



**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**

Karen T. Marcus, Chair

Shelley Vana, Vice Chair

Paulette Burdick

Steven L. Abrams

Burt Aaronson

Jess R. Santamaria

Priscilla A. Taylor

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*

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

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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.)

Joanne Davis (District 1)

Vacant (League of Cities)

Barbara Katz (District 3)

Terrence N. Bailey (Florida Engineering Society)

Jim Knight (District 4)

Jose Jaramillo (A.I.A.)

Lori Vinikoor (District 5)

Rosa Durando (Environmental Organization)

Mike Zimmerman (District 6)

Michael Cantwell (PBC Board of Realtors)

Martin Klein, Esq. (District 7)

Gary Rayman (Fl. Surveying and Mapping Society)

Robert Schulbaum (Member at Large/Alternate)

Maurice Jacobson (Condominium Association)

Vacant (Member at Large/Alternate)

Vacant (Association Gen. Cont. of America)

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
2. Exhibit D Article 6 - Parking
3. Exhibit E Article 8 - Signage
4. Exhibit F Article 11 – Subdivision, Platting and Required Improvements
5. Exhibit G Criteria for Rezoning
6. Exhibit H Generators
7. 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 Schulbaum (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

EXHIBIT A

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

Minutes of February 23, 2011 Meeting

to LDRAB. Also proposed is an amendment to Article V, Subcommittees, 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:

Pain Management Clinics	Urban Redevelopment Area Overlay (URAO)	Renewable Energy (Wind)	Use Regulations (Round 2011-02)
Robert Schulbaum	Wes Blackman	Michael Cantwell	Wes Blackman
Lori Vinikoor	Mike Cantwell	David Carpenter	Michael Cantwell
David Mackarey	David Carpenter	Joanne Davis	Rosa Durando
	Joanne Davis	Rosa Durando	Jose Jaramillo
	Jose Jaramillo	Maurice Jacobson	Raymond Puzzitiello
	Barbara Katz	Barbara Katz	Jim Knight
	Jim Knight	Raymond Puzzitiello	
	Raymond Puzzitiello	Lori Vinikoor	
		Cliff Hertz (1)	

(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.



Name (signature)

3-8-11

Date

EXHIBIT B

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

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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. ~~A. 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.

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

EXHIBIT C

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES
SUMMARY OF AMENDMENTS

(Updated 03/07/11)

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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.~~~~

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EXHIBIT D

ARTICLE 6 – PARKING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

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 6.A.1.D - Parking Spaces for Persons Who Have Disabilities

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

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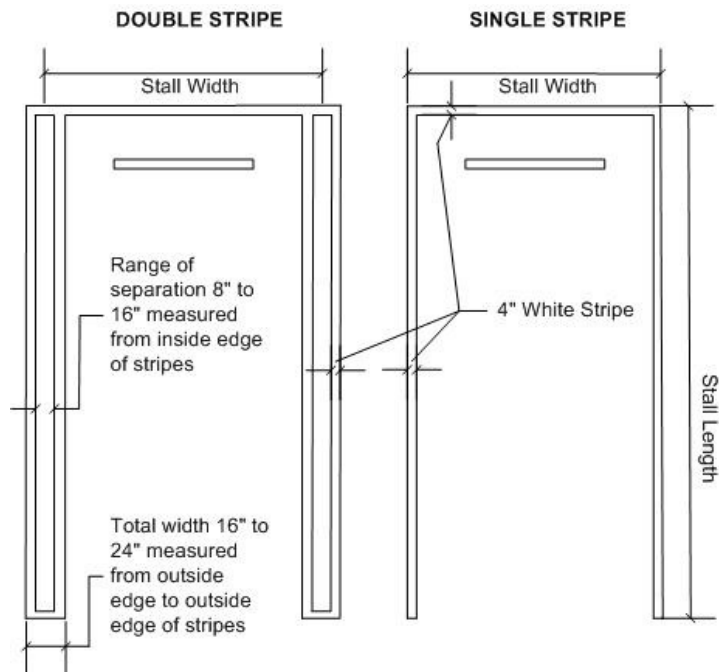
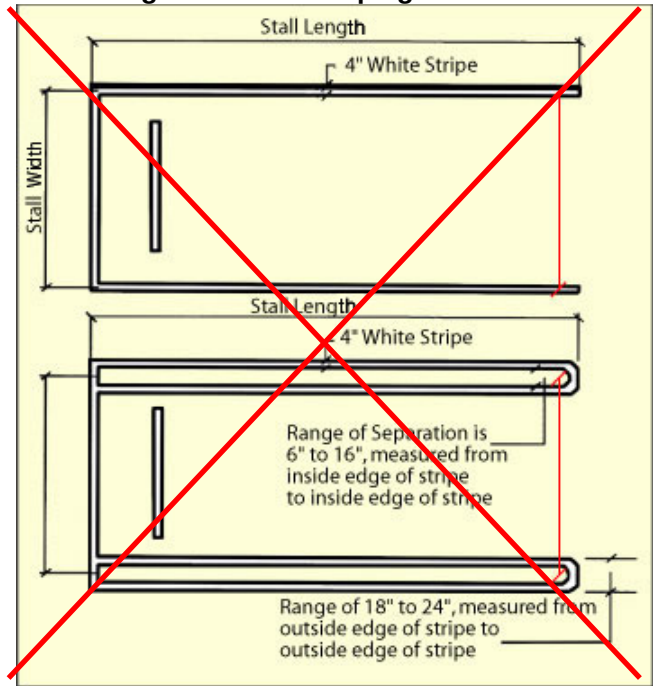
Notes:

