### #1 Page 8-9 Exhibit B – Variance Standards is withdrawn

#### #2 Page 13 (line 3), Exhibit E – Produce Stand - Part 1

**Reason for amendments:** [Zoning] Correct reason for amendments to clarify the term to be defined is Packaged or Canned Foods instead of Foodstuff.

#### #3 Page 13 (line 38), Exhibit E – Produce Stand – Part 2

**Reason for amendments:** [Zoning] As discussed at Produce Stand subcommittee meeting on November 15, 2011, the intent of the proposed language inadvertently applied to all tiers, whereas the intent was to address minor change in the Urban/Suburban Tier only.

**NOTE:** Planning staff has scheduled a workshop item on January 17, 2012 to present to the BCC issues related to AGR Tier.

#### 3) Uses - Sale of Products

##### a) General

The use shall be limited to those uses identified above. Includes sales of agricultural food products such as jelly, jam, honey and juice. No Special Permits shall be permitted in conjunction with the stand except for seasonal sales. Seasonal sales that require additional storage area may be permitted in accordance with Art. 4.B.1.A.115, Retail Sales, Mobile or Temporary. No vending machines or other similar equipment for food preparation or processing shall be permitted on site. [Ord. 2005 – 002]

---

**Notes:**
- **Double underlined** indicates new text or previously stricken text to remain.
- **Double Stricken** indicates text to be deleted.
- **Italicized** indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
- ….. A series of four bolded ellipses indicates language omitted to save space.
November 9, 2011

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

RE: November 16, 2011 LDRAB/LDRC Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC meeting on Wednesday, November 16, 2011.

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

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

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: November 16, 2011 LDRAB/LDRC Agenda packet and supporting materials.

c: Verdenia C. Baker, Deputy County Administrator
   Barbara Alterman, Esq., Executive Director, PZB
   Leonard W. Berger, Assistant County Attorney
   Robert P. Banks, Assistant County Attorney
   Jon MacGillis, ASLA, Zoning Director
   Maryann Kwok, Chief 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)

November 16, 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)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

WEDNESDAY, NOVEMBER 16, 2011 AGENDA
2300 NORTH JOG ROAD
1ST FLOOR KENNETH S. ROGERS HEARING ROOM (VC-1W-47), 2:00 P.M.

A. CALL TO ORDER/CONVENE AS LDRAB
1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of October 26, 2011 Minutes (Exhibit A)

B. ULDC AMENDMENTS
1. Exhibit B Variance Standards
2. Exhibit C Public Notice
3. Exhibit D Criteria for Rezoning
4. Exhibit E Produce Stand
5. Exhibit F Wellfield Protection Program
6. Exhibit G Enclosed Auction in IND/MUPD

C. CONVENE AS LDRC
1. Proof of Publication
2. Consistency Determinations
   a. See Exhibits listed above B.1 thru B.6
   b. Previously presented at August 24 and October 26, 2011 LDRAB meetings:
      1) Exhibit H Article 2, Development Review Procedures
      2) Exhibit I Article 3, Overlays and Zoning Districts
      3) Exhibit J Article 4, Use Regulations
      4) Exhibit K Article 9, Archaeological and Historic Preservation
      5) Exhibit L Article 11, Subdivision, Platting and Required Improvements
      6) Exhibit M Article 13, Impact Fees
      7) Exhibit N Congregate Living Facility
      8) Exhibit O Density Bonus Programs

D. RECONVENE AS LDRAB

E. PUBLIC COMMENTS

F. STAFF COMMENTS

G. ADJOURN
A. Call to Order/Convene as LDRAB

1. Roll Call

Chair Wes Blackman called the meeting to order at 2:05 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 13
Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Maurice Jacobson (Condominium Association)
Joanne Davis (District 1) *
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Michael Zimmerman (District 6)
Martin Klein (District 7) **
Terrence Bailey (Florida Eng. Society)
Gary Rayman (Fl. Soc. of Prof. Land Surv.)
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Michael Cantwell (PBC Board of Realtors)

Members Absent: 2
Rosa Durando (Environmental Organization)
Jose Jaramillo (AIA)

Member At Large: 1 (Not Attending)
Robert Schulbaum (Member At Large, Alt.)

