; and replaces Special Permit with ZAR processes, with the exception of billboards. This chapter deletes Type 1A Variance and consolidates it under Type 1 Waiver.
Codifies Zoning Confirmation Letter (ZCL) processes into three types: Informal, Non-Site Specific Formal, and Formal.
- Privately Initiated Amendment (PIA) application is being codified under a new Chapter D. The purpose, authority, standards and application procedure as well as the required action by the LDRAB and the BCC are addressed.
- Ms. Cantor requested the addition of text, not included on the add/delete sheet. Page 40, line 42, at the end of sentence: ...approved as Class A Conditional Use, add text "unless it is stated otherwise herein".

Ms. Behn, referred to Chapter F, Concurrency and explained that Florida Statutes require that counties and cities enter into a Coordinated School Planning agreement with the Palm Beach County School District and encourage local governments to have a uniform agreement. The agreement was adopted by the BCC and School Board in December, 2015 and updated in the Comprehensive Plan in April, 2017. As a result, Public School Concurrency is deleted from this chapter and provisions in Chapter I, Coordinated School Planning are established.

In response to Mr. Carpenter's question on the cost of the process, Ms. Behn recommended that the question be answered by Ms. Chris Garrison, Director of Planning, PBC School District, who replied that analysis is based on countywide generation rate. The School Capacity Availability Determination (SCAD) letter is comprehensive and addresses capacity of existing facilities, or planned facilities for additional students, and provides the ability to analyze the direct impact of new development on schools.

Ms. Amara noted that the amendments in Chapter H, FLU Plan Amendments, are to address regulatory items to:

- add "Privately proposed" on line 34, page 91, to describe applications that are acceptable;
- establish that a pre-app meeting with the Planning Division is mandatory;
- clarify grounds for postponement; and
- modify the requirements for courtesy notices and sign postings.

Mr. Walesky questioned why fees have to be paid in full prior to review and suggested that at staff's discretion, some applicants be allowed to pay later as fees are sometimes not calculated at the time. Ms. Kwok referred to the fee estimator on the Zoning web site which can be used by the applicant to estimate the amount, and explained that there is misunderstanding that postage has to be fully paid before review, which is not so. She preferred to leave the regulation as it is. Ms. Kwok also confirmed to Mr. Wein that fees cannot be adjusted because of project size.

Page 37, lines 48 - 52 – Postponement by Right - Dr. Vinikoor noted that in the new language there is no certain amount of postponements. Ms. Kwok responded that this is current practice being codified and postponements are at the Board's discretion. The Chair also noted that Line 51 "five days prior to the date" should replace "five days of the date".

Page 38, line 39 - Changed Conditions or Circumstances - Dr. Vinikoor referred to strike-out of "conditions". Ms. Kwok explained that most people understand it to be "Conditions of Approval", so the word was stricken to avoid confusion. After discussion, keeping them both

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 10/25/17)

Minutes of October 25, 2017 LDRAB Meeting

seemed preferable. It was decided to retain the heading and have the body read: “changed site conditions or circumstances”. This change is to be made wherever that text is found.

Mr. Blackman noted that the number 7 appearing on page 42, line 15 is not related to the text and should be deleted. Also, on page 79, the E at the end of line 7 should be removed.

Ms. Colleen Walter from Urban Design Kilday Studio explained that she had provided input for the changes, mostly reformatting, to simplify, include current practices not codified and generally to look at the administrative process. She thanked Ms. Kwok for the changes as shown on the add delete, pages 4 and 5, which have now been tabulated and is easier to follow. It is expected that the Article will be more user friendly after this clean up. She thanked staff and the Board for their consideration.

Page 87, line 27 – Mr. Carpenter queried voting by alternates and Mr. Berger clarified that alternates are allowed to vote and their votes are counted as long as there is a quorum of members.

Motion to adopt with the add/delete and text changes, proposed by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (16 - 0).

2. Exhibit C - Art. 5.B.1.A, Accessory Uses and Structures [Related to Government Owned Towers

Ms. Cantor clarified that provisions related to Government Towers is a new section to accomplish the following purposes:

- Identify which provisions for commercial communication towers in Art. 4, Use Regulations apply to government owned towers.
- Apply Article 1, definition of emergency to determine the specific provisions applicable to government owned towers and circumstances which would make them subject to zoning approval.
- Clarify the approval applicable to new or modified existing government owned towers less than 100 ft high, and establish regulations in a separate table for towers that do not meet the standards or are higher than 100 feet.
- Include a new standard to clarify that in cases where the government tower is intended to include or already includes commercial antennae, commercial communication tower regulations in Article 4.B.9, shall apply.
- Establish approval and supplementary standards for constructing new or modifying existing government owned towers needed in emergencies to protect PBC residents. The amendment provides two options to process and approve emergency tower requests, one option that is applicable to existing towers and the other applicable to new towers.
- Provide a mechanism between any non-PBC government agency and the PBC Facilities Department to coordinate a BCC public meeting or hearing once notification requirements are met. Facilities will ensure that the proposed towers are not interfering with the operation of PBC government owned towers.
- Clarify that due to the emergency associated with the construction of a government tower, public hearing notification requirements are limited to publishing the hearing in a newspaper and placing signs on the affected property.
- Allow reduction of setbacks, separation and distance between towers through public hearing, when it is demonstrated that the emergency tower will not affect adjacent uses and structure.
- Establish standards that include provisions for supplementary standards to allow modification to existing government towers, including relocation on the same site if there is an urgent need to restore emergency communication.

Motion to adopt by Mrs. Carpenter, seconded by Mr. Gulisano. Motion passed (16 - 0).

3. Exhibit D – Electronic Message Signs

Ms. Cantor explained the applicability for Type 1 Electronic Message Signs needs clarification by defining Regional Facilities. She indicated the definition addresses sites that hold large events with capacity of more than 2,000 people. Amendments allow for requesting larger sign areas, reduction in setbacks or increase in sign height through Type 2 Waivers, based on compliance with the criteria for the request. She explained that the Fair Grounds will be one of the sites in the County allowed to have this type of signage.

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**
(Updated 10/25/17)

Minutes of October 25, 2017 LDRAB Meeting

Motion to adopt by Mr. Carpenter, seconded by Mr. Knight. Motion passed (16 - 0).

4. Exhibit E – Temporary Signs

Mr. Berger explained that these amendments, consolidate and simplify small signs. He also pointed out that temporary signs are associated with temporary uses such as Special Events, and indicated that the amendment joins temporary signs standards, based on residential or non-residential location.

Motion to adopt by Mr. Carpenter, seconded by Dr. Vinikoor. Motion passed (16 – 0)

C. CONVENE AS LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

1. Proof of Publication

Motion to approve by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed (16-0).

2. Consistency Determination

Mr. Rodriguez, stated that the proposed amendments B.1 through B.4 and the previously presented amendments Exhibits F through N were consistent with the Comprehensive Plan.

Motion to approve consistency determination by Mr. Carpenter, seconded by Mr. Gulisano. The motion passed (16 - 0).

D. Adjourn as LDRC and Reconvene as LDRAB

E. PUBLIC COMMENTS

There were no public comments.

F. STAFF COMMENTS

Ms. Cantor updated the Board on planned Subcommittee meetings, indicating that the next meeting of the Landscape Service Subcommittee will be on November 7, 2017.

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:50 p.m.