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.

EXHIBIT D

ARTICLE 6 – PARKING
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

Figure 6.A.1.D- Striping Standards



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Notes:

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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.

EXHIBIT E

ARTICLE 8 – SIGNAGE
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

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Part 1. ULDC Table 8.G.2.A, Freestanding Signs: Maximum Heights [Related Ground Mounted Signs] (page 27 of 39), is hereby amended as follows:

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 \geq 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

R-O-W Width	Maximum Height					
	C/C ⁽¹⁾		C/R ⁽²⁾		R ⁽³⁾	
	S ⁽⁴⁾	PDD ⁽⁵⁾	S ⁽⁴⁾	PDD ⁽⁵⁾	S ⁽⁴⁾	PDD ⁽⁵⁾
\geq > or = 110 ft.	20	15	15	12	10	10
> or = 80 ft. or < 110 ft.	15	10	10	8	8	8
< 80 ft.	10	8	8	6	6	6
[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.						
4. S = Standard Development District.						
5. PDD = Planned Development District .						

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EXHIBIT F

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

(Updated 03/07/11)

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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:

Reason for amendments: [ENGINEERING] 1) Amend references for consistency with Florida Minimum Technical Standards to clarify the type of Survey required for platting submittal; and, 2) includes boundary survey as the official survey document applicable for the required improvements installation requirement.

CHAPTER A GENERAL REQUIREMENTS

Section 3 General Requirements

A. Platting Requirement

Any developer planning to subdivide land shall record a Final Plat in accordance with the requirements of this Article unless such requirement is specifically waived by the County Engineer in accordance with the provisions of Article 11.A.8.B, Plat Waiver with Certified Boundary Survey.

B. Required Improvements Installation Requirement

The adequacy of necessary public or private facilities and services for traffic and pedestrian access and circulation, public schools, solid waste, wastewater disposal, potable water supply, stormwater management, fire-rescue, parks and recreation and similar facilities and services, and potential adverse impacts on adjacent land uses and facilities shall be considered in the review of all development proposals. No Final Plat or certified boundary survey shall be recorded until all required improvements set forth in Article 11.E.1, Required Improvements, except those specifically waived pursuant to Article 11.A.8.C, Exceptions to Installation of Improvements Requirement, are either completed in accordance with the requirements of Article 11.B.7, Construction of Required Improvements, or are guaranteed to be completed by the developer in accordance with the provisions of Article 11.B.4.A, Land Development Permit Application Submittal.

....

Part 2. ULDC Art. 11.A.4, Application of Ordinance [Related to General Application and Building Permits and Other Approvals] (page 9 of 47), is hereby amended as follows:

Reason for amendments: [ENGINEERING] Amend to clarify that a survey should be understood as a boundary survey for purposes of subdivision regulations contained in this article.

CHAPTER A GENERAL REQUIREMENTS

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 approved 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:

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EXHIBIT F

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

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2 Part 3. ULDC Art. 11.A.8, Exceptions to General Requirements [Related to Authority, Plat
3 Waiver with Certified Survey and Effect of Approval] (page 12 of 47), is hereby
4 amended as follows:
5

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.

