March 16, 2011

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

RE: March 23, 2011 LDRAB 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, March 23, 2011.

The meeting will commence at 2:00 p.m. in the Vista Center 2nd Floor Meeting Room VC-2E-55, located at 2300 North Jog Road, West Palm Beach, Florida.

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

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: March 23, 2011 LDRAB Agenda

c: Verdenia C. Baker, Deputy County Administrator
   Barbara Alterman, Esq., Executive Director, PZB
   Lenny Berger, Assistant County Attorney
   Bob Banks, Assistant County Attorney
   Jon MacGillis, ASLA, Zoning Director
   Maryann Kwok, Chief Planner, Zoning
   Barbara P. Nau, Principal Site Planner, Zoning
   Monica Cantor, Senior Site Planner, Zoning
   Bryan Davis, Principal Planner, Planning
   John Rupertus, Senior Planner, Planning
Palm Beach County

Land Development Regulation Advisory Board (LDRAB)

March 23, 2011

Board Members

Wesley Blackman, AICP, Chair (PBC Planning Congress)
David Carpenter, RLA, Vice Chair (District 2)

Raymond Puzzitiello (Gold Coast Build. Assoc.)
Vacant (League of Cities)
Terrence N. Bailey (Florida Engineering Society)
Jose Jaramillo (A.I.A.)
Rosa Durando (Environmental Organization)
Michael Cantwell (PBC Board of Realtors)
Gary Rayman (Fl. Surveying and Mapping Society)
Maurice Jacobson (Condominium Association)
Vacant (Association Gen. Cont. of America)

Joanne Davis (District 1)
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Mike Zimmerman (District 6)
Martin Klein, Esq. (District 7)
Robert Schulbaum (Member at Large/Alternate)
Vacant (Member at Large/Alternate)

Board of County Commissioners

Karen T. Marcus
Chair, District 1

Shelley Vana
Vice Chair, District 3

Paulette Burdick
Commissioner, District 2

Steven L. Abrams
Commissioner, District 4

Burt Aaronson
Commissioner, District 5

Jess R. Santamaria
Commissioner, District 6

Priscilla A. Taylor
Commissioner, District 7

Robert Weisman
County Administrator

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

WEDNESDAY, MARCH 23, 2011 AGENDA
2300 NORTH JOG ROAD
2ND FLOOR MEETING ROOM (VC-2E-55), 2:00 P.M.

A. CALL TO ORDER/CONVENE AS LDRAB
   1. Roll Call
   2. Additions, Substitutions and Deletions
   3. Motion to Adopt Agenda
   4. Adoption of February 23, 2011 Minutes (Exhibit A)

B. ULDC AMENDMENTS
   1. Exhibit B Article 1 - General Provisions
   2. Exhibit C Article 2 - Development Review Procedures
   3. Exhibit D Article 6 - Parking
   4. Exhibit E Article 8 - Signage
   5. Exhibit F Article 11 – Subdivision, Platting and Required Improvements
   6. Exhibit G Criteria for Rezoning
   7. Exhibit H Generators
   8. Exhibit I Mechanical Equipment

C. PUBLIC COMMENTS

D. STAFF COMMENTS
   1. Subcommittee Updates

E. ADJOURN
EXHIBIT A

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of February 23, 2011 Meeting

On Wednesday, February 23, 2011 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the First Floor Conference Room (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call
Chair Wes Blackman called the meeting to order at 2:00 p.m. Ann DeVeaux, Code Revision Zoning Technician, called the roll.

Members Present: 15
Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Raymond Puzzitiello (Gold Coast Build. Assoc.)  
Jose Jaramillo (AIA)  
Rosa Durando (Environmental Organization) **  
Michael Cantwell (PBC Board of Realtors)  
Gary Rayman (Fl. Soc. of Prof. Land Surveyors)  
Maurice Jacobson (Condominium Assoc.)  
Terrence Bailey (Florida Eng. Society) ***  
Joanne Davis (District 1)  
Barbara Katz (District 3)  
Jim Knight (District 4) *  
Lori Vinikoor (District 5)  
Martin Klein (District 7)  
Robert Schuilaub (Member At Large, Alternate)

Members Absent: 1
Mike Zimmerman (District 6)

Vacancies: 3
Vacant (League of Cities)  
Vacant (Assoc. General Contractors of America)  
Vacant (Member At Large, Alternate)

County Staff Present:
Leonard Berger, Assistant County Attorney  
Maryann Kwok, Chief Planner, Zoning  
William Cross, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Ann DeVeaux, Zoning Technician, Zoning  
John Rupertus, Senior Planner, Planning

2. Additions, Substitutions, and Deletions
N/A

3. Elections – Chair and Vice Chair
Motion to nominate Wes Blackman as Chair and David Carpenter as Vice Chair by Martin Klein, seconded by Maurice Jacobson. The motion passed unanimously (12-0).

4. Motion to Adopt Agenda
Motion to adopt by Martin Klein, seconded by Maurice Jacobson. The motion passed unanimously (12-0).

5. Adoption of November 17, 2010 Minutes (Exhibit A)
Motion to adopt by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (12-0).

B. Annual Organization Discussion

1. Meeting Procedures
Mr. Berger gave an overview of Roberts Rules of Order (Exhibit B), the Working in the Sunshine guide (Exhibit C-1), and the Palm Beach County Code of Ethics (Exhibit C-2). He pointed out that Working in the Sunshine requires that any meetings or discussions between LDRAB members must be conducted as public meetings. He explained that the Palm Beach County Code of Ethics is very stringent and if followed one would be in compliance with the State Code of Ethics. LDRAB members were reminded to check agendas prior to meetings to determine if they have conflicts of interest with topics to be discussed.

* Jim Knight arrives at 2:12 p.m.

Mr. Cross provided an overview of two separate amendments proposed to the LDRAB Rules of Procedure (Exhibit D). The first addressed the relocation of Art 17, Decision Making Bodies to new Art. 2.G, Decision Making Bodies, with amendments to references...
to LDRAB. Also proposed is an amendment to Article V, Committees, to revise membership composition to: eliminate requirement to include non-LDRAB members on the subcommittee, reduce minimum number of members from three to two, only require a minimum of one LDRAB member, and simplify language allowing other interested parties to be appointed by LDRAB majority vote.