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

County Staff Present:
Leonard Berger, Assistant County Attorney
William Cross, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Bryan Davis, Principal Planner, Planning
John Rupertus, Senior Site Planner, Planning
Michael Howe, Senior Planner, Planning
Christian Davenport, Archaeologist, County Historic Preservation Officer
Timothy Sanford, Site Planner I, Zoning
Zona Case, Zoning Technician, Zoning

B. ULDC Amendments

1. Exhibit B: Article 3, Overlays and Zoning Districts

Ms. Cross stated that this amendment is associated with the Glades Area Protection Overlay (GAPO). He said that the proposed amendment allows the existing zoning to be retained to comply with the Plan Future Land Use (FLU) designation regulations and avoid rezoning of parcels with a Specialized Agriculture (SA) zoning district.

Motion to adopt by Martin Klein, seconded by David Carpenter. The motion passed unanimously (12 - 0*).

2. Exhibit C: Article 4, Use Regulations

Mr. Cross explained that the proposed amendment is in keeping with updates to the U.S. Census. The 2000 U.S. Census indicated that average household size in Palm Beach
EXHIBIT A

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of October 26, 2011 Meeting

County was 2.34 persons and this has increased to 2.39 persons, as indicated in the 2010 U.S. Census. This change necessitates amendments to the Maximum Permissible Occupancy in Type 3 Congregate Living Facility. No further discussion took place.

Motion to adopt by Martin Klein, seconded by David Carpenter. The motion passed unanimously (12 - 0*).

3. Exhibit D: Density Bonus Programs

Mr. Michael Howe of the Planning Division addressed the amendments proposed under Exhibit D. The following provides a summary of the key points presented:

- **Density Bonus Program** - Under Part 1, general exceptions applicable to Property Development Regulations (PDR) for standard districts, Mr. Howe said that the language is being eliminated as it is duplicative and no longer necessary, as each density bonus program has its own PDRs.

- **WHP on Site Construction** - Mr. Howe stated that in Part 2, the change is to clarify development orders already commenced that may include WHP units in later or final phases. This language clarifies existing regulations for previously approved projects.

- **Sales and Rental Prices of WHP Units** - Part 3, Mr. Howe said that the proposed amendment will instill certainty in the prices at the time the project is developed. If household incomes become depressed rental prices will fall and this provision will offer some protection. Owners may choose to rent below rental floor price. He further explained Utility Allowance proposed language is to clarify that water, sewer, gas and electric will be subtracted from the rental amount to assist the tenant in paying utilities.

- **Affordable Housing Program** - Part 4, Mr. Howe explained that there are certain programmatic requirements imposed by some funding sources. It is thought that a maximum of 20 percent of units targeting incomes of 30 percent and below Area Media Income (AMI) will not work. The proposed amendment is meant to encourage use of the program by giving flexibility to the current code definition.

- **Transfer of Development Rights (TDRs) Bank** - Part 6, Mr. Howe addressed this by saying that the proposed amendment will ensure that density increase in the TDR Program is consistent with Neighborhood Plans and supported within those Plans.

Mr. Carpenter stated that the Neighborhood Plan standards were taken out of the Code and questioned the necessity of this language. Mr. Bryan Davis said this amendment is being proposed for consistency with changes made earlier. Mr. Carpenter said he has seen several projects in the past where density is increased in the neighborhood and he questions whether the amendment will be a deterrent.

Mr. Knight inquired what the houses will be priced at, and what the median house price in Palm Beach County is. Mr. Howe indicated that the program targeted income 60% of variable to $140,000, now running at $145,000 up to $260,000 at the high end. Regarding the median house price in PBC, Mr. Howe said it is $180,000 and this figure is based on US Department of Housing, Federal Funding source.

Mr. Howe also responded to Mr. Blackman’s question on the number of approved projects by stating that about 20 projects which have approximately 4,000 units have been approved. Since 2006 there have not been any new projects. Some are approved, but are subject to change.

Mr. Carpenter inquired whether the negative aspects of the TDR Program has improved and was informed by Mr. Howe that staff met with several members of Industry and some of the issues were addressed.

Mr. Christopher Roog, Gold Coast Builders Association, told the Board that initially an effort will be made to sell the units at the affordable price but if they are not sold after a period of 180 days the units may revert to the market price. Builders are allowed...
flexibility consistent with market rate development and some esthetic changes can be made to allow some creativity.

Ms. Katz expressed concern that the units are going to be built in one location and be easily identified as TDR Units, as is the case in the West Boynton area. Mr. Howe confirmed that changes were made and it is possible to have the units in separate locations and also to be affordable. There has to be a mix of affordable and market price units.