6 CHAPTER A GENERAL REQUIREMENTS

7 Section 8 Exceptions to General Requirements

8 B. Plat Waiver with Certified Boundary Survey

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

14 3. Effect of Approval

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

24

25
26
27 Part 4. ULDC Art. 11.B.2.B, Applicability] (page 15 of 47), is hereby amended as follows:
28

Reason for amendments: [ENGINEERING] Amend to reflect new title of reference in article 11.A.8.B.

29 CHAPTER B SUBDIVISION REQUIREMENTS

30 Section 2 Final Subdivision Plan

31 B. Applicability

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

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39 Part 5. ULDC Art. 11.B.3.B.2 , Certified Survey (page 16 of 47), is hereby amended as follows:
40

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.

41 CHAPTER B SUBDIVISION REQUIREMENTS

42 Section 3 Technical Compliance

43 B. Application

44 2. Certified Boundary Survey

45 The developer of a subdivision for which the requirement to plat has been waived pursuant to
46 Article 11.A.8.B, Plat Waiver with Certified Boundary Survey, shall submit the applicable
47 ~~certified abstracted boundary~~ survey meeting the requirements of Article 11.B.9,
48 Requirements for Certified Boundary Survey.

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Notes:

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EXHIBIT F

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

(Updated 03/07/11)

1 Part 6. ULDC Art. 11.B.3.D.3, [Related to Technical Compliance Approval for the Amount of
2 Fees Due for Recordation of Final Plat or Certified Survey] (page 17 of 47), is hereby
3 amended as follows:
4

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.

5 CHAPTER B SUBDIVISION REQUIREMENTS

6 Section 3 Technical Compliance

7 D. Technical Compliance Approval

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

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

12
13
14

15 Part 7. ULDC Art. 11.B.4.A, Land Development Permit, [Related to Application Submittal,
16 Certified Survey and Developers Acknowledgement of Responsibility], (page 18 of 47),
17 is hereby amended as follows:
18

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.

19 CHAPTER B SUBDIVISION REQUIREMENTS

20 Section 4 Land Development Permit

21 A. Land Development Permit Application Submittal

22 A Land Development Permit shall be required prior to commencement of construction of any
23 required improvement. The effective date of the Land Development Permit shall be the date the
24 County Engineer signs it. The Land Development Permit shall expire not more than 21 months
25 from the effective date, unless extended pursuant to Article 11.B.7.B, Time of Completion of
26 Required Improvements. Except when the installation of all required improvements has been
27 waived pursuant to Article 11.A.8.C, Exceptions to Installation of Improvements Requirement, the
28 Final Plat or certified boundary survey, as applicable, shall not be recorded until the developer
29 has either installed the improvements or has guaranteed the installation of the improvements
30 pursuant to the requirements of Article 11.B.4.A.6, Guarantees, below. As the final step in the
31 review procedures to obtain development approval under this Article, the developer shall have
32 prepared and shall submit, prior to expiration of the Technical Compliance, an application for
33 Land Development Permit. The application for Land Development Permit shall be accompanied
34 by the required fee and the required number, as determined by the County Engineer, of the
35 following documents applicable to the subdivision or approved phase thereof:

36

37 2. Certified Boundary Survey

38 The developer of a subdivision for which the requirement to plat has been waived pursuant to
39 this Article shall submit a check payable to the Clerk of the Circuit Court of PBC for the
40 recordation of the certified boundary survey. When construction plans are not required, the
41 certified boundary survey may be recorded without further review, provided, however, that the
42 County Engineer shall review any documents submitted in compliance with Article 11.B.4.A.3,
43 Maintenance and Use Documents.
44

45

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

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

Notes:

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EXHIBIT F

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

(Updated 03/07/11)

1
2
3 Part 8. ULDC Art. 11.B.7.C, Land Development Permit Application Submittal [Related to
4 Certified Survey], (page 22 of 47), is hereby amended as follows:
5

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.

6 CHAPTER B SUBDIVISION REQUIREMENTS

7 Section 7 Construction of Required Improvements

8 C. Completion Prior to Plat Recordation

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

11
12 2. When the County Engineer finds that the certified boundary survey and completion of the
13 required improvements are in compliance with all requirements of this Article, he shall cause
14 the certified boundary survey to be recorded in the Office of the Clerk of the Circuit Court.
15

16
17 Part 9. ULDC Art. 11.B.9, Requirements for Certified Survey (page 26 of 47), is hereby
18 amended as follows:
19

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.