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

Minutes drafted by:

Zona Case, Zoning Technician

Date

EXHIBIT B

**MODIFICATIONS BY THE DRO [RELATED TO PDD],
ACCESSORY QUARTERS AND CARETAKER QUARTERS,
EXCAVATION [RELATED TO PUBLIC STREET DRAINAGE]
SUMMARY OF AMENDMENTS**

(Updated 1/17/18)

Part 1. ULDC Table 2.C.5.B – Administrative Modifications to Prior DOs (page 46 of 105), is hereby amended as follows:

Reason for amendments: [FD&O/Zoning]
1. Indicate in Art. 2 a new authority to the Development Review Officer (DRO) to modify prior Development Orders as a cross reference to proposed language in Art. 3.E, Planned Development Districts (PDDs), shown in part 2 below.

Table 2.C.5.B - Administrative Modifications to Prior DOs

Request	Allowable Modification	Criteria
....		Full DRO
External Emergency Access Ways	Addition of emergency access ways	<ul style="list-style-type: none"> Required by the PBC Fire Rescue Department; Notice to the District Commissioner by the Zoning Division; and Access point(s) shall be secured by a gate that has the necessary mechanism to ensure it is closed and secured after each Fire Rescue emergency call. [Ord. 2015-006]
<u>External Access Way to a Civic Pod</u>	<u>Addition of access ways</u>	<ul style="list-style-type: none"> <u>Pod supports a Fire Rescue station, Government Owned Towers or a Government Facility;</u> <u>Notice to the District Commissioner by the Zoning Division prior to DRO approval; and,</u> <u>No substantial increase in traffic impact above that approved by the BCC as determined by the County Engineer.</u>
....		

Part 2. ULDC Art. 3.E.1.E.1, Modifications by the DRO to a Master Plan, Site Plan, Subdivision Plan or Regulating Plan (page 140 - 141 of 212), is hereby amended as follows:

Reason for amendments: [FD&O/Zoning]
1. To incorporate language authorizing the DRO to add access such as a driveway to a civic pod when: <ul style="list-style-type: none"> that access supports a Fire Rescue station or other government facilities, the County Engineer determines that no substantial increase in traffic impacts are above what the BCC approved; and, the District Commissioner is notified of the access point prior to DRO approval.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDD)

Section 1 General

E. Modifications

1. Modifications by the DRO to a Master Plan, Site Plan, Subdivision Plan or Regulating Plan

In addition to Article 2.D.1, Development Review Officer, the DRO shall have the authority to approve modifications to a master plan, subdivision plan, site plan or regulating plan approved by the BCC or ZC, subject to the following limitations. In case of a conflict with Art. 2.A.1.G.3, Plan Requirements and Art. 2, Development Review Procedures, the following standards shall apply. Modifications which do not comply with these procedures and requirements or this Section shall require approval by the BCC. [Ord. 2009-040]

....

f. Access

Access shall not be added to roads external to the project, internal roads indicated on the Thoroughfare Identification Map, or to roads external to a pod, except for ~~a residential pod:~~

- 1) ~~access to roads external to a residential pod, but internal to the project, may be added in accordance with Article 11, Subdivision, Platting and Required Improvements; [Ord. 2015-006] [Relocated from this paragraph, below]~~
- 2) a Civic Pod supporting a Fire Rescue station, Government Owned Tower, or other Government Facilities having no substantial increase in traffic impact above that approved by the BCC as determined by the County Engineer. Such modification shall be notified to the District Commissioner by the DRO prior to approval; and,
- 3) the addition of emergency access ways as required by PBC Fire Rescue. The DRO shall ensure the District Commissioner is notified of this request in advance of final DRO approval. The access point shall be secured by a gate that has the necessary mechanism to ensure it is closed and secured after each Fire Rescue emergency call.

Notes:

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EXHIBIT B

**MODIFICATIONS BY THE DRO [RELATED TO PDD],
ACCESSORY QUARTERS AND CARETAKER QUARTERS,
EXCAVATION [RELATED TO PUBLIC STREET DRAINAGE]
SUMMARY OF AMENDMENTS**

(Updated 1/17/18)

Access to roads external to a residential pod, but internal to the project, may be added in accordance with Art. 11, Subdivision, Platting, and Required Improvements. [Ord. 2015-006] [Relocated 3.E.1.E.1.f.1),above]

Part 3. ULDC Table 4.B.1.D – Corresponding Accessory Use to a Principal Use (page 20 of 204), is hereby amended as follows:

Reason for amendments: [FD&O/Zoning]
1. [Facilities] To establish a Caretaker Quarters that is accessory to a Government Facility as a use Permitted by Right. Where provided, a Caretaker Quarters serves to lend direct support to the mission and operation of the principal Government Service use (for example, a residence for the Park Ranger serving a Public Park, full time caregiver for PBSO’s Mounted Unit or PBSO’s K-9 Unit, or Animal Care and Control Division employees performing overnight observation/treatment to injured animals) although classified and defined as a separate use by the ULDC.
2. [Zoning] Clarify meaning of “D” by indicating it is an administrative approval process applicable to Caretaker Quarters.

Table 4.B.1.D – Corresponding Accessory Use to a Principal Use

Accessory Use	Principal Use													
	Mobile Home Dwelling	Multifamily	Single Family	Townhouse	Zero Lot Line	Bona Fide Agriculture	Stable Commercial / Stable Private	Agricultural Uses	Commercial Uses	Industrial Uses	Institutional, Public and Civic Uses	Recreation Uses	Utilities and Excavation Uses	Transportation Uses
....														
Caretaker Quarters (4)	-	-	-	-	-	D	D	D	D	D	D	D	D	D
....														
[Ord. 2018-XXX]														
Notes														
....	D <u>DRO Approval through the ZAR process</u>													
....	(4) <u>Permitted by Right when accessory to Government Facilities.</u>													

Part 4. ULDC Art. 4.B.1.E, Accessory Residential Use Standards [Related to Accessory Quarters and Caretaker Quarters] (page 20 of 204), is hereby amended as follows:

Reason for amendments: [FD&O/Zoning]
1. Delete 800 and 1,000 square footage limitation applicable to Accessory Quarter and Caretaker Quarters as specific provisions in Art. 5, establish the maximum square footage applicable to accessory uses. These specific limitations from the 1973 Code are no longer required.

CHAPTER B USE CLASSIFICATION

Section 1 Residential Uses

E. Accessory Residential Use Standards

1. Accessory Quarters

a. Definition

A complete, separate living facility equipped with a kitchen and provisions for sanitation and sleeping, located on the same lot as the owner occupied principal dwelling.

~~b. Building Area~~

~~The use shall be subject to the following:~~

- ~~1) On less than one acre: a maximum of 800 square feet.~~
- ~~2) On one acre or more: a maximum of 1,000 square feet.~~

Notes:

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EXHIBIT B

MODIFICATIONS BY THE DRO [RELATED TO PDD],
ACCESSORY QUARTERS AND CARETAKER QUARTERS,
EXCAVATION [RELATED TO PUBLIC STREET DRAINAGE]
SUMMARY OF AMENDMENTS

(Updated 1/17/18)

- 3) ~~The floor area calculation shall include only the living area of the accessory quarter under a solid roof.~~
- 4) ~~Additional floor area under a solid roof that is utilized as a porch, patio, porte-cochere, carport, or garage shall not exceed 500 square feet.~~

[Renumber Accordingly]

2. Caretaker Quarters

a. Definition

An accessory residence used by a caretaker engaged in providing security, custodial or managerial services upon the premises.

~~b. Building Area~~

~~The use shall be subject to the following:~~

- ~~1) On less than one acre: a maximum of 800 square feet.~~
- ~~2) On one acre or more: a maximum of 1,000 square feet.~~

[Renumber Accordingly]

Part 5. ULDC Art. 4.B.3.C.9.c, Collocated Uses [Related to Public Park] (page 63 of 204), is hereby amended as follows:

Reason for amendments: [FD&O/Zoning]
1. Amend to reflect consistent use of the terminology applicable to Caretaker Quarters through the Code.