Motion to adopt amendments by Martin Klein, seconded by Maurice Jacobson. The motion passed unanimously (13-0*).

2. 2010 Attendance
Mr. Cross summarized the 2010 Attendance Report (Exhibit E) and attendance requirements. Mr. Berger responded to a question about excused absences, and clarified that there are no provisions for excused absences for any County Boards. While the Rules of Procedure have provisions to allow for participation by phone, this does not constitute attendance and quorum is determined by those physically in attendance. Notable mention was given to the perfect attendance record of Ms. Vinikoor and Mr. Puzzitiello in 2010.

3. 2011 Board Members
Mr. Cross reviewed the 2011 Board Membership (Exhibit F) and noted that the vacancy for the Florida Engineering Society was filled by Mr. Terrence Bailey. Both the League of Cities and Association of General Contractors of America seats have been vacant for quite some time, regardless of multiple requests for nominations. It was noted that there were three nominations for the 2nd Alternate position and that approval was anticipated sometime in March or April.

** Rosa Durando arrives at 2:20 p.m.

4. 2011 Meeting Schedule
Mr. Cross highlighted the 2011 LDRAB meeting schedule (Exhibit G). He clarified that at this time Zoning is not expecting to have meetings in June or July unless unexpected amendments are needed.

5. 2011 Work Plan
Mr. Cross gave an overview of the 2011 Work Plan which includes deadlines/scheduling and a summary of the proposed amendments for Round 2011-01 (Exhibits H & I). He explained the topics for the subcommittees (Exhibit J) that would be established for Round 2011-01 and 2011-02 and requested LDRAB participation. The list of subcommittee’s currently needed for 2011, where as follows: 2011-01 – Pain Management Clinics, Renewable Energy (Wind), and, Urban Redevelopment Area Overlay (URAO); and, 2011-02 – Use Regulations.

Mr. Cross related that Mr. David Mackarey, President of the PBC Pharmacy Association requested to be a member of the Pain Management Clinics subcommittee, and Mr. Cliff Hertz for the Renewable Energy subcommittee. The following LDRAB and non-LDRAB members were considered for subcommittee membership:

<table>
<thead>
<tr>
<th>Pain Management Clinics</th>
<th>Urban Redevelopment Area Overlay (URAO)</th>
<th>Renewable Energy (Wind)</th>
<th>Use Regulations (Round 2011-02)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Schulbaum</td>
<td>Wes Blackman</td>
<td>Michael Cantwell</td>
<td>Wes Blackman</td>
</tr>
<tr>
<td>Lori Vinikoor</td>
<td>Mike Cantwell</td>
<td>David Carpenter</td>
<td>Michael Cantwell</td>
</tr>
<tr>
<td>David Mackarey</td>
<td>David Carpenter</td>
<td>Joanne Davis</td>
<td>Rosa Durando</td>
</tr>
<tr>
<td></td>
<td>Joanne Davis</td>
<td>Rosa Durando</td>
<td>Jose Ramilillo</td>
</tr>
<tr>
<td></td>
<td>Jose Ramilillo</td>
<td>Maurice Jacobson</td>
<td>Raymond Puzzitiello</td>
</tr>
<tr>
<td></td>
<td>Barbara Katz</td>
<td>Barbara Katz</td>
<td>Jim Knight</td>
</tr>
<tr>
<td></td>
<td>Jim Knight</td>
<td>Raymond Puzzitiello</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raymond Puzzitiello</td>
<td>Lori Vinikoor</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Clif Hertz (1)</td>
<td></td>
</tr>
</tbody>
</table>

(1) Note: Mr. Hertz clarified at the March 2, 2011 Renewable Energy (Wind) Subcommittee meeting that he does not want to be a member, but rather an Interested Party.

Motion to adopt subcommittee members by Martin Klein, seconded by Maurice Jacobson. The motion passed unanimously (14-0**).
EXHIBIT A

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of February 23, 2011 Meeting

*** Terrence Bailey arrives at 2:53 p.m.

6. Code Revision Webpage General Information
   Mr. Cross highlighted the changes to the Code Revision Webpage (Exhibit K).

C. Public Comments
   Alex Larson and Patricia Curry expressed their concerns regarding the timely posting of the
   meeting agenda on the County’s webpage. Ms. Cantor explained that the agenda and
   attachments had been posted the week prior; however, there were some technical
   difficulties with the website.

D. Staff Comments
   N/A

E. Adjourn
   The Land Development Regulation Advisory Board meeting adjourned at 2:57 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: Ann DeVeaux, Zoning Tech.  3-8-11

Name (signature) Date
EXHIBIT B

ARTICLE 1 – GENERAL PROVISIONS
SUMMARY OF AMENDMENTS
(Updated 03/07/2011)

Part 1. ULDC Art. 1.I.2.C.36, Coastal Construction [Related to Definitions] (page 45 of 114), is hereby amended as follows:

Reason for amendments: [ERM] To clarify that the definition for coastal construction only applies to a limited portion of Art. 14 that deals with ERM’s role in regulating development where associated with either Sea Turtle Protection or Sand Preservation.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

36. Coastal Construction - means the carrying out of any activity within jurisdictional boundaries specified in Art. 14, Coastal Protection, Sea Turtle Protection and Sand Preservation, to modify or improve site conditions including, but not limited to, building, clearing, filling, excavation, grading, removal or planting of vegetation, or the making of any material change in the size or use of any structure or the appearance of site conditions, or the placement of equipment or material upon such sites.
Part 1. ULDC Art. 2.F.6.A, General [Related to the Monitoring Program] (page 59 of 80), is hereby amended as follows:

Reason for amendments: [Zoning] Annual Public Facilities Update Report was deleted under Ordinance 2010-022, Exhibit L per BCC direction. This deletes similar requirements listed under Concurrency to be consistent with prior BCC’s direction.