Mr. Carpenter was of the view that in this depressed housing market many homes in Palm Beach County are now in the Workforce Housing category. More effort should be directed at getting buyers for existing houses on the market to clear the inventory. He pointed out that there is at best 50% or less occupancy in condos as many people have walked away. Mr. Howe responded by saying that the existing housing stock is being addressed. Workforce Housing Units are not just for sale but also for rent and recent analysis shows that an increased demand for rental units is expected in Florida. This will result in increased rental price. Some of the Workforce Housing units will address the demand.

Mr. Jacobson requested definitions of “workforce” and “affordable” and Mr. Howe stated that workforce is 60% of median income ($39,000) for family of 4. “Affordable” is from zero income up to 80%, which would be $50,000.

Motion to adopt by Mr. Klein, seconded by Mr. Jacobson. The motion passed unanimously. (13 - 0)

4. Exhibit E: Article 9, Archaeological and Historic Preservation

As discussed at the August 24, 2011 meeting, this Exhibit was re-tabled to facilitate input from appropriate staff and further discussion. Mr. Chris Davenport, Archaeologist from the Planning Division gave a brief background:

- January 2011, the Historical Resources Review Board (HRRB) held a Certificate of Appropriateness (COA) Public Hearing relative to changing the paint scheme for the Wenger House.
- The HRRB granted the COA on the grounds that color choice was not a factor in what made the building historically significant but its architectural form and they instructed staff to start the amendment process to remove color choice from requiring a COA under Article 9 of the ULDC.
- In August the proposed language changes were brought before the LDRAB and after extensive discussion the issue was re-tabled for further clarification.

Mr. Davenport said that the Wenger House is the only privately owned historical house in unincorporated Palm Beach County, located between Boynton Beach and Delray Beach. He gave a power point presentation showing the Wenger House, highlighting specifically the paint colors on the house. The presentation also outlined:

- Historically designated structures on PBC Register of Historic Places;
- How historic significance is determined;
- Wenger House historic significance;
- Examples of what other municipalities require;
- Discussion on differences between Home Owners Associations and Historic Preservation Ordinances; and,
- When color is relevant and when it is not.

Mr. Davenport stated that color is not relevant as paint is just a protective covering and the choice of color is irrelevant to protection. He questioned whether it is proper to regulate color, as architectural form is what is important to determine historical significance and not choice of color. Color choice, he continued, has a lot to do with time and buildings evolve through time. Mr. Davenport showed famous historical buildings, including the Statue of Liberty which today has a different color than when it was first erected, due to the passage of time. Mr. Davenport went on to say that a permit is not required to paint a home and the only reason this issue was brought to the County’s attention was because of the honesty of the property owner. The HRRB
recommended the ULDC be changed so that a COA for a change in the color is not required.

Ms. Friederike Mittner, City of West Palm Beach Historic Preservation Planner, and Chairperson of the HRRB, said that permits are not required to paint a house and City of West Palm Beach does not require permits for color changes. She expressed the view that denial would put other properties in jeopardy of not having their structures designated. She said that paint is reversible, according to the Secretary of Interior, and she urged Board approval.

Ms. Katz opined that preservation is not only related to structure and color accents characteristics of the structure. Mr. Bailey stated that preserving the artist’s intent is important and went on to say that the original color is not known but he wondered whether a middle ground could be found.

Mr. Blackman was of the view that this is an invasion of government into a personal selection.

Motion to adopt by Raymond Puzzitiello, seconded by David Carpenter. The motion passed (8 - 4**). Barbara Katz, Lori Vinikoor, Maurice Jacobson, and Terrence Bailey voted nay.

C. Public Comments

Mr. Christopher Roog of Gold Coast Builders said that Exhibit K in the last Ordinance 2011-016, effective September 6, 2011, has created some issues regarding rezoning. He presented an example of a shopping center of approximately 150 acres, if it is not in keeping with the Code, it has to be rezoned. He discussed the criteria with staff as this will greatly affect cost. This is significant because it can delay projects and is not economically viable. Mr. Lenny Berger stated that the amendments were done in an effort to clean up the code and take care of older districts. A more global solution can be found with just a couple of changes in the code. Mr. Carpenter cited a similar situation and said he was mandated to rezone the whole site and the project had to be changed to MUPD to move it forward.

Mr. Cross stated that staff were responding to industry concerns that solutions were being developed for presentation at the November 11, 2011 LDRAB meeting. No matter what solutions are to be presented, exemptions for PUDs will be addressed. He said a memo has been drafted to address fees and a global solution will be sought.