Section 3 Recreation Uses

C. Definitions and Supplementary Use Standards for Specific Uses

9. Park, Public

c. Collocated Uses

The following shall be collocated uses Permitted by Right in the PO Zoning District when included as part of a Public Park:

- 1) Outdoor Shooting Range limited to non-mechanical equipment archery;
- 2) Arena or Stadium or Amphitheater separated at least 1,500 feet from parcels of land with a Conservation and Residential FLU designation or use.
- ~~3) Commercial Equestrian Arena;~~
- ~~4) Marina limited to docks, wet slips or boat ramps; and,~~
- ~~5) Security or Caretakers Quarters.~~

....

Part 6. ULDC Art. 4.B.10.C.4.f.4), Excavation, Performed by Public Agency, To Provide Drainage For A Public Street (page 186 of 204), is hereby amended as follows:

Reason for amendments: [FD&O/Zoning]
1. [Facilities] To clarify existing language related to Type 2 Excavations performed by public agencies for public street drainage purposes, to better reflect historic and current practice.
2. [Zoning] Clarify that a Type 2 Excavation made for the drainage of a public street and performed by a public agency is limited to the provisions indicated in this section, and that all other regulations that a Type 2 Excavation is subject to do not apply.

CHAPTER B USE CLASSIFICATION

Section 10 Excavation Uses

C. Definitions and Supplementary Use Standards for Excavation Uses

4. Type 2 Excavation

f. Use Approval and Procedures

4) Excavation, Performed by Public Agency, To Provide Drainage For A Public Street

....

- b) For the purpose of Art. 4.B.10.C.4, Type 2 Excavation, authorization by PBC, FDOT or a Water Control District to construct public streets shall constitute a valid Development Order. The excavation design and activity shall only be required to comply with these standards indicated below: No other provision applicable to Type 2 Excavation as contained in this Article shall apply.

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EXHIBIT B

MODIFICATIONS BY THE DRO [RELATED TO PDD], ACCESSORY QUARTERS AND CARETAKER QUARTERS, EXCAVATION [RELATED TO PUBLIC STREET DRAINAGE] SUMMARY OF AMENDMENTS

(Updated 1/17/18)

- 1 (1) Notice of Intent to Construct pursuant to Article 4.B.10.B.6, Notice of Intent to
- 2 Construct;
- 3 (2) Operational and Construction standards pursuant Article 4.B.10.B.7.a,
- 4 Operational Standards and Requirements, Article 4.B.10.B.7.b, Construction
- 5 Standards, and Article 4.B.10.B.7.a.10), Hauling Standards;
- 6 (3) Littoral zone and general upland reclamation requirements pursuant to Article
- 7 4.B.10.B.7.c, Reclamation Standards; and,
- 8 (4) Maintenance and Monitoring requirements pursuant to Article 4.B.10.B.7.e,
- 9 Maintenance and Monitoring.

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EXHIBIT C

ARTICLE 4.B.3.C.5, FITNESS CENTER SUMMARY OF AMENDMENTS

(Updated 2/20/18)

1 Part 1. ULDC Art. 4.B.3.C.5, Fitness Center (page 67 of 204), is hereby amended as follows:
2

Reason for amendments: [Zoning] Prior to the Use Project, Fitness Center was permitted by right in Planned Development Districts (PDDs) when limited to 15,000 sq ft of gross floor area as indicated in the Supplementary Use Standards. As part of the Use Regulations Project, use matrices were modified to indicate the most restrictive approval process of the uses and the lesser approval, if applicable, was stated in the Supplementary Use Standards. This amendment corrects a scrivener's error made when the thresholds in the standards were not carried over the new language in the Use Project. This amendment:

- utilizes the same threshold applicable to the Fitness Center in Community Commercial (CC) Zoning District to allow Multiple Use Planned Development (MUPD) with Commercial Low (CL) Future Land Use (FLU) designation to be subject to DRO approval or Permitted by Right since CC is consistent with CL FLU designation.
- Establishes a threshold for the use to be Permitted by Right in a Commercial Pod of a Planned Unit when less than 10,000 Square feet. This change is made for consistency with existing provisions in Art. 3 applicable to commercial pod of PUD that requires any single use exceeding 10,000 square feet of GFA to obtain approval as a Conditional Use.

3

4 CHAPTER B USE CLASSIFICATION

5 Section 3 Recreation Uses

6 C. Definitions and Supplementary Use Standards for Specific Uses

7 5. Fitness Center

8 a. Definition

9 An establishment containing multi-use facilities for conducting recreational sport activities.

10 b. Typical Activities

11 Typical sport activities may include but is not limited to aerobic exercises, weight lifting,
12 running, swimming, racquetball, handball, squash, dance studios and martial arts studios.

13 c. Approval Process—

14 1) CC Zoning District and MUPD with CL FLU Designation

15 4a) A Fitness Center that has less than 8,000 square feet of GFA shall be Permitted
16 by Right.

17 2b) A Fitness Center with more than 8,000 square feet but less than 15,000 square
18 feet shall be subject to DRO approval.

19 2) Commercial Pod of PUD

20 A Fitness Center less than 10,000 square feet may be Permitted by Right.

21 d. Zoning District - CN Zoning District

22 The use shall be limited to 3,000 square feet of GFA when located in CN Zoning District
23 and shall not include outdoor activities.

24 e. Existing Approvals – IL Zoning District and Industrial Light pod of PIPD

25 A Fitness Center legally established in the IL Zoning District or Industrial Light pod of a
26 PIPD prior to March 2, 2017 shall be considered legal conforming.

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EXHIBIT D

ARTICLE 4.B.4.C.6, CREMATORY SUMMARY OF AMENDMENTS

(Updated 02/13/2018)

1
2 Part 1. ULDC Art. 4.B.4.C.6, Crematory (page 75 of 208), is hereby amended as follows:
3

Reason for amendments: [Zoning]
--

1. Update the use definition of Crematory to allow any possible new methods used to reduce dead human body to be considered. Current definition limits the use to incineration which does not address new industry methods. A reference to the definition of "cremation" as contained in State Statutes 497.005 (22) pertaining to Funeral, Cemetery and Consumer Services, is added to provide additional clarification of what the use may include.

4 **CHAPTER B USE CLASSIFICATION**

5 **Section 4 Institutional, Public and Civic Uses**

6 **C. Definitions and Supplementary Use Standards for Specific Uses**

7

8 **6. Crematory**

9 **a. Definition**

10 A facility ~~used for the incineration that employs various methods to reduce size or quantity~~
11 of human or animal remains, consistent with F.S. 497.005, as periodically amended.

12 **b. Equipment Location**

13 Crematory equipment shall be located within a fully enclosed building.

14 **c. Services Prohibited**

15 Services such as public observances, sermons or other similar activities shall be
16 prohibited, unless collocated with an approved funeral home.

17 **d. Collocated Use**

18 In the RM Zoning District, a Crematory may be collocated with a Cemetery subject to Class
19 A Conditional Use approval, provided the use is restricted to those being buried within that
20 Cemetery.
21

....

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Notes:

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS [RELATED TO ART. 5.D.2.G.3.A, LANDSCAPE ISLANDS (PUBLIC PARKS) AND ART. 5.E.4.E, OUTDOOR LIGHTING] SUMMARY OF AMENDMENTS

(Updated 02/16/18)

1
2 Part 1. ULDC Art. 5.D.2.G.3., Off Street Parking Requirements (page 59 of 107), is hereby
3 amended as follows:
4

Reason for amendments: [Parks & Recreation]

1. This amendment is intended to eliminate landscape islands to facilitate navigation and parking when pulling a trailer, maximize the yield of boat/trailer parking stalls, and preclude recurring damage to interior landscape and curbing at the County's limited inventory of heavily used boat ramps by exempting such stalls from the requirement for landscape islands.