CHAPTER F CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARD)

Section 6 Monitoring Program

A. General

To ensure that adequate potable water, sanitary sewer, solid waste, drainage, public school, park and recreation and linked open space, traffic, mass transit, and fire-rescue public facilities are available concurrent with the impacts of development on public facilities, the PBC shall establish the following management and monitoring practices. Their purpose is to evaluate and coordinate the timing, provision, and funding of the public facilities so that:

1. They are being adequately planned for and funded to maintain the LOS for public facilities and

2. To evaluate the capacity of the public facilities for use in the regulatory program to ensure:

a. There are no development orders issued unless there are adequate public facilities available to serve the development concurrent with the impacts of development on the public facilities, or

b. No development orders are issued unless they are conditioned on the availability of public facilities to serve the development concurrent with the impacts of development on public facilities.

Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to:]. Stricken indicates text to be deleted. Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:]. .... A series of four bolded ellipses indicates language omitted to save space.
ARTICLE 6 – PARKING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Notes:
Underlined language indicates proposed new language.
Language crossed out indicates language proposed to be deleted.
…. (ellipses) indicates language not amended which has been omitted to save space.
Relocated language is shown as italicized with reference in parenthesis.

Part 1  ULDC, Art. 6.A.1.D.6, Parking Spaces for Persons Who Have Disabilities (page 14 of 38), is hereby amended as follows:

Reason for amendment: [Zoning/Building] 1) Include reference to the Florida Building Code, Chapter 11, Florida Accessibility Code, for Building Construction that requires increase in the number of disabled parking spaces for medical uses serving persons with mobility impairments; and, 2) Includes reference to the Florida Statutes §553.513, which transfers to local governments the enforcement of the Accessibility by Handicapped Persons as contained in part of Chapter 553, Building Construction Standards.

CHAPTER A  PARKING

Section 1  General

D. Off-Street Parking

6. Parking Spaces for Persons Who Have Disabilities

The provision of parking spaces and passenger loading areas for persons who have disabilities shall be governed by F.S. §316.1955, F.S. §316.1957, and F.S. §553.5041, Chapter 11, Florida Accessibility Code for Building Construction of the Florida Building Code, and F.S. §553.513. These Sections shall govern the signage, identification and reservation of spaces for persons who have disabilities. The minimum number of parking spaces for persons who have disabilities shall comply with the following table: [Ord. 2005 – 002]

<table>
<thead>
<tr>
<th>Total Spaces</th>
<th>Required Number of Spaces to be Reserved for Persons Who Have Disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 25</td>
<td>1</td>
</tr>
<tr>
<td>26 to 50</td>
<td>2</td>
</tr>
<tr>
<td>51 to 75</td>
<td>3</td>
</tr>
<tr>
<td>76 to 100</td>
<td>4</td>
</tr>
<tr>
<td>101 to 150</td>
<td>5</td>
</tr>
<tr>
<td>151 to 200</td>
<td>6</td>
</tr>
<tr>
<td>201 to 250</td>
<td>7</td>
</tr>
<tr>
<td>251 to 300</td>
<td>8</td>
</tr>
<tr>
<td>301 to 400</td>
<td>9</td>
</tr>
<tr>
<td>401 to 500</td>
<td>10</td>
</tr>
<tr>
<td>501 to 1000</td>
<td>2.2 % of total</td>
</tr>
<tr>
<td>over 1000</td>
<td>22 plus 1 for each 100 over 1000</td>
</tr>
</tbody>
</table>

[Ord. 2005-002]

Part 2  ULDC, Figure 6.A.1.D – Striping Standards (page 24 of 38), is hereby amended as follows:

Reason for amendment: [Zoning] Correct the striping standards figure for consistency with the dimensions included in the written language per Article 6.A.1.D.14.b.5, Stripes, as follows: “The width of the painted stripe shall be four inches. Double striping separation from inside edge of stripe to inside edge of stripe shall be no less than eight inches and no more than 16 inches. The effective width of the double stripes shall range from 16 inches to 24 inches, measured from outside edge of stripe to outside edge of stripe.”

(This space intentionally left blank)
Figure 6.A.1.D- Striping Standards

**Notes:**

- **Underlined language** indicates proposed new language.
- **Language crossed out** indicates language proposed to be deleted.
- **...(ellipses) indicates language not amended which has been omitted to save space.**
- **Relocated language is shown as italicized with reference in parenthesis.**

LDRAB  March 23, 2011
**ARTICLE 8 – SIGNAGE**

**SUMMARY OF AMENDMENTS**

(Updated 03/07/11)

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**Reason for amendments:** [ZONING] Corrects a minor glitch in Ordinance 2007-013 which amended the symbols used to clarify applicable R-O-W Width for purposes of calculating maximum height of freestanding signs; by 1) correcting the middle category which incorrectly stated width greater than 80 feet to read greater than or to equal to 80 feet; and, 2) converting the use of symbols such as ≥ to “> or =” to make it clear that either or applies. Amendment also includes correction to clarify that abbreviations for S and PDD applies to districts; and, current practice of correcting table footnote references from superscript to normal sized text in brackets to improve legibility.

---

**Table 8.G.2.A - Freestanding Signs: Maximum Heights**

<table>
<thead>
<tr>
<th>R-O-W Width</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>C/C</td>
<td>S(4)</td>
</tr>
<tr>
<td>≥ &gt; or = 110 ft.</td>
<td>20</td>
</tr>
<tr>
<td>&gt; or = 80 ft., or &lt; 110 ft.</td>
<td>15</td>
</tr>
<tr>
<td>&lt; 80 ft.</td>
<td>10</td>
</tr>
</tbody>
</table>

[Ord. 2007-013]

**Notes:**
1. C/C = commercial, industrial, or non-residentially zoned parcels adjacent to commercial, industrial or non-residentially zoned parcels.
2. C/R = commercial industrial or non-residentially zoned parcels adjacent to any residentially zoned parcel.
3. R = residentially zoned parcel.
5. PDD = Planned Development District.