20 CHAPTER B SUBDIVISION REQUIREMENTS

21 Section 9 Requirements for Certified Boundary Survey

22 A. General

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

28 B. Alternatives

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

35 C. Recordation

36 The certified boundary survey or sketch and legal description shall not require approval of the
37 Board prior to recordation.
38

39
40 Part 10. ULDC Art. 11.D.1.A, Preliminary Plat, (page 27 of 47), is hereby amended as follows:
41

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.

42 CHAPTER D PLATTING

43 Section 1 Requirements for the Preliminary and Final Plat

44 A. Preliminary Plat

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

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EXHIBIT F

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

(Updated 03/07/11)

1 Part 11. ULDC Art. 11.E.1.A, Minimum Required Improvements for All Subdivisions, (page 32 of
2 47), is hereby amended as follows:
3

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.

4 CHAPTER E REQUIRED IMPROVEMENTS

5 Section 1 Required Improvements

6 A. Minimum Required Improvements for All Subdivisions

7 Except when waived pursuant to Article 11.A.8.C, Exceptions to Installation of Improvements
8 Requirement, the improvements set out herein shall be the minimum required improvements for
9 all subdivisions in order to provide the physical improvements necessary to implement certain
10 performance standards, objectives and policies of the Capital Improvements Element and other
11 elements of the Plan. These required improvements shall be installed prior to recordation of the
12 corresponding plat or certified boundary survey unless the developer furnishes a guaranty
13 assuring their installation in accordance with the provisions of this Article. Except as provided in
14 this Section, the cost of all required improvements shall be guaranteed.
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60 U:\Zoning\CODEREV\2011\LDRAB\Meetings\3-23-11\4 Final packet for LDRAB\Exhibit F - Art. 11 Subdivision, Platting and
61 Required Improvements - Survey.docx

Notes:

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EXHIBIT G

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

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Part 1. ULDC Art. 1.E.1.C.1, Determination of Extent of Vested Status in the Area of Modification [Related to Prior Approvals] (page 15 of 114), is hereby amended as follows:

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 it's 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.

6 CHAPTER E PRIOR APPROVALS

7 Section 1 General

8 C. Modification of Prior Approvals

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

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

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

19
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.

20 CHAPTER A GENERAL

21 Section 1 Overlays and Districts

22 A. Purpose and Intent

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

31 B. Overlays and Zoning Districts

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

35 1. Overlays

36
37 ~~LWRCCO, Lake Worth Road Commercial Corridor Overlay~~

38
39 IRO, Infill Redevelopment Overlay
40 URAO, Urban Redevelopment Area Overlay
41 AGEO, Agricultural Enclave Overlay
42 SR-7 EDO, State Road 7 Economic Development Overlay

43 2. Standard Districts

44
45 IR, Infill Redevelopment
46 UI, Urban Infill
47 UC, Urban Center
48 SD, Specialized Development District

Notes:

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EXHIBIT G

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

- 3. **Planned Development Districts (PDD)**
....
- LCC, Lifestyle Commercial Center
- 4. **Traditional Development Districts (TDD)**
....

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)

FLU Designation	Zoning District (2)					
Agriculture/Conservation						
AP	AP					
AGR	AGR					
CON	PC					
SA	AR (2)	AGR				
Residential						
RR-20	AR					
RR-10	AR	CRE				
RR-5	AR					
RR-2.5	AR	RE				
LR-1	AR (3)	RE	RT	AP		
LR-2	AR (3)	RE (3)	RT			
LR-3	AR (3)	RE (3)	RT			
MR-5	AR (3)	RE (3)	RT (3)	RS	RM	
HR-8	AR (3)	RE (3)	RT (3)	RS	RM	
HR-12	AR (3)	RE (3)	RT (3)	RS (3)	RM	
HR-18	AR (3)	RE (3)	RT (3)	RS (3)	RM	
Commercial						
CL-O	CLO	IR				
CL	CN	CC	CLO	IR		
CH-O	CLO	CHO	IR			
CH	CN	CC	CLO	CHO	CG	IR
CR	CRE					
UI	UI	SD				
UC	UC	SD				
Industrial						
IND	IL	IG	CRE			
EDC	IL	IG				
Institutional/Civic						
INST	IPF					
PARK	IPF					
U/T	PO					
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:

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EXHIBIT G

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

- a. 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.A.3.B, Future Land Use Designation and Corresponding Standard Zoning Districts.
- b. The AR District is consistent with the SA FLU designation in the Rural and Exurban Tiers only.
- c. The AR Zoning District may be considered consistent with all FLU designations in the U/S Tier for existing agricultural uses or the purpose of permitting new agricultural uses, where in accordance with Art. 3.C.1.F.1.c, Agricultural Uses in the U/S Tier.
- d. The PO District is consistent with all FLU designations.
- e. The AGR District is consistent with the SA FLU designation in the AGR Tier only.
- f. The CRE District is consistent with the RR-10 designation only for those uses identified in Policy 2.2.3-a in the Plan.
- g. The AP District is consistent with the LR-1 designation in the Glades Tier only for legal lots of records located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point.
- h. 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.
- i. Certain uses in the CRE District over three acres require rezoning to IL. See Supplementary Use Standards.
- j. Existing institutional or civic uses in the AR, RE, RT, RS or RM districts with an INST FLU designation shall not be considered non-conforming. However, a rezoning shall be required for any action exceeding DRO Authority.
- k. 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.

[Relocated from Art. 3.C.1.B, Standard District Exceptions and Limitations, unless identified otherwise above]

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 Districts¹

	AGR ²	RR	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
PUD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
MHPD	✓	✓	✓	✓	✓	✓	✓	✓	✓		
MXPD								(3)	(3)		

	AGR ¹	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
MUPD			✓	✓	✓	✓	✓	✓	✓	✓	✓
MXPD				✓		✓				✓	✓
PIPD							✓			✓	✓
RVPD		✓							✓		
LCC			✓	✓							

Notes:

1. Check (✓) indicates the PDD corresponds to the FLU designations. Any application for a rezoning to a PDD shall be to a PDD 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.

[Relocated from Table 3.E.1.B, FLU Designation and Corresponding Planned Development Districts]

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

	AGR	RR	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
TND			✓	✓	✓	✓	✓	✓	✓	✓	✓
TTD			✓	✓	✓	✓	✓	✓	✓	✓	
	AGR	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
TMD			✓	✓	✓	✓			✓	✓	✓

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 from Table 3.E.1.B, FLU Designation and Corresponding Planned Development Districts]

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EXHIBIT G

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

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 (RSEB) 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 (PNCDDs), 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:

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EXHIBIT G

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)

FLU Designation	Zoning District (2)					
Agriculture/Conservation						
AP	AP					
AGR	AGR					
CON	PC					
SA	AR (2)	AGR				
Residential						
RR-20	AR					
RR-10	AR	CRE ⁴				
RR-5	AR					
RR-2.5	AR	RE				
LR-1	AR (3)	RE	RT	AP		
LR-2	AR (3)	RE (3)	RT			
LR-3	AR (3)	RE (3)	RT			
MR-5	AR (3)	RE (3)	RT (3)	RS	RM	
HR-8	AR (3)	RE (3)	RT (3)	RS	RM	
HR-12	AR (3)	RE (3)	RT (3)	RS (3)	RM	
HR-18	AR (3)	RE (3)	RT (3)	RS (3)	RM	
Commercial						
CL-O	CLO	IR				
CL	CN	CC	CLO	IR		
CH-O	CLO	CHO	IR			
CH	CN	CC	CLO	CHO	CG	IR
CR	CRE					
Industrial						
IND	IL	IG	CRE			
EDC	IL	IG				
Institutional/Civic						
INST	IPF					
PARK	IPF					
U/T	PO					
[Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-005]						
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 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 Art. 3.C.1.B.1.						

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B. Standard District Exceptions and Limitations

The following list of exceptions shall be permitted: **[Ord. 2008-003]**

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 AGR 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-a 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 records 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 INST FLU 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.F.1.c.2), New Agricultural Uses. **[Ord. 2008-037]**

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:]**.

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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 G

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

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- 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.~~
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**
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- EH. PRA, Priority Redevelopment Area Districts**
....
- FI. Industrial Districts**
....
- GJ. Public and Institutional Districts**
....

Part 4. ULDC Art. 3.C.1.F, Agricultural Residential District, (page 122 of 231), is hereby amended as follows:

Reason for amendments: [Zoning] Correct scrivener's error that inadvertently misconstrued allowance for bona-fide agricultural uses in the U/S Tier without required Conditional Use approval.