D. Staff Comments

Miss Cantor updated the Board on the Produce Stand Subcommittee, which she said is continuing to work on this issue to take it to another level. Another meeting will be convened shortly and the Zoning Director will attend.

G. Adjourn

The Land Development Regulation Advisory Board meeting adjourned at 3:25 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.
EXHIBIT B

ARTICLE 2 – VARIANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 11/03/11)

Part 1. ULDC Art. 2.B.3.E [Related to Standards for Type II Variance Public Hearing Process] (page 32 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] To provide a greater degree of clarity and lessen any ambiguity with regards to the Standards of the variance process and how the applicant understands and responds to the seven criteria.

CHAPTER B PUBLIC HEARING PROCESS

Section 3 Type II Variance

E. Standards

The Zoning Director shall consider and find that all seven criteria listed below have been satisfied by the applicant prior to making a final decision regarding an application for an Administrative Variance

1. Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcels of land, structures or buildings in the same district;
2. Special circumstances and conditions are not a result of the applicant’s actions of the applicant;
3. Granting the variance shall not confer upon the applicant any special privilege denied by the Plan and this Code to other parcels of land, buildings, or structures, in the same district;
4. Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship;
5. Granting the variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure;
6. Granting the variance will be consistent with the purposes, goals, objectives, and policies of the Plan and this Code;
7. Granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The variance is consistent with the prior statement.

Part 2. ULDC Art. 2.D.3.G.1 [Related to Standards for Type IA Administrative Variance Process] (page 42, 43, of 85), is hereby amended as follows:

Reason for amendments: [Zoning] To provide a greater degree of clarity and lessen any ambiguity with regards to the Standards of the variance process and how the applicant understands and responds to the seven criteria.

CHAPTER D ADMINISTRATIVE PROCESS

Section 3 Type IA and Type IB Administrative Variances

G. Standards

The Zoning Director shall consider and find that all criteria listed below have been satisfied by the applicant prior to making a final decision regarding an application for an Administrative Variance.

1. Type IA
   a. Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcels of land, structures, or buildings in the same district; [Ord. 2006-036]
   b. Granting the variance shall not confer upon the applicant any special privilege denied by the Plan and this Code to other parcels of land, structures or buildings in the same district. The variance is consistent with the prior statement; [Ord. 2006-036]
   c. Literal interpretation and Enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship; [Ord. 2006-036]
   d. All viable options to address the situation have been exhausted; and. [Ord. 2006-036]
   e. The requested variance is the minimum variance necessary to make possible the reasonable use of the parcel of land, building or structure. [Ord. 2006-036]

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

ARTICLE 2 – VARIANCE STANDARDS

SUMMARY OF AMENDMENTS

(Updated 11/03/11)

Part 3. ULDC Art. 2.D.3.G.2 [Related to Standards for Type IB Variance Administrative Process] (page 43 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] To provide a greater degree of clarity and lessen any ambiguity with regards to the Standards of the variance process and how the applicant understands and responds to the seven criteria.

CHAPTER D ADMINISTRATIVE PROCESS

Section 3 Type IA and Type IB Administrative Variances

2. Type IB

a. Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcels of land, structures, or buildings in the same district; [Ord. 2006-036]

b. Special conditions and circumstances do are not a result from of the applicant’s actions of the applicant; [Ord. 2006-036]

c. Granting the The variance shall not confer upon the applicant any special privilege denied by the Plan and this Code to other parcels of land, structures or buildings in the same district. [The variance is consistent with the prior statement]; [Ord. 2006-036]

d. Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship; [Ord. 2006-036]

e. Granting the The variance is the minimum variance that will make possible a reasonable use of the parcel of land, building, or structure; [Ord. 2006-036]

f. Granting the The variance will be consistent with the purposes, goals, objectives, and policies of the Plan and this Code; and, [Ord. 2006-036]

g. Granting the The variance will shall not be injurious to the area involved or otherwise detrimental to the public welfare. The variance is consistent with the prior statement. [Ord. 2006-036]

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.
PUBLIC NOTICE
SUMMARY OF AMENDMENTS
(Updated 11/07/11)

Part 1. ULDC Art. 2.A.1.J, Notification (page 18 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] At the Board of County Commissioners (BCC) hearing held on August 29, 2011, the BCC directed staff to reach and bring back at a later hearing recommendations to the Public Notice provisions. On October 27, 2011 BCC Zoning Hearing, the Zoning staff presented their findings and the BCC directed staff to make the following amendment to the code; to increase the notification boundary to 1,000 feet for the Rural and Exurban Tiers, and to post larger signs in size but less in number. There were other recommendations from the BCC with respect to the Notice Boards (large size, font, and reference to web page for information on application) that staff is also following up on and will report final drafts to Board in March 2012 before implementation.