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LDRAB March 23, 2011
ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 03/07/11)

Reason for amendments: [ENGINEERING] Amend references for consistency with Florida Minimum Technical Standards to clarify the type of Survey required for platting submittal; and, includes boundary survey as the official survey document applicable for the required improvements installation requirement.

Part 1. ULDC Art. 11.A.3, General Requirements [Related to Platting Requirement and Required Improvements Installation Requirement (page 8 of 47), is hereby amended as follows:

---

SECTION 4 Application of Ordinance

A. General Application

No person shall create a subdivision or develop any lot within a subdivision in unincorporated PBC except in conformity with this Article. No Final Plat or certified boundary survey of any subdivision shall be recorded unless such subdivision meets all applicable provisions of this Article, the provisions of other applicable PBC ordinances, and the applicable laws of the State of Florida. Provided, however, that the subdivision of contiguous lands under single ownership where none of the resulting lots are less than 40 acres shall not be subject to compliance with the provisions of this Article, unless such compliance is required as a specific condition of a development order for a conditional use or special use approval pursuant to Article 2.C, FLU PLAN AMENDMENTS.

B. Building Permits and Other Approvals

1. Except as provided in this Section, no building permit shall be issued for any structure on any lot created by subdivision of land in violation of this Article unless and until such lot is shown on a plat of record or certified boundary survey, as applicable, recorded in the manner prescribed in this Article.

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Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ].

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LDRAB March 23, 2011
PART 3. ULDC Art. 11.A.8, Exceptions to General Requirements [Related to Authority, Plat Waiver with Certified Survey and Effect of Approval] (page 12 of 47), is hereby amended as follows:

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards; and, 2) and to clarify the type of Survey required for submittal.

CHAPTER A GENERAL REQUIREMENTS

Section 8 Exceptions to General Requirements

B. Plat Waiver with Certified Boundary Survey

If, after review of the preliminary subdivision plan, the County Engineer determines that the proposed subdivision meets one of the conditions specified in Article 11.A.8.B.1, Application for Plat Waiver, the requirement to file a plat may be waived and an certified abstracted boundary survey shall be recorded in lieu of a plat along with an affidavit documenting approval of said waiver and restrictive covenants applicable to the subdivision, as prescribed by this Article.

3. Effect of Approval

The approved certified abstracted boundary survey shall constitute the approved Final Subdivision Plan for the subdivision when such subdivision is not encompassed by a Final Subdivision Plan approved pursuant to Article 2.D.1, Development Review Officer. The granting of a plat waiver in no manner reduces or waives the requirements of Article 11.B.3, Technical Compliance through Article 11.B.7, Construction of Required Improvements, governing construction plan approval, land development permit issuance, and installation of the required improvements. Failure by the applicant to submit all documents required for the recording of the affidavit of waiver within six months of approval by the County Engineer shall void said approval.

...
ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards; and, 2) to clarify the type of Survey required for submittal.

CHAPTER B SUBDIVISION REQUIREMENTS

Section 3 Technical Compliance

D. Technical Compliance Approval

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

1. The amount of recording fees due for recordation of the final plat or certified boundary survey, which fees are payable to the Clerk of the Circuit Court of PBC;

2. Cer...
EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 03/07/11)

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards; and, 2) to clarify the type of Survey required for submittal.

CHAPTER B SUBDIVISION REQUIREMENTS

Section 7 Construction of Required Improvements

C. Completion Prior to Plat Recordation

When the developer elects to complete required improvements prior to recording of the final plat or certified boundary survey, the following procedures shall apply, as applicable.

1. When the County Engineer finds that the certified boundary survey and completion of the required improvements are in compliance with all requirements of this Article, he shall cause the certified boundary survey to be recorded in the Office of the Clerk of the Circuit Court.

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with changes to Chapter number in the Florida Administrative Code (F.A.C.) that are applicable to Florida Surveyors and Mappers; and, 2) Clarify the type of Survey required for subdivision submittals.

CHAPTER B SUBDIVISION REQUIREMENTS

Section 9 Requirements for Certified Boundary Survey

A. General

The County Engineer shall adopt and amend, from time to time, the criteria for the certified boundary survey. At a minimum, the certified boundary survey shall meet the requirements for boundary surveys established by the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, F.A.C. Chapter 5J-17.050-.052, F.A.C., pursuant to F.S. §472.027.

B. Alternatives

The County Engineer shall reserve the right to require a certified sketch and legal description in lieu of a certified boundary survey. The certified sketch and legal description shall meet the requirements for certified sketches and descriptions set forth by Chapter 61G17-6, F.A.C. Chapter 5J-17.050-.052, F.A.C., pursuant to F.S. § 472.027, as amended, and the PBC Description Checklist pursuant to policies and procedures established by the County Engineer and made available to the public.

C. Recordation

The certified boundary survey or sketch and legal description shall not require approval of the Board prior to recordation.

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards; and, 2) to clarify the type of Survey required for submittal.

CHAPTER D PLATTING

Section 1 Requirements for the Preliminary and Final Plat

A. Preliminary Plat

The preliminary plat shall meet the requirements of the Final Plat, except that it shall be submitted without the required signatures and seals. It may also be submitted without maintenance and use covenants, condominium documents, deeds, or other legal documents not related to the boundary survey or engineering design of the project.

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards; and, 2) to clarify the type of Survey required for submittal.

Notes:

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

LDRAB March 23, 2011
EXHIBIT F

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

(Updated 03/07/11)

Part 11. ULDC Art. 11.E.1.A, Minimum Required Improvements for All Subdivisions, (page 32 of 47), is hereby amended as follows:

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards; and, 2) to clarify the type of Survey required for submittal.

CHAPTER E REQUIRED IMPROVEMENTS

Section 1 Required Improvements

A. Minimum Required Improvements for All Subdivisions

Except when waived pursuant to Article 11.A.8.C, Exceptions to Installation of Improvements Requirement, the improvements set out herein shall be the minimum required improvements for all subdivisions in order to provide the physical improvements necessary to implement certain performance standards, objectives and policies of the Capital Improvements Element and other elements of the Plan. These required improvements shall be installed prior to recordation of the corresponding plat or certified boundary survey unless the developer furnishes a guaranty assuring their installation in accordance with the provisions of this Article. Except as provided in this Section, the cost of all required improvements shall be guaranteed.