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

6 **Section 2 Types of Parks**

7 **G. Public Park Landscape Standards**

8 **3. Off Street Parking Requirements**

9 **a. Landscape Islands**

10 One landscape island a minimum of ten feet in width shall be required per ten spaces, in
11 all Tiers (maximum 100 feet apart), excluding spaces that are designated for vehicles with
12 trailers. [Ord. 2006-004] [Ord. 2018-XXX]

13

14
15 Part 2. ULDC Art. 5.E, Outdoor Lighting, (page 66 and 68 of 110), is hereby amended as follows:
16

Reason for amendments: [Parks & Recreation]

1. The purpose of this amendment is to permit County owned or operated park facilities which are only open from sunrise to sunset to be exempt from outdoor lighting requirements.

17 **CHAPTER E PERFORMANCE STANDARDS**

18 **Section 4 Nuisances**

19 **E. Outdoor Lighting**

20 **2. Applicability**

21 ...

22 **c. Exemptions**

23 The following uses shall be exempt to the extent listed below: [Ord. 2005-041]

24

25 **5) Public Park and Recreation Facilities**

26 Government owned or operated public parks and recreational facilities that are only
27 open between dawn and dusk, shall not be subject to the requirements of this Section.

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Notes:

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EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS SUMMARY OF AMENDMENTS

(Updated 2/12/18)

1 Part 1. ULDC Art. 11, Subdivision, Platting and Required Improvements (page 7, 15, 22, 33-34,
2 36-37, 39, 42 and 45 of 46), is hereby amended as follows:
3

Reason for amendments: [Land Development]
--

- | |
|--|
| 1. To allow for delegation of interpretation authority from County Engineer to the Director of Land Development. |
| 2. To update code references to reflect current practices. |

4 CHAPTER A GENERAL REQUIREMENTS

5 Section 1 General Provisions

6 A. Applicability

7 The regulations set forth in this Article shall be applicable to all subdivision of land in unincorporated
8 PBC, Florida, or as hereafter established. Pursuant to Art. 2.G.4, Staff Officials, the Director of
9 Land Development shall be responsible for review and rendering interpretations on behalf of the
10 County Engineer. Deviations from the provisions of this Article may be permitted for development
11 supporting government facilities within the PO Zoning District, subject to approval by the County
12 Engineer utilizing the following standards: [Ord. 2007-013]
13

14 Section 5 Previously Approved or Platted Subdivisions

15 A. Active Subdivision Development

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

Reason for amendments: [Land Development]
--

- | |
|---|
| 1. To update reference for consistency with reorganization of Art. 2, Application Processes and Procedures and reflect Development Review Officer (DRO) authority to modify Planned Development subdivision plans is limited to thresholds. |
|---|

20 2. Modifications to an Active Subdivision Plan or Preliminary Plat

21 Modifications to an active subdivision plan or preliminary plat shall subject the development to
22 the requirements of this Article when:

- 23 a. The modification of an active subdivision plan for a planned development cannot be
24 approved by the DRO ~~in accordance with the authority granted to it under Article 2.D.1,~~
25 ~~Development Review Officer if it exceeds threshold of Art. 2.C.5.B, Administrative~~
26 ~~Modifications to Prior DOs;~~ or
27 b. The modification of an active subdivision plan or preliminary plat constitutes more than a
28 minor deviation such that, in the opinion of the County Engineer, the construction plans for
29 the required improvements require a new submittal and review.
30
31

32 CHAPTER B SUBDIVISION REQUIREMENTS

33 Section 1 Technical Compliance

Reason for amendments: [Land Development]
--

- | |
|--|
| 1. To clarify that the Roadway Production Division reviews construction plans and preliminary plats for all streets; not just Thoroughfare Plan streets. |
|--|

34 C. Review of the Technical Compliance Submittal

35 1. Agency Comments

36 The County Engineer shall forward copies of appropriate submittal documents to the following
37 agencies for written comments regarding conformance with requirements of their respective
38 regulations and program responsibilities: [Ord. 2014-025]

- 39 a. Director, Land Development Division of DEPW: construction plans and preliminary plat;
40 b. Director, Traffic Division of DEPW: construction plans and preliminary plat;
41 c. Director, Survey Section of DEPW: preliminary plat;
42 d. Director, Zoning Division of PZB: preliminary plat;
43 e. Addressing Section, Administration Division of PZB: preliminary plat;
44 f. Director, Parks and Recreation Department: preliminary plat;
45

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EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 2/12/18)

- 1 g. Director, Roadway Production Division of DEPW: construction plans and preliminary plat;
2 ~~for Thoroughfare Plan streets;~~
3

....

Reason for amendments: [Land Development]
--

- | |
|---|
| 1. To clarify that Record Drawings are no longer required to be printed on mylar sheets since Land Development is making an effort reduce printed paper requirements. |
|---|

Section 5 Construction of Required Improvements

....

F. Administration of Construction

4. Engineer's Certificate of Completion

The required improvements shall not be considered complete until a certificate of completion, certifying to construction in conformance with the approved plans, and the final project records have been submitted to, reviewed, and approved by the County Engineer. The certificate shall be signed and sealed by the developer's engineer and shall be in a form established by the County Engineer, as prescribed in the Land Development Forms Manual. Said certificate shall make specific reference to, and be accompanied by copies of measurements, tests and reports made on the work and materials during the progress of construction, along with a Record Drawing copy of each of the construction plans ~~on a high quality, time stable, reproducible mylar~~, showing the original design in comparison to the actual finished work with all material deviations noted thereon.

....

Section 6 Supplemental Procedures

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

Reason for amendments: [Land Development]
--

- | |
|---|
| 1. To update reference for consistency with reorganization of Art. 7, Landscaping done in through the amendment Round 2017-02 and reflected in Ord. 2018-002. |
|---|

5. Structures or Plantings

The provisions herein shall be applied to required approvals by the County Engineer for the installation of structures or plantings in, on, or over lake maintenance easements. The following criteria shall apply to the installation of such structures and plantings:

- a. No structure or above grade construction, except that which may be easily removed, shall be permitted in lake maintenance easements. Examples of impermissible structures are houses, garages, screened enclosures, concrete block walls, concrete decks, affixed permanent sheds, and pools. Examples of permissible structures are thatch sheds, wood decks, and non concrete fences, contingent on said structures not being structurally affixed to the ground;
- b. Trees or shrubs shall not be planted, nor structures placed, in the lake maintenance easement where the planting or placement of such would obstruct access by equipment to outfalls or water control structures;
- c. A removal declaration in a form acceptable to the County Attorney shall be recorded, at the expense of the property owner;
- d. The POA consent to the specific structure(s), tree(s), or shrub(s) shall be required where a POA has responsibility for lake maintenance. If any other entity has a beneficiary interest in the easement or a responsibility for lake maintenance, that entity's consent shall be required; and
- e. Trees or shrubs planted pursuant to this Subsection shall be limited to those species permitted ~~pursuant to Article 7.D, Landscape Standards under Art. 7, Landscaping, Appendix A – PBC's Preferred Species List, as amended~~, and shall not include any portion of the minimum site landscaping required pursuant to Art. 7.C, Landscape Buffer and Interior Landscaping Requirements.

....

CHAPTER E REQUIRED IMPROVEMENTS

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EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 2/12/18)

1 **Section 2 Access and Circulation Systems**

2 **A. Vehicular Circulation Systems**

3

Reason for amendments: [Land Development]
1. To clarify that rules applicable to double frontage lots also apply to corner lots.
2. To eliminate reference to road cross sections that were never implemented by Land Development.