CHAPTER A GENERAL
Section 1 Applicability
J. Notification
2. Courtesy Notice
a. Applicability and Mailing Boundary

<table>
<thead>
<tr>
<th>Process</th>
<th>Certified Mail 0 to 300 feet (1)</th>
<th>Regular Mail 301 to 500 feet (1)</th>
<th>Regular Mail within One Mile (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type IB Variance</td>
<td>All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Type II Variance</td>
<td>Counties and Municipalities (4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Public Hearing</td>
<td>All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rezoning, CA, CB, DOA, Requested Use, DOA, Unique Structure, Waivers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Ord. 2011-016]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. Distance shall be measured from the property line of the affected area, unless stated otherwise. If the adjacent property within the mailing boundary is owned by the applicant or a related entity, the 300 or 500 foot notification boundary shall be extended from these parcels. A larger notification boundary may be required by the Zoning Director for properties located in the Exurban or Rural Tiers.
2. Includes all owners of real property, whose names and addresses are known by reference to the most recent published ad valorem tax records of the PBC Property Appraiser.
3. Includes condominium associations and all real property owners when real property consists of a condominium.
4. Shall also include municipalities that have the subject parcel identified within the PBC Future Annexation Map.

3. Signs
a. The property subject of the application shall have notices posted by the applicant with information of the public hearing on a sign provided by the PBC at least 15 days in advance of any public hearing. One sign shall be posted for each 400 to 500 feet of frontage along a street up to a maximum of ten signs. All signs shall be: [Ord. 2010-022] [Ord. 2011-016]
1) Evenly spaced along the street, when more than one sign per property is required; [Ord. 2011-016] 2) Setback no more than 25 feet from the property line; and, [Ord. 2011-016] 3) Erected in full view of the public. [Ord. 2011-016]
Where the property does not have sufficient frontage on a street, signs shall be in a location acceptable to the Zoning Director. The applicant shall submit photographs confirming the signs have been posted. The failure of any such posted notice to remain in place after it has been posted shall not be deemed a failure to comply with this requirement or be grounds to challenge the validity of any decision made by the approving authority. The applicant shall also be required to ensure the signs have been removed no later than five days after the final hearing. [Ord. 2010-022] [Ord. 2011-016]

Notes:
Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Strikened indicates text to be deleted. Italics 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.
CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 11/10/11)

Part 1. ULDC Art. 3.A.2, Zoning Map and District Boundaries (page 16 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] Clarify that where applicable, updates to the Official Zoning Map will include the correct Planned Development District (PDD) that corresponds to certain prior commercial approvals superseded by newer Zoning Ordinances, or the Unified Land Development Code, as adopted in 1992 (Ord. 1992-020). These updates will improve customer service by ensuring that any persons referencing the Official Zoning Map and any implementing ULDC regulations are applying the correct standards. Note: As provided for in Art. 3.A.3.E, Exemptions/Applicability for Prior Approvals, any Development Order Amendment to a prior approval will be subject to the current land development regulations applicable to the corresponding district. [CR Case No. 2011-100]

CHAPTER A GENERAL
Section 2 Zoning Map and District Boundaries

D. Prior Approvals Corresponding to Current Districts

In order to promote ease of use and the consistent application of this Code, the Official Zoning Map may be updated administratively to delineate the Planned Development District that corresponds to certain prior approvals specified in Art. 3.A.3.E.2, Planned Development Districts. Updating the Official Zoning Map by delineating the current zoning category or terminology on a particular property is not a rezoning and does not change the land development regulations that are applicable to a particular property.