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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]**

Notes:

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EXHIBIT G

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

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Part 5. ULDC Art. 3.E, Planned Unit Development Districts (PDDs), (pages 138-139, 158, 170-171, 176, 179 and 182 of 231), is hereby amended as follows:

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

2. Applicability

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 3.E.1.B – FLU Designation and Corresponding Planned Development Districts¹

	AGR²	RR	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
PUD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
MHPD	✓	✓	✓	✓	✓	✓	✓	✓	✓		
MXPD								(3)	(3)		

	AGR¹	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
MUPD			✓	✓	✓	✓	✓	✓	✓	✓	✓
MXPD				✓		✓				✓	✓
PIPD							✓			✓	✓
RVPD		✓							✓		
LCC			✓	✓							

Notes:[Ord. 2008-037] [Ord. 2010-005]
 1. Check (✓) indicates the PDD corresponds to the FLU designations. 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

2. Applicability

Notes:
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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. ~~Refer to Art. 3.E.1.A.2.a, Previous Approvals, for additional requirements.~~ [Ord. 2009-040] [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

....

Section 3 Multiple Use Planned Development (MUPD)

A. General

....

2. Applicability

The requirements of this Section shall apply to all MUPDs, modifications to previously approved MUPDs, and modifications to previous approvals specified in Art. 3.A.3.A.2, Planned Development Districts ~~previously approved 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)~~, unless otherwise stated. ~~Refer to Art. 3.E.1.A.2.a, Previous Approvals, for additional requirements.~~ [Ord. 2009-040] [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

....

Section 5 Planned Industrial Park Development (PIPD)

A. General

....

2. Applicability

The requirements of this Section shall apply to all PIPDs, modifications to previously approved PIPDs, and modifications to previous approvals specified in Art. 3.A.3.A.2, Planned Development Districts ~~previously approved special exceptions for PIPDs~~, unless otherwise stated. ~~Refer to Art. 3.E.1.A.2.a, Previous Approvals, for additional requirements.~~ [Ord. 2009-040] [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

....

Section 6 Mobile Home Planned Development District (MHPD)

A. General

....

2. Applicability

The requirements of this Section shall apply to all MHPDs, modifications to previously approved MHPDs, and modifications to previous approvals specified in Art. 3.A.3.A.2, Planned Development Districts ~~previously approved special exceptions for MHPDs~~, unless otherwise stated. ~~Refer to Art. 3.E.1.A.2.a, Previous Approvals, for additional requirements.~~ [Ord. 2009-040] [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

....

Section 7 Recreational Vehicle Planned Development District (RVPD)

A. General

....

2. Applicability

The requirements of this Section shall apply to all RVPDs, modifications to previously approved RVPDs, and previous approvals specified in Art. 3.A.3.A.2, Planned Development Districts ~~modifications to previously approved special exceptions for RVPDs~~, unless otherwise stated a rezoning is required pursuant to Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA). [Relocated to new Art. 3.A.3, Zoning District Consistency with Future Land Use Atlas (FLUA)]

....

Notes:

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EXHIBIT G

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

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Part 6. ULDC Art. 3.F.1.E, Residential Density and Plan Land Use Designations and Density (page 157 of 195), is hereby amended as follows:

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

	AGR	RR	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
TND			↓	↓	↓	↓	↓	↓	↓	↓	↓
TTD			↓	↓	↓	↓	↓	↓	↓	↓	
	AGR	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
TMD			↓	↓	↓	↓			↓	↓	↓

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)]

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Notes:

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EXHIBIT H

GENERATORS
SUMMARY OF AMENDMENTS
(Updated 03/07/11)

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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 ~~2,500~~ 20,000 square feet or greater, and shall meet the standards of Art. 5.B.1.A.18, Permanent Generators. [Ord. 2006-004]

Part 2 ULDC Art.5.B.1.A.18.a.2).a), Exceptions [Related to Permanent Generators] (page 24 of 90), is hereby amended as follows:

Reason for amendments: [Zoning] 1) The use of the term "exception" as applies to requirements for generators 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]

....

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Notes:

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EXHIBIT I

ARTICLE 5 – SUPPLEMENTARY STANDARDS
SUMMARY OF AMENDMENTS
(Updated 03/11/11)

Part 1 ULDC, Art. 5.B.1.A.19, Mechanical Equipment, (page 26 of 90), is hereby amended as follows:

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~~ for ground mounted equipment, to a minimum height equal to the highest point of the equipment. ~~[Ord. 2006-004] [Ord. 2008-037]~~

b) Exemption for Roof Mounted Mechanical Equipment

~~The following shall be exempt from s~~Screening requirements may not be required. [Ord. 2006-004]

(1) ~~if the~~ is less than one foot in height, measured from the roof deck, ~~provided it and~~ 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]~~

~~(34)~~ if an existing roof cannot structurally support additional weight associated with required screening materials. ~~A~~ A certified letter, ~~from~~ 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]

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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.