5
6 **4. Double Frontage Lots and Corner Lots**

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

8 **a. Residential Lots**

9 Where a lot abuts both a street of non-plan collector or higher classification and a local street, access to said lot shall be by the local street. **[Ord. 2014-025]**

10
11 **b. Non-Residential Lots**

12 Where a lot abuts streets of local or higher classification, access to the lot shall be by the street of lower classification, unless otherwise permitted by this Code; provided, however, that access shall not be permitted on a local residential or residential access street as prescribed on Table 11.E.2.A-2, Chart of Minor Streets ~~or Table 11.E.2.A-3, MGTS Cross Section Streets, as applicable, unless the street cross section is improved to meet local commercial standards.~~

13
14
15
16
17
18
19

Reason for amendments: [Land Development]
1. To delete reference to street cross sections that were never implemented by Land Development.

20
21 **13. Pavement Widths**

22 Pavement widths for streets shall be in accordance with Table 11.E.2.A-2, Chart of Minor Streets ~~or Table 11.E.2.A-3, MGTS Cross Section Streets, as applicable.~~

23
24
25

Reason for amendments: [Land Development]
1. In an effort to reduce the number of subdivision variances being requested, the table is being updated to show that certain roads may be legal access for more types of uses provided that the maximum traffic allowed (ADT) is not exceeded.

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

CLASSIFICATION	MINIMUM WIDTH (FT.)		MAXIMUM ALLOWABLE ADT	ALLOWED AS LEGAL ACCESS FOR (a) COMMERCIAL RESIDENTIAL	
	STREET (b)	PAVEMENT (c)			
Non-Plan Collector	80	24	13,100	X	
Marginal Access	50	24	N/A	X	X
Local Residential (d)					
Gutters	50	20	1,500		X
Swales	60	20	1,500		X
Local Commercial	80	24	13,100	X	X
Residential Access (e)					
One Sidewalk	40	20	800		X
No Sidewalk (f)	32	20	40		X
[Ord. 2014-025]					
Notes:					
(a) An 'x' under the commercial or residential column indicates the corresponding street classification is allowed as legal access.					
(b) Street width refers to standard R-O-W or private street tract width.					
(c) Pavement width represents two travel lanes of equal width and does not include the additional width of paved shoulder where required.					
(d) <u>Allowed as legal access for residential provided that the maximum allowable ADT is not exceeded. Also, Streets streets</u> within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface.					
(e) Use is restricted to private streets providing access to townhouse and zero lot line units within a Planned Development district.					
(f) Use is restricted to private streets providing access to up to four lots. [Ord. 2014-025]					

27 **Notes:**

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EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 2/12/18)

Reason for amendments: [Land Development]
1. To delete cross section streets that were never implemented by the Engineering Department. The Land Development Design Standards Manual was never updated to allow these cross sections and there are provisions to allow modifications to the current sections, where necessary, should a developer wish to utilize one of the cross sections below.

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
Plan Collector-Urban/Suburban Tier					
Standard	62	22	13,100	X	
Variation	64	22	13,100	X	
Plan Collector-Exurban/Rural/Ag Reserve Tiers					
Standard	104	24	1,500	X	
Non Plan Collector-Urban/Suburban Tier					
Standard	110	24	13,100	X	
Non Plan Collector-Exurban/Rural/Ag Reserve Tiers					
Standard	102	24	13,100	X	
Local Commercial-All Tiers (f)					
Standard	46	22	10,000	X	
Local Residential-All Tiers (f)					
Standard	57	20	1,500		X
Variation	63	20	1,500		X
[Ord. 2014-025]					
Notes:					
(a) An 'X' under the commercial or resident column indicates the corresponding street classification is allowed as.					
(b) Street width refers to standard R-O-W or private street tract width.					
(c) Pavement width and does not include the additional width of paved shoulder, where required, or parking.					
(d) Streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface.					
(e) Required for all TDD's.					

Reason for amendments: [Land Development]
1. To update the code for current minimum sidewalk width.

B. Pedestrian Circulation System

1. Requirement for Sidewalks

Except as provided in this Section, sidewalks shall be constructed on both sides of all streets. For 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~~five 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. **[Ord. 2014-025]**

....

Section 4 Stormwater Management

D. Design Flood Elevation Determination

Reason for amendments: [Land Development]
1. To add "as amended" to the SFWMD and Florida Administrative Code references since changes are proposed to both of these.

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EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 2/12/18)

- 1 Unless otherwise specified by a particular design or performance standard, the 100-year flood elevation applicable to a development site shall be determined as the highest of:
2
3
4 1. The base flood elevation specified for the area of development located within zones designated
5 A, AH, or A1-30 as delineated on the appropriate FIRM;
6
7 2. The wind or current driven wave elevation specified for the area of development located within
8 zones designated V1-V30 as delineated on the appropriate FIRM;
9
10 3. The inundation elevation obtained by adding the depth of shallow flooding to the area-weighted
11 mean pre-development elevation of the area of development located within zones designated
12 A0 as delineated on the appropriate FIRM;
13
14 4. The 100-year inundation elevation established by SFWMD within specific sub-areas of the C-
15 51 Canal and C-18 Canal watersheds pursuant to Chapter 40E-41, F.A.C., and as amended;
16 or
17
18 5. Where not otherwise established by Chapter 40E-41, F.A.C., as amended, or by a PBC
19 drainage plan adopted pursuant to the Plan, the maximum inundation elevation resulting from
20 the total on-site storage of runoff produced by the 100-year, 3-day rainfall event assuming fully
developed site conditions and no discharge of surface water from the development site.

....
F. Secondary Stormwater System Design and Performance

Table with 2 rows: Reason for amendments: [Land Development]; 1. To confirm that maximum slope does not apply to areas where bulk heading is utilized. 5. Dry detention/retention facilities designed for storage in open impoundments shall have side slopes no steeper than four(H): one(V), except where bulk heading is approved.

Section 9 Subdivision Design and Survey Requirements

Table with 2 rows: Reason for amendments: [Land Development]; 1. To allow for consideration of emergency vehicles in determination of block lengths.

A. Maximum length of Blocks

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, emergency vehicle accommodations and other engineering considerations, in accordance with acceptable engineering practices. [Ord. 2014-025]

Table with 4 rows: Reason for amendments: [Land Development]; 1. To reduce the number of subdivision variance applications for access to major streets when a development is within the Planned Development District. 2. To clarify that through lots may have street frontage on more than two sides. 3. To delete buffering requirements from this article since those regulations are in other parts of the ULDC.

2. Lots Abutting Major Streets

a. Residential - When lots are platted abutting a major street or non-plan collector street, access shall be provided by and limited to local streets or residential access streets. No access from individual lots shall be permitted directly to a major street.

b. Non-Residential – When lots are subdivided abutting a major street, no access from individual lots shall be permitted directly to a major street. This does not apply to lots in the Planned Development zoning district that have multiple uses sharing common access drives to major streets.

3. Through Lots with Street Frontage on Two or More Sides

Double Multiple frontage lots or through lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation. Where double frontage lots are developed they shall be buffered as required by this Code.