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

LDRAB March 23, 2011
CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Reason for amendments: [Zoning] This amendment serves to clarify that vesting for prior approvals does not include an exemption from any rezoning thresholds, regardless of whether or not the prior approval is conforming or non-conforming. Noting that Art. 1.E.B, Prior Approvals, allows for "...information clearly shown..." to be vested, but that Art. 1.E.C, Modification for Prior Approvals, establishes thresholds for when a "...proposed modification shall comply with current the current Code to the greatest extent feasible..." this amendment clarifies that where a parcel has a previous Zoning district or district that is inconsistent with its Future Land Use (FLU) designation, that some modifications requiring Public Hearing approval may also trip the threshold requiring a rezoning. See subsequent Parts for additional information on rezoning thresholds and applicability.

CHAPTER E PRIOR APPROVALS

Section 1 General

C. Modification of Prior Approvals

1. Determination of Extent of Vested Status in the Area of Modification

The proposed modification shall comply with the current Code to the greatest extent possible in the affected area, which also includes the determination of whether the prior approval has nonconformities. A prior approval may be subject to rezoning in accordance with the requirements of Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas (FLUA). [Ord. 2010-005]

PART 2. ULDC Art. 3.A. General [Related to Overlays & Zoning Districts] (pages 15 and 16 of 231), is hereby amended as follows:

Reason for amendments: [Zoning] 1) Consolidate Standard, PDD and TDD requirements for ensuring consistency between future land use (FLU) designation and corresponding Zoning districts; and, 2) outline requirements to rezone prior zoning districts to the current applicable district and clarify thresholds.

CHAPTER A GENERAL

Section 1 Overlays and Districts

A. Purpose and Intent

In order to ensure that all development in unincorporated PBC is consistent with the Plan, it is necessary to establish a series of districts and overlays to ensure that each use is compatible with surrounding uses, served by adequate public facilities, and sensitive to natural resources. Standard, PDD and TDD Zoning Districts, and Overlays, where applicable, have been adopted to be in compliance with the Plan. [Relocated from Art. 3.C.1.A, Purpose and Intent] Each district and overlay has its own purpose and permitted uses, conditional uses, special uses and other regulations that control the use of land. All development within each district shall be consistent with the purposes stated in this Article.

B. Overlays and Zoning Districts

In order to carry out and implement the Plan, the following 14 Overlays, 18 Standard Zoning Districts, six Planned Development Districts (PDDs), and three Traditional Development Districts (TDDs) are hereby established.

1. Overlays

   LWRCCO, Lake Worth Road Commercial Corridor Overlay

   IRO, Infill Redevelopment Overlay

   URAO, Urban Redevelopment Area Overlay

   AGEO, Agricultural Enclave Overlay

   SR-7 EDO, State Road 7 Economic Development Overlay

2. Standard Districts

   IR, Infill Redevelopment

   UI, Urban Infill

   UC, Urban Center

   SD, Specialized Development District

Notes:
Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Stricken indicates text to be deleted. Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

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

LDRAB March 23, 2011
### Section 3  Zoning District Consistency with the Future Land Use Atlas (FLUA)

**A. Purpose and Intent**

A parcel’s Zoning District shall be consistent with its Future Land Use (FLU) designation. Any request for a Development Order shall be reviewed to determine consistency with the requirements of this Section. Unless exempted otherwise, all applications for a Development Order shall be in a zoning district corresponding to the FLU designations indicated in the following tables:

1. **Standard Districts**: Table 3.A.3.B, Future Land Use Designations and Corresponding Standard Zoning Districts; or
2. **Planned Development Districts**: Table 3.A.3.C, PDD Corresponding Land Use; or
3. **Traditional Development Districts**: Table 3.A.3.D, TDD Corresponding Land Use.

[Relocated from Art. 3.C.1.A, Purpose and Intent]

**B. Standard Districts**

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

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

<table>
<thead>
<tr>
<th>FLU Designation</th>
<th>Zoning District</th>
</tr>
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<tbody>
<tr>
<td>Agriculture/Conservation</td>
<td></td>
</tr>
<tr>
<td>AP</td>
<td>AP</td>
</tr>
<tr>
<td>AGR</td>
<td>AGR</td>
</tr>
<tr>
<td>CON</td>
<td>PC</td>
</tr>
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<td>SA</td>
<td>AR (2)</td>
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<td>AGR (2)</td>
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</tr>
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<tr>
<td>RR-10</td>
<td>AR</td>
</tr>
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<td>HR-18</td>
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<td>CLO</td>
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<td>PARK</td>
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<td>UT</td>
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</tr>
</tbody>
</table>

**Notes:**

1. Unless exempted otherwise, all applications for a Development Order shall require the subject site be rezoned to a shaded district.
2. Typical Example of a “shaded district.”
3. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with the exceptions listed below.

[Relocated from Table 3.C.1.A, Future Land Use (FLU) Designation and Corresponding Standard Districts]

#### 1. Standard District Exceptions and Limitations

The following list of exceptions shall be permitted:

Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Stricken indicates text to be deleted. Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

.... A series of four bolded ellipses indicates language omitted to save space.
C. Planned Development Districts (PDDs)

Any application for a rezoning to a PDD shall correspond to a FLU designation indicated in the table below.

Table 3.C.1.C – FLU Designation and Corresponding Planned Development Districts

<table>
<thead>
<tr>
<th>PUD</th>
<th>MHPD</th>
<th>MXPD</th>
</tr>
</thead>
<tbody>
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<td></td>
<td>V V V V V V V V V V V V</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3) (3)</td>
<td></td>
</tr>
</tbody>
</table>

D. Traditional Development Districts (TDDs)

Any application for a rezoning to a TDD shall correspond to a FLU designation indicated in the table below.