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EXHIBIT G

ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
[RELATED TO PROPORTIONATE SHARE PROGRAM]
SUMMARY OF AMENDMENTS
(Updated 01/19/18)

1
2 Part 1. ULDC, Art. 12, Traffic Performance Standards, Chapter Q, Proportionate Fair - Share
3 Program, as follows:
4

<p>Reason for amendments: [Engineering]</p> <p>1. Amendments to the proportionate share Chapter is required to maintain consistency with amendments to Florida Statutes regarding same. Florida law requires local governments that continue to implement a transportation concurrency system to allow applicants to meet required concurrency by entering into a proportionate share agreement.</p>

5 **CHAPTER Q PROPORTIONATE ~~FAIR~~-SHARE PROGRAM**

6 **Section 1 Purpose and Intent**

7 The purpose of this ~~Chapter ordinance~~ is to establish a program that meets the requirements of section
8 163.3180(5)(h), F.S., as may be amended, by allowing an applicant to satisfy the traffic concurrency
9 requirements of ULDC and the Plan by entering into a binding agreement to pay for or construct its
10 proportionate share of required improvements method whereby the impacts of development on
11 transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be
12 known as the Proportionate Fair-Share Program, as required by and in a manner consistent with
13 §163.3180(16), F.S. [Ord. 2006-043]

14 **Section 2 Applicability**

15 The Proportionate ~~Fair~~-Share Program shall apply to all Projects that fail to meet the standards of this Article
16 on a collector or arterial road that is not the responsibility of a municipality, or that fail to meet the standards
17 of this Article on a transportation facility maintained by FDOT ~~pursuant to the requirements of Section 3.~~
18 The Proportionate ~~Fair~~-Share Program does not apply to Developments of Regional Impact (DRIs) using
19 proportionate ~~fair~~-share under ~~§s.~~163.3180(12), F.S., or to ~~p~~Projects exempted from this Article. **[Ord.**
20 **2006-043]**

21 **Section 3 General Requirements**

- 22 A. An applicant may ~~choose to~~ satisfy the transportation concurrency requirements of Palm Beach
23 County by making a proportionate ~~fair~~-share contribution, pursuant to the following requirements:
24 **[Ord. 2006-043]**
 - 25 1. The proposed development is consistent with the comprehensive plan and applicable land
26 development regulations. **[Ord. 2006-043]**
 - 27 2. ~~The road improvement necessary to maintain the adopted LOS is specifically identified for~~
28 ~~construction in the five-year schedule of capital improvements in the CIE of the Plan and~~
29 ~~identified for construction in the adopted Five-Year County Road Program. **[Ord. 2006-043]**~~
- 30 ~~B.~~ Any improvement project proposed to meet the developer's ~~fair~~-share obligation must meet Palm
31 Beach County's design standards for locally maintained roadways and those of the FDOT for the
32 state highway system. **[Ord. 2006-043]**
 - 33 3. The proportionate share contribution is applied toward one or more mobility improvements that
34 will benefit a regionally significant transportation facility.
 - 35 4. For Projects located within a municipality, any Proportionate Share Agreement required by an
36 applicant in order to meet traffic concurrency must be entered into by the applicant and PBC
37 prior to receiving a DO from the municipality. The County Engineer may rescind a traffic
38 concurrency approval in the event the Project receives a municipal DO prior to entering into a
39 Proportionate Share Agreement with PBC.

40 **Section 4 Intergovernmental Coordination**

41 Pursuant to policies in the Intergovernmental Coordination Element of the Plan, Palm Beach County shall
42 coordinate with affected jurisdictions, including FDOT, regarding mitigation to impacted facilities not under
43 the jurisdiction of the local government receiving the application for proportionate ~~fair~~-share mitigation. An
44 interlocal agreement may be established with other affected jurisdictions for this purpose. **[Ord. 2006-043]**

45 **Section 5 Application Process**

- 46 A. In the event of a lack of capacity to satisfy transportation concurrency, the applicant shall have the
47 opportunity to satisfy transportation concurrency through the Proportionate ~~Fair~~-Share Program
48 pursuant to the requirements of Section 3. ~~If the impacted facility is on the SIS, then the FDOT~~
49 ~~shall be notified and invited to participate in a pre-application meeting. **[Ord. 2006-043]**~~

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EXHIBIT G

ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
[RELATED TO PROPORTIONATE SHARE PROGRAM]
SUMMARY OF AMENDMENTS
(Updated 01/19/18)

- 1 B. Eligible applicants shall submit an application to the County Engineer ~~on a form provided for by the~~
2 ~~County Engineer~~. The County may establish an application fee that does not exceed the cost to
3 the County of reviewing the application. [Ord. 2006-043]
- 4 C. The County Engineer shall review and evaluate the application as part of the Traffic Impact Study
5 as set forth in Article 12.D, Procedure and certify that the application is sufficient and complete
6 within 15 business days. ~~If an application is determined to be insufficient, incomplete or~~
7 ~~inconsistent with the general requirements of the Proportionate Fair Share Program as indicated~~
8 ~~in Section 3, then the applicant will be notified in writing of the reasons for such deficiencies within~~
9 ~~15 business days of submittal of the application. If such deficiencies are not remedied by the~~
10 ~~applicant within 30 days of receipt of the written notification, then the application will be deemed~~
11 ~~abandoned. [Ord. 2006-043]~~
- 12 ~~D. Pursuant to §163.3180(16) (e), F.S., proposed proportionate fair share mitigation for development~~
13 ~~impacts to facilities on the SIS requires the concurrency of the FDOT. The applicant shall submit~~
14 ~~evidence of an agreement between the applicant and the FDOT for inclusion in the proportionate~~
15 ~~fair share agreement. [Ord. 2006-043]~~
- 16 ED. When an application is deemed sufficient, complete, and eligible, and approved pursuant to ULDC
17 Art. 12.B, Standards, the applicant shall be advised in writing and a proposed proportionate fair-
18 share obligation and binding agreement will be prepared by the County Engineer or the applicant
19 and delivered to the appropriate parties for review, ~~including a copy to the FDOT for any proposed~~
20 ~~proportionate fair share mitigation on a SIS facility, no later than 60 days from the date at which~~
21 ~~the applicant received the notification of an eligible application.~~ [Ord. 2006-043]
- 22 FE. No ~~p~~Proportionate ~~f~~air-~~s~~Share ~~a~~Agreement will be effective until approved by the County. [Ord.
23 2006-043]

24 **Section 6 Determining Proportionate ~~Fair~~-Share Obligation**

- 25 A. Proportionate ~~fair~~-share mitigation for concurrency impacts may include, without limitation,
26 separately or collectively, private funds, ~~contributions of land,~~ and construction and contribution of
27 facilities. [Ord. 2006-043]
- 28 B. A Project eligible for participation under the Proportionate ~~Fair~~-Share Program shall not be required
29 to pay more than its proportionate ~~fair~~-share. The fair market value of the proportionate ~~fair~~-share
30 mitigation for the impacted facilities shall not differ regardless of the method of mitigation. [Ord.
31 2006-043]
- 32 C. The methodology used to calculate a Project's proportionate ~~fair~~-share obligation shall be as
33 provided for in §s. 163.3180 (5)(h)(42), F.S., as follows:

The cumulative number of trips from the proposed development expected to reach roadways during peak hours from the complete build out of a stage or phase being approved, divided by the change in the peak hour maximum service volume (MSV) of roadways resulting from construction of an improvement necessary to maintain the adopted LOS, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted LOS.

OR
Proportionate ~~Fair~~-Share = $\sum [((\text{Development Trips}_i) / (\text{SV Increase}_i)) \times \text{Cost}_i]$

- Where:
- Development Trips = Those trips from the stage or phase of development under review that are assigned to roadway segment "i" and have triggered a deficiency per TPS
 - SV Increase = Service volume increase provided by the eligible improvement to roadway segment "i" per Section 3,
 - Cost = Adjusted cost of the improvement to segment "i". Cost shall include all improvements and associated costs, such as design, right-of-way acquisition, planning, engineering review, inspection, administration, and physical development costs directly associated with construction at the anticipated cost, including contingencies, in the year it will be incurred. [Ord. 2006-043]

- 35 D. For the purposes of determining proportionate ~~fair~~-share obligations, the County Engineer shall
36 determine improvement costs based upon the actual ~~and/or anticipated~~ costs of the improvement
37 ~~at the time of application, in the year that construction will occur but shall be subject to an~~
38 ~~adjustment calculation to account for changes in road development costs that may occur between~~
39 ~~the date of Proportionate Share Agreement and the date each Proportionate Share Payment is~~
40 ~~due. The method of calculating said adjustment and appropriate Producer Price Index for~~
41 ~~Commodities shall be included in the Proportionate Share Agreement. [Ord. 2006-043]~~
- 42 E. If the County has accepted an improvement proposed by the applicant, then the value of the
43 improvement shall be based on an engineer's certified cost estimate provided by the applicant and
44

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EXHIBIT G

ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
[RELATED TO PROPORTIONATE SHARE PROGRAM]
SUMMARY OF AMENDMENTS
(Updated 01/19/18)

approved by the County Engineer or other method approved by the County Engineer. [Ord. 2006-043]

~~F. If the County has accepted right-of-way dedication for the proportionate fair-share payment, credit for the dedication of the right-of-way shall be valued on the date of the dedication at 120 percent of the most recent assessed value by the Property Appraiser, or at the option of the applicant, by fair market value established by an independent appraisal approved by the County at no expense to the County. This appraisal shall assume no approved development plan for the site. All right-of-way dedicated must be part of a roadway segment that triggered the deficiency per TPS, and must not be site-related. The applicant shall supply a drawing and legal description of the land and a certificate of title or title search of the land to the County at no expense to the County. If the estimated value of the right-of-way dedication proposed by the applicant based on a County approved appraisal is more than the county estimated total proportionate fair share obligation for the development, then the County will give the applicant road impact fee credit for the difference. Prior to purchase or acquisition of any real estate or acceptance of donations of real estate intended to be used for the proportionate fair share, public or private partners should contact the FDOT for essential information about compliance with federal law and regulations. [Ord. 2006-043]~~

Section 7 Impact Fee Credit for Proportionate Fair-Share Mitigation

- A. Proportionate fair-share contributions shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by Article 13, Impact Fees. [Ord. 2006-043]
- B. Impact fee credits for the proportionate fair-share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. Impact fees owed by the applicant will be reduced per the Proportionate Fair-Share Agreement as they become due pursuant to Article 13, Impact Fees. Once the credit has been exhausted, payment of road impact fees shall be required for each permit issued. The impact fee credit shall be established when the proportionate fair-share contribution is received by the County, or when the fair-share amount is secured by Performance Security. [Ord. 2006-043]
- C. The proportionate fair-share obligation is intended to mitigate the transportation impacts of a proposed pPproject. As a result, any road impact fee credit based upon proportionate fair-share contributions for a proposed pPproject cannot be transferred to any other pPproject. [Ord. 2006-043]

Section 8 Proportionate Fair-Share Agreements

- A. Upon execution of a pPproportionate fair-sShare aAgreement (“Agreement”), the applicant shall receive a certificate of concurrency approval. Should the applicant fail to apply for a development permit within 12 months, then the Agreement shall be considered null and void, and the applicant shall be required to reapply. [Ord. 2006-043]
- B. Payment of the proportionate fair-share contribution is due in full no later than issuance of the first building permit, and shall be non-refundable. ~~If the payment is submitted more than six months from the date of execution of the Agreement, then the proportionate fair-share cost shall be recalculated at the time of payment based on the best estimate of the construction cost of the required improvement at the time of payment, pursuant to Section 6 and adjusted accordingly. [Ord. 2006-043]~~
- C. In the event an Agreement requires the applicant to build one or more road improvements, all such improvements must be commenced prior to issuance of a development permit and assured by a binding agreement that is accompanied by a Performance Security sufficient to ensure the completion of all required improvements. It is the intent of this Section that any required improvements be completed before issuance of certificates of occupancy. [Ord. 2006-043]
- ~~D. Dedication of necessary R-O-W for facility improvements pursuant to a proportionate fair-share agreement must be completed prior to issuance of the first building permit but shall not include a building permit issued for a dry model. [Ord. 2006-043]~~
- ED. Any requested change to a development pPproject subsequent to a development order may be subject to additional proportionate fair-share contributions to the extent the change would generate additional traffic that would require mitigation. [Ord. 2006-043]
- FE. Applicants may submit a letter to withdraw from the proportionate fair-share agreement at any time prior to the execution of the agreement. The application fee and any associated advertising costs paid to Palm Beach County will be non-refundable. [Ord. 2006-043]
- GF. Palm Beach County may enter into proportionate fair-share agreements for selected corridor improvements to facilitate collaboration among multiple applicants on improvements to a shared transportation facility. [Ord. 2006-043]

~~**Section 9 Appropriation of Fair-Share Revenues**~~

Notes:

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EXHIBIT G

ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
[RELATED TO PROPORTIONATE SHARE PROGRAM]
SUMMARY OF AMENDMENTS
(Updated 01/19/18)

- 1 ~~—A. Proportionate fair-share revenues shall be placed in the appropriate project account for funding of~~
2 ~~scheduled improvements in the CIE, or as otherwise established in the terms of the proportionate~~
3 ~~fair-share agreement. Proportionate fair-share revenues may be used as the 50 percent local~~
4 ~~match for funding under the FDOT TRIP, or any other matching requirement for State and Federal~~
5 ~~grant programs as may be allowed by law. **[Ord. 2006-043]**~~
6 ~~—B. In the event a scheduled facility improvement is removed from the CIE, then the revenues collected~~
7 ~~for its construction may be applied toward the construction of another improvement within that same~~
8 ~~corridor or Impact Fee Benefit Zone that would mitigate the impacts of development pursuant to~~
9 ~~the requirements of Section 3. **[Ord. 2006-043]** **[Ord. 2011-016]**~~

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EXHIBIT H

ARTICLE 14 – ENVIRONMENTAL STANDARDS SUMMARY OF AMENDMENTS

(Updated 2/12/17)

1
2 Part 1. ULDC Art. 14.C.7.B, Application of Development for Commercial Projects, Government
3 Projects, Schools, New Construction of Utilities, Road Right-of-Way Projects, Projects
4 Requiring DRO Review and Agriculture of 10 Acres in Size or Greater (page 33 of 52), is
5 hereby amended as follows:
6
7

Reason for amendments: [ERM] The intention of this amendment is to eliminate outdated code language in order to provide consistency with a PZ&B document, Residential 1 & 2 Family Checklist.

8 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

9

10 Section 7 Application, Process, and General Standards

11 A. Single Family Dwellings

12 All newly constructed single family dwellings in a residential subdivision will automatically receive
13 a Building Division Residential 1 & 2 Family Checklist with standard vegetation removal conditions
14 regarding native and non-native vegetation as part of the building permit process. For the purposes
15 of this Chapter, a single family residential parcel also includes single two unit (duplex) residences
16 and associated accessory structures, and shall comply with the following standards: **[Ord. 2008-**
17 **040] [Ord. 2012-027]**

18 1. Removal of native vegetation shall be limited to the minimum necessary to accomplish the
19 purpose of the site plan. ~~A site plan that eliminates or nearly eliminates native vegetation will~~
20 ~~not be approved under this Article. The Building Division Checklist shall include requirements~~
21 ~~that ensure the intent of this provision is implemented.~~ **[Ord. 2008-040]**

22 2. Complete removal or eradication of prohibited invasive non native vegetation, as identified in
23 Appendix 5 Prohibited Invasive Non-Native Vegetation, and Appendix 6, Invasive Non-Native
24 Vegetation, shall be completed for the entire parcel or parcels of the Development Order prior
25 to receipt of the CO. Planting or installation of vegetation identified in Appendix 5, Prohibited
26 Invasive Non-Native Vegetation, and Appendix 6, Invasive Non-Native Vegetation, is
27 prohibited. The parcel owner shall maintain the parcel free of prohibited vegetation. No
28 additional permit for such maintenance of vegetation shall be required. **[Ord. 2005-002] [Ord.**
29 **2006-004]**