Table 3.C.1.D - TDD Corresponding Land Use

<table>
<thead>
<tr>
<th>TND</th>
<th>TTD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>V V V V V V V V V V</td>
</tr>
</tbody>
</table>

Notes:
1. Check (V) indicates the TDD corresponds to the FLU designation. Any application for a rezoning to a TDD shall be to a TDD that corresponds to a FLU designation.
2. PDDs in the AGR Tier are limited to the 80/20 PUD or 60/40 PUD.
3. MXPD shall be permitted when located at an intersection, as defined by the Plan, or when adjacent to a parcel with a CH FLU designation.

Notes:
Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Strikethrough indicates text to be deleted. Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
E. Exceptions for Prior Approvals

Any application for a Development Order that requires Public Hearing approval, excluding Status Reports, EAC, Class B Conditional Uses or Type II Variances, shall be accompanied by an application to rezone to a current Zoning district. Any application for a Development Order that does not exceed the threshold requiring rezoning shall comply with the applicable requirements of the corresponding district, except for any information permitted to be carried forward from a prior approval. [Relocated from Art. 3.C.1.C.2 (Related to Previous Standard Zoning Districts) and Art. 3.E.1.A.2, Applicability (related to PDDs)]

1. Standard Districts

The following previously established zoning districts shall correspond to the current districts indicated:

- A. The Specialized Agriculture (SA) District shall correspond to the AP District in the Glades Tier, the AGR District in the AGR Tier, and the AR District in the Rural Tier.
- B. Rural Services (RSER) District shall correspond to the AR District.
- C. Residential Transitional Suburban (RTS) District shall correspond to the RT District.
- D. Residential Transitional Urban (RTU) District shall correspond to the RS District.
- E. Multifamily Residential High Density (RH) District shall correspond to the RM District.
- F. Specialized Commercial High (CSH) and Specialized Commercial (CS) District shall correspond to the Commercial High Office District (CHO) District.

[Relocated from Art. 3.C.1.C, Previous Zoning Districts]

2. Planned Development Districts

The following previous approvals shall correspond to the current districts indicated:

- A. Special exceptions for PUDs shall correspond to a PUD. [Relocated from Art. 3.E.2.A.2, Applicability (Related to PUDs)]
- B. Special exceptions for large-scale community or regional shopping centers (30,000 square feet or 50,000 square feet of total floor area or more), Planned Commercial Developments (PCDs), Planned Neighborhood Commercial Developments (PNCDs), Planned General Commercial Developments (PGCDs), Planned Office Business Parks (POBPs) and Planned Industrial Developments (PIDs) shall correspond to a MUPD. [Relocated from Art. 3.E.3.A.2, Applicability (Related to MUPDs)]
- C. Special exceptions for PIPDs shall correspond to a PIPD. [Relocated from Art. 3.E.2.A.2, Applicability (Related to PIPDs)]
- D. Special exceptions for MHPDs shall correspond to a MHPD. [Relocated from Art. 3.E.2.A.2, Applicability (Related to MHPDs)]
- E. Special exceptions for RVPDs shall correspond to a RVPD. [Relocated from Art. 3.E.2.A.2, Applicability (Related to RVPDs)]
- F. Any of the above where approved as a conditional use approval as opposed to a special exception.

Part 3. ULDC Art., (page 117-118 of 231), is hereby amended as follows:

Reason for amendments: [Zoning] Delete FLU Designation and Corresponding Districts and relocate to new Art. 3.A.3, Future Land Use (FLU) Designation and Corresponding Districts to allow for consolidation of related requirements for standard districts, PDD’s and TDD’s.

CHAPTER C STANDARD DISTRICTS

Section 1 General Future Land Use (FLU) Designation and Corresponding Districts

A. Purpose and Intent

The purpose of this section is to ensure that all development (land uses) is consistent with the Future Land Use Atlas of the Plan. Standard, PDD and TDD zoning districts have been adopted to be in compliance with the Plan. Unless exempted otherwise, all new development or subdivision of property shall be in a zoning district corresponding to the FLU designations indicated in the following tables:

1. Standard Districts: Table 3.C.1.A, Future Land Use Designations and Corresponding Standard Zoning Districts; or
2. Planned Development Districts: Table 3.E.1.B, PDD Corresponding Land Use; or
3. Traditional Development Districts: Table 3.F.1.E, TDD Corresponding Land Use.

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Notes:
- Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ].
- Stricken indicates text to be deleted.
- Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

LDRAB March 23, 2011
### CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

#### Table 3.C.1.A – Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts (1)

<table>
<thead>
<tr>
<th>FLU Designation</th>
<th>Zoning District (2)</th>
<th>Agriculture/Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>Residential</td>
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</tr>
<tr>
<td>Residential</td>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>Industrial</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>Institutional/Civic</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
1. Unless exempted otherwise all new development such as any application for a rezoning, conditional use or subdivision of property shall require the subject site be zoned to a shaded district.
2. Typical Example of a shaded district.

**A. Standard Land Use Designation and Corresponding Zoning Districts**

<table>
<thead>
<tr>
<th>FLU</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>AP</td>
<td>AR</td>
</tr>
<tr>
<td>AGR</td>
<td>AGR</td>
</tr>
<tr>
<td>ZOL</td>
<td>ZOL (3)</td>
</tr>
<tr>
<td>SR</td>
<td>SR (3)</td>
</tr>
</tbody>
</table>

**B. Standard District Exceptions and Limitations**

1. A rezoning shall not be required for an existing legal lot of record for the development of a SFD with accessory uses, provided the existing zoning is identified in Table 3.C.1.A. Future Land Use Designation and Corresponding Standard Zoning Districts. [Ord. 2008-003]

2. The PO District is consistent with all FLU designations. [Ord. 2008-003]

3. The AR District is consistent with the SA FLU designation in the Rural and Exurban Tiers only. [Ord. 2008-003]

4. The AGR District is consistent with the SA FLU designation in the Glades Tier only. [Ord. 2008-003]

5. The CRE District is consistent with the RR-10 designation only for those uses identified in Policy 2.2.3.4 in the Plan. [Ord. 2008-003]

6. The AP District is consistent with the LR-1 designation in the Glades Tier only for legal lots of record located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point. [Ord. 2008-003]