30 Notwithstanding anything in this Chapter to the contrary, all vegetation removal permits for
31 single family residences, single two unit (duplex) residences and accessory structures
32 associated with single family residential parcels in existence as of the date of the adoption of
33 this Chapter are void and of no effect, and all pending enforcement actions related thereto are
34 dismissed. Single family residential property owners are encouraged to maintain preserved
35 native vegetation after site development is completed and to minimize the removal of native
36 vegetation damaged by an extreme weather event such as a storm, hurricane or other natural
37 disaster. **[Ord. 2008-040] [Ord. 2014-001]**

38

39
40 **Reason for amendments:** [ERM] The intention of this amendment is to clarify the sizes of native trees and
41 palms that need to be replaced if they cannot be relocated.
42

44 B. Approval of Development for Commercial Projects, Government Projects, Schools, New 45 Construction of Utilities, Road Right-of-Way Projects, Projects Requiring DRO Review and 46 Agricultural Operations 10 Acres in Size or Greater

47 2. Standards of Approval

48 No approval shall be issued unless the application demonstrates that the project: **[Ord. 2008-**
49 **040]**

- 50 a. Will not result in a net loss of wetland functions and values; **[Ord. 2008-040]**
51 b. Complies with water quality rules and standards set forth in Chapter 62 302, F.A.C.; **[Ord.**
52 **2008-040]**
53 c. Will not adversely affect the conservation of fish or wildlife or their habitats, or adversely
54 affect recreational fisheries or their habitats; **[Ord. 2008-040]**
55 d. Will not adversely impact endangered or threatened species, and species of special
56 concern, or their habitat; **[Ord. 2008-040]**
57 e. Incorporates into the design alternatives and modifications to avoid or minimize impacts to
58 native vegetation. Existing native vegetation shall be incorporated into the site plan and
59

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EXHIBIT H

ARTICLE 14 – ENVIRONMENTAL STANDARDS SUMMARY OF AMENDMENTS

(Updated 2/12/17)

1 protected during construction. Parcel improvement features shall be configured to
2 minimize removal of existing native vegetation and maximize the use of areas dominated
3 by prohibited and invasive non-native vegetation. Existing native vegetation that cannot
4 be preserved in place shall be relocated to appropriate buffer and open space areas on
5 the parcel. Relocatable native vegetation that cannot be incorporated into the parcel may
6 be considered surplus. There is no requirement to provide vegetation for surplus. Non-
7 relocatable native vegetation with trunk diameters equal to or greater than 6 inches that
8 cannot be maintained on the parcel shall be mitigated in accordance with Table 7.E.3.C,
9 Tree Credit and Replacement or through planting equivalent native vegetation, accepted
10 by ERM prior to the receipt of the Certificate of Occupancy for single unit projects or 75
11 percent completion of construction of multi-unit projects, based on either total square
12 footage or number of units to be constructed. Native palms with greywood equal to or
13 greater than 8 feet that cannot be relocated must be replaced with native palms of like size.
14 A planting plan that clearly delineates proposed mitigation plantings from any required
15 landscape plantings must be approved by ERM prior to the issuance of the first building
16 permit for the project. [Ord. 2008-037] [Ord. 2008-040] [Ord. 2009-040]

17

18 **Part 2. ULDC Art. 14.C.8.A, Exemptions (page 39 of 52), is hereby amended as follows:**

19

Reason for amendments: [ERM] The intention of this amendment is to state the exemption from approval for single family and single two unit duplex parcels.

20 **Section 8 Exemptions**

21 The following activities do not require an approval under this Chapter: [Ord. 2008-040]

22

23

24 Q. Removal of native vegetation on a single family residential parcel or a single two-unit duplex
25 residential parcel without a recorded Conservation Easement.

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EXHIBIT I

ARTICLE 15.A.5, APPLICATION DATA FOR AN OSTDS: SINGLE LOT OR PARCEL SUMMARY OF AMENDMENTS (Updated 02/14/18)

1 Part 1. ULDC Art. 15.A.5, Application Data for an OSTDS: Single Lot or Parcel (page 5 of 24), is
2 hereby amended as follows:
3
4

Table with 1 row: Reason for amendments: [Zoning]
1. To provide consistency between county's regulations and the state regulations in FAC 64-E6. Standards for Onsite Sewage Treatment and Disposal System.

5 CHAPTER A (ENVIRONMENTAL CONTROL RULE I) - ONSITE SEWAGE TREATMENT AND
6 DISPOSAL SYSTEMS (OSTDS)

7 Section 5 Application Data for an OSTDS: Single Lot or Parcel

8 A. The application and supporting data required for approval of an OSTDS for a single lot or parcel of
9 property shall be submitted to the Health Department by the owner or his authorized representative,
10 or a contractor licensed under F.S. Chapter 489 in accordance with Chapter 64E-6, FAC. The
11 completed application form shall be submitted together with the following: [Ord. 2011-017]

- 12 1. A site plan of the property drawn to scale, showing the following:
13 a. Property boundaries with dimensions;
14 b. Easements;
15 c. Location of all existing and proposed buildings;
16 d. Location of all wells;
17 e. Location and layout of treatment receptacle and drainfield;
18 f. Unobstructed area available for the installation of the OSTDS;
19 g. Potable and non-potable water lines;
20 h. Driveways;
21 i. Parking areas;
22 j. Walkways;
23 k. Swimming pools;
24 l. Storm water drainage system;
25 m. Surface water such as ponds, (existing or proposed), lakes, streams, ditches, canals or
26 wet areas;
27 n. Location and elevation of soil profiles;
28 o. Benchmark on or adjacent to the property;
29 p. Location of wells, onsite sewage treatment and disposal facilities or other pertinent features
30 on adjacent properties if the features are within 200 feet of the proposed onsite sewage
31 treatment system or well; and
32 q. The site plan shall also indicate the presence of any marsh area, mangroves, cypress and
33 wetland vegetation on the property or on adjacent properties.
34 2. For residences, a floor plan showing the number of bedrooms and the building area of each
35 dwelling unit.
36 3. In cases where there is an extreme variation in the elevation of the lot, a topographical map of
37 the property must be submitted.
38 4. At least two soil profiles delineating the textural classification and Munsell color of the native
39 soil at the beginning and end of the soil absorption area to a minimum depth of six feet or
40 refusal in accordance with USDA Soil Classification Methodology, and
41 5. The existing water table elevation and the estimated wettest season water table elevation.

42 B. The owner shall be held responsible for all information supplied to the Department. The application
43 and supporting data serve as the basis for the issuance of a construction permit. In the event of a
44 change in any material fact given in the application which served as a basis for issuing a
45 construction permit, the owner shall immediately file an amended application detailing such
46 changed conditions. If the new conditions are in compliance with the standards in this Article, the
47 construction permit shall be amended. If the new conditions are not in compliance with the
48 standards of this Article, the permit shall be revoked.

49 ~~C. The supporting data must be prepared by an engineer and land surveyor registered in the State of
50 Florida, as specified in Rule 64E-6, F.A.C. The site plan must be prepared by a professional land
51 surveyor registered in the State of Florida. The soil classification and system design shall be
52 performed by a professional engineer registered in the State of Florida with training in soils. When
53 fill soils are used, the Department may require that soils be classified by a certified soils engineering
54 testing laboratory registered in the State of Florida.~~

55 [Renumber Accordingly]

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