7. The RM District is consistent with the MR-5 designation only for those areas already zoned RM prior to the Plan’s August 31, 1989 adoption. [Ord. 2008-003]

8. Certain uses in the CRE District over three acres require rezoning to IL. See Supplementary Use Standards. [Ord. 2008-003]

9. Existing institutional or civic uses in the AR, RE, RT, RS or RM districts with an INFLU designation shall not be considered non-conforming. However, a rezoning shall be required for any action exceeding DRO Authority. [Ord. 2008-003]

10. A rezoning shall not be required for any Palm Beach County Natural Area with a CON-FLU designation provided that any subdivision or development is consistent with all development standards and use regulations for the PC district. [Ord. 2008-003]

11. The AR district may be considered consistent with all FLU designations in accordance with Art. 3.C.1.E.1c(2), New Agricultural Uses. [Ord. 2008-003]

**C. Previous Zoning Districts**

1. The following previously established zoning districts correspond to the current districts:

---

**Notes:**
- **Underlined** indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ].
- **Stricken** indicates text to be deleted.
- **Italicized** indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

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LDRAB
March 23, 2011
CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Part 1

a. The Specialized Agriculture (SA) District shall correspond to the AP District in the Glades Tier, the AGR District in the AGR Tier, and the AR District in the Rural Tier.
b. Rural Services (RSER) District shall correspond to the AR District.
c. Residential Transitional Suburban (RTS) District shall correspond to the RS District
d. Residential Transitional Urban (RTU) District shall correspond to the RS District
e. Multifamily Residential High Density (RH) District shall correspond to the RM District.
f. Specialized Commercial High (CSH) and Specialized Commercial (CS) District shall correspond to the Commercial High Office District (CHO) District.

2. Where the corresponding district for a parcel is consistent with its FLU designation, a rezoning shall not be required, provided that any development is consistent with the requirements of the corresponding district. Any application that requires Public Hearing approval shall be accompanied by an application to a current Zoning district. [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

AD. Agricultural District

BE. Conservation District

CF. Residential Districts

DG. Commercial Districts

EH. PRA, Priority Redevelopment Area Districts

FL. Industrial Districts

GJ. Public and Institutional Districts

CHAPTER C
STANDARD DISTRICTS

Section 1 Future Land Use (FLU) Designation and Corresponding Districts

F. Residential Districts

1. AR, Agriculture Residential District

The AR district is to protect and enhance the rural lifestyle and quality of life of residents in areas designated rural residential, to protect watersheds and water supplies, wilderness and scenic areas, conservation and wildlife areas, and to permit a variety of uses that require non-urban locations but do not operate to the detriment of adjoining lands devoted to rural and residential purposes.
a. Previously Approved RSER and Non-residential Uses

The previously approved site in the RSER zoning district (Petition 1999-011 Everglades Farm Equipment Co.) requested before the effective date of this ordinance, may be developed as a conforming use in accordance with an approved DOA. [Ord. 2005 – 002]
b. Special Agriculture Uses

Additional non-residential uses may be allowed in the AR/Rural/Exurban district with a SA FLU.
c. Agricultural Uses in the U/S Tier

1) Existing Agricultural Uses Applicability

Agricultural uses in the U/S Tier existing at the time of adoption of this Code permitting agricultural uses in the U/S Tier shall be considered conforming. Any expansion of existing agricultural uses shall be consistent with subject to all applicable requirements and subject to review and/or approval by the appropriate staff or review board as identified in this Code.

2) New Agricultural Uses

Agricultural uses not listed as permitted in the U/S Tier shall only be permitted as an interim use subject to Class A conditional use approval. The AR Zoning District shall be considered consistent with all FLUA designations in the U/S Tier for the purpose of permitting agricultural uses. [Relocated to new Art. 3.A.3.B, Standard District Exceptions and Limitations]
CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Reason for amendments: [Zoning] 1) Delete Zoning district and corresponding FLU requirements and relocate to new Art. 3.A.3 to consolidate all similar standards; and, 2) Clarify where specific PDD standards apply to “Previous Approvals”.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

A. General

In addition to the other Articles in this Code, the requirements of this Chapter shall apply to all PDDs, modifications to previously approved PDDs, and modifications to previously approved special exceptions for planned developments, unless otherwise stated.

a. Previous Approvals

Previously approved planned developments with a valid development order that does not conform to provisions in this Code shall be considered conforming in accordance with Art. 1.E, Prior Approvals, where in compliance with the requirements of Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA). Nonconforming uses shall comply with 1.F, Nonconformities, and any other applicable requirements, unless stated otherwise herein. [Ord. 2009-040]

1) Development Order Amendment

Shall be in compliance with Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA). Any DOA to a prior approval, including but not limited to additional requested uses, changes exceeding the thresholds for DRO amendments, rezoning, or any other Zoning process requiring BCC approval, shall be required to rezone to a PDD. An exception shall be permitted where the affected area of the request does not include all property owners and consent cannot be obtained. [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

B. FLU Consistency, FAR, Density, and Use Standards

1. Future Land Use (FLU) Designation

The FLU designation which correspond to each PDD are indicated in Table 3.E.1.B, FLU Designation and Corresponding Planned Development Districts. [Ord. 2009-040]

<table>
<thead>
<tr>
<th>FLU Designation</th>
<th>AGR</th>
<th>RR</th>
<th>LR1</th>
<th>LR2</th>
<th>LR3</th>
<th>MR5</th>
<th>HR8</th>
<th>HR12</th>
<th>HR18</th>
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<td>✓</td>
</tr>
</tbody>
</table>

Notes: [Ord. 2008-037] [Ord. 2010-005]

1. Check ✓ indicates the PDD corresponds to the FLU designation. Any application for a rezoning to a PDD shall be to a PDD that corresponds to a FLU designation. [Ord. 2008-037]

2. PDDs in the AGR Tier are limited to the 80/20 PUD OR 60/40 PUD. [Ord. 2006-004]

3. MXPD shall be permitted when located at an intersection, as defined by the Plan, or when adjacent to a parcel with a CH FLU designation. [Ord. 2010-005]

[Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

[Renumber Accordingly]

Section 2 Planned Unit Development (PUD)

A. General

1. Applicability

Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Stricken indicates text to be deleted. Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

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

LDRAB March 23, 2011
EXHIBIT G

CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

The requirements of this Section shall apply to all PUDs, modifications to previously approved PUDs, and modifications to previous approvals specified in Art. 3.A.3.A.2, Planned Development Districts previously approved special exceptions for PUDs, unless otherwise stated. [Ord. 2009-040] [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

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

LDRAB March 23, 2011
CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Reason for amendments: [Zoning] Delete Zoning district and corresponding FLU requirements and relocate to new Art. 3.A.3 to consolidate all similar standards.

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 1 General Provisions for TDDs

E. FLUA Consistency, FAR and Residential Density and Plan Land Use Designations and Density

The Plan land use designations which correspond to the various TDDs shall be determined by Table 3.F.1.E, TDD Corresponding Land Use.

1. Land Use Categories

Any application for a rezoning to a TDD shall be in accordance with Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA). The Land Use categories in the Plan, which correspond to each TDD are indicated in Table 3.F.1.E, TDD Corresponding Land Use.

Table 3.F.1.E - TDD Corresponding Land Use

<table>
<thead>
<tr>
<th>TDD</th>
<th>AGR</th>
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</tbody>
</table>

Legend: Check (✓) indicates the TDD corresponds to the FLU category. Any application for a rezoning to a TDD shall be to a TDD that corresponds to a FLU designation. [Ord. 2008-037]

[Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

Notes:
Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Stricken indicates text to be deleted. Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ]. .... A series of four bolded ellipses indicates language omitted to save space.
EXHIBIT H

GENERATORS

SUMMARY OF AMENDMENTS
(Updated 03/07/11)

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

Part 1 ULDC Art.3.F.2.A.7, Recreation Clubhouse Emergency Generators [Related to Traditional Development District] (page 210 of 231), is hereby amended as follows:

Reason for amendments: [Zoning] Per BCC direction, Ordinance 2005-004 required that club houses greater than 2,500 square feet and all CLF’s and Nursing Homes provide emergency generators. The following year, at the request of industry, the threshold for clubhouses was increased from 2,500 to 20,000 square feet, as adopted in Ordinance 2007-013. At this time, the requirement listed under TDDs was inadvertently left at 2,500 square feet.

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 2 General Standards

A. Applicability

The following standards shall apply to all TDDs:

7. Recreation Clubhouse Emergency Generators

A permanent emergency generator shall be required for all TDD clubhouses greater than 2,500 square feet or greater, and shall meet the standards of Art. 5.B.1.A.18, Permanent Generators. [Ord. 2006-004]

Reason for amendments: [Zoning] 1) The use of the term “exception” as applies to requirements for generators has been has been changed to “exemption” for consistency with language in the subsequent text; and, 2) Ordinance 2010-005 included reorganization of Article 1.E, Prior Approvals, and 1.F, Nonconformities, which requires the following amendments to Permanent Generator requirements: a) prior references to Art. 1.E.1.C.2, Structural Renovations and Additions are no applicable, as thresholds are applied within the affected area of a Development Order, therefore the previous reference is hereby deleted, and b) the terminology for “current assessed value” has been replaced with the term “improvement value” for purposes of determining percentage valuation for improvements to prior approvals and non-conformities.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

18. Permanent Generators

a. Applicability

2) Type II and III CLF, Club Houses and Nursing or Convalescent Facility

A permanent emergency generator shall be required for all Type II and III CLFs, Nursing or Convalescent Facilities, and PDD or TDD clubhouses 20,000 square feet, or greater. [Ord. 2006-004] [Ord. 2007-013]

a) Exceptions/Exemptions

(1) Developments that have a BCC or DRO approved plan that graphically indicates a clubhouse(s) shall be exempt from the generator requirement except for projects that exceed 75 percent or more of the assessed value as stated below. [Ord. 2007-013]

(2) Renovations or additions that do not exceed 75 percent or more of the current assessed value Improvement Value may be exempt from these requirements in accordance with Art. 1.E.1.C.2, Structural Renovations and Additions. [Ord. 2007-013]

(3) A PDD or TDD clubhouse located in the Coastal High Hazard Area as defined by the Plan, shall be exempt from this requirement. [Ord. 2007-013]

(4) A PDD or TDD that has one or more clubhouses with a generator meeting the requirements of this Section, shall be exempt for any other remaining clubhouses within the development. [Ord. 2007-013]

...
Reason for amendment: [Zoning] The current Code inadvertently exempts mechanical equipment screening for structures that are adjacent to non-industrial uses. The proposed clarifies different scenarios where mechanical equipment screening could be exempted.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

19. Mechanical Equipment

a. Applicability

2) Screening Requirements

a) New and replacement equipment, shall be screened on all sides by an opaque barrier constructed of materials, and color compatible with the building or structure, or equivalent landscaping. If for ground mounted equipment, to a minimum height equal to the highest point of the equipment. [Ord. 2006-004]

b) Exemption for Roof Mounted Mechanical Equipment

The following shall be exempt from screening requirements may not be required:

(1) if the equipment is less than one foot in height, measured from the roof deck, provided it is painted to match the color of the structure it is attached to or servicing; and [Ord. 2006-004] [Ord. 2008-037]

(2) for any industrial use with industrial FLU designation if the equipment cannot be viewed from adjacent R.O.W. A line of sight drawing may be required to ensure compliance with screening of equipment;

(3) for any industrial use with industrial FLU designation if adjacent to a parcel with an industrial use and industrial FLU designation, equipment located on structures adjacent to:

(a) non-industrial properties or use; or [Ord. 2006-004] [Ord. 2008-037]

(b) parcels with an Industrial FLU or Industrial use, or unless obstructed from view from a R.O.W by vegetation or structure. [Ord. 2008-037]

(4) if an existing roof cannot structurally support additional weight associated with required screening materials, A certified letter, from a structural engineer or architect registered in the State of Florida, shall be submitted with the applicable permit, substantiating that the roof cannot support the additional weight. [Ord. 2008-037]