Part 2. ULDC Art. 3.A.3. Exceptions for Prior Approvals (pages 16 – 19 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] 1) Revise term “exception” to “exemption” to be consistent with Art. 3.A.3.A, Purpose and Intent [Related to Zoning District Consistency with the Future Land Use Atlas], which states in part: “…Unless exempted otherwise…” 2) Add term “Applicability” to be consistent with applicability for prior approvals listed under Art. 3.E, Planned Development Districts (PDDs): 3) Add prior approvals corresponding to a Planned Unit Development (PUD) to list of Development Order Amendments (DOAs) exempt from provisions encouraging corrective rezoning; and, 4) Amend rezoning requirement for certain DOAs to simply encourage concurrent rezoning applications (Note: additional administrative efforts will seek to streamline concurrent clean up re-zonings to address any industry concerns with a goal of encouraging voluntary applications). [CR Case No. 2011-100]

CHAPTER A GENERAL
Section 3 Zoning District Consistency with the Future Land Use Atlas (FLUA)

E. Exemptions/Applicability 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, or DOA to a prior approval corresponding to a Planned Unit Development (PUD), are encouraged to include a concurrent shall be accompanied by an application to rezone to a current Zoning district. Any application for a Development Order to any of the prior approvals listed herein 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. [Ord. 2011-016]

Part 3. ULDC Art. 3.E.1.J, Phasing and Platting (page 155 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] Provide for relief from platting requirements applicable to new Planned Development Districts (PDDs), for certain applications for a Development Order Amendment (DOA) to a prior approval that includes a rezoning to clean up the official records, where the DOA is limited in a fashion that does not in itself warrant the need for a plat or re-platting. [CR Case No. 2011-100]

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)
Section 1 General

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.
J. Phasing and Platting

1. Phasing

PDDs shall be subject to the phasing, time limitations and review requirements of Art. 2.E. Monitoring, any conditions of approval, and shall proceed in a reasonably continuous and timely manner. If a PDD other than a PUD has multiple phases, each of the first two phases shall contain a minimum of 20 percent of the land area unless otherwise approved in the development order Development Order approved by the BCC. [Ord. 2005 – 002]

2. Platting

All land in a PDD shall be platted in accordance with Art. 11. SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS, except right of way dedicated to a government agency when approved by the County Engineer. All land within the PDD, including private civic tracts, golf courses and open space areas (including but not limited to recreation and water retention) shall be platted prior to Technical Compliance for the last residential, commercial, or industrial tract. [Ord. 2005 – 002] [Ord. 2011-001]

a. Exemptions

The following shall be exempt from platting requirements:

1) Right of way dedicated to a government agency when approved by the County Engineer; or,
2) A DOA to a prior approval which includes a rezoning to a current PDD, where the proposed amendments do not involve any subdivision or other modifications which would require platting or a re-plat.

b. Timing

All land within the PDD, including private civic tracts, golf courses and open space areas (including but not limited to recreation and water retention) shall be platted prior to Technical Compliance for the last residential, commercial, or industrial tract.
**PRODUCE STAND SUMMARY OF AMENDMENTS**  
(Updated 11/10/11)

**Reason for amendments:** [Zoning] Introduce definition of Foodstuff to clarify what additional products will be allowed for sale in permanent produce stands located in the Urban/Suburban Tier.

**CHAPTER I DEFINITIONS & ACRONYMS**

**Section 2 Definitions**

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

1. **Packaged or canned foods** — For the purpose of Article 4, containerized food products that can be eaten as sold.

**Reason for amendments:** [Zoning] Renumber accordingly

**CHAPTER B SUPPLEMENTARY USE STANDARDS**

**Section 1 Uses**

A. Definitions and Supplementary Standards for Specific Uses

101. **Produce Stand**

An establishment engaged in the retail sale of fruits, vegetables, flowers, containerized house plants and other agricultural food products, such as jelly, jam, honey and juice. The sale of grocery or convenience-type foods or products shall not be permitted, unless stated otherwise herein.

a. **Permanent**

1) **Maximum Floor Area**

The square footage of the establishment shall include both the structure and all accessory areas devoted to display or storage.

2) **Outdoor Display and Storage**

Outdoor storage shall be subject to the provisions in Article 5.B, ACCESSORY AND TEMPORARY USES. Outdoor display of only fresh fruits and vegetables is permitted, along the property’s frontage, except within the required setbacks.

3) **Uses Sale of Products**

a) **General**

The use shall be limited to those uses identified above. Includes sales of agricultural food products, such as jelly, jam, honey and juice. No Special Permits shall be permitted in conjunction with the stand except for seasonal sales. Seasonal sales that require additional storage area may be permitted in accordance with Art. 4.B.1.A.115, Retail Sales, Mobile or Temporary. No vending machines or other similar equipment for food preparation or processing shall be permitted on site. [Ord. 2005 – 002]

b) **Urban/Suburban Tier**

The sale of packaged or canned food products may be permitted, where in compliance with the following:

1) The parcel has commercial Future Land Use designation; and,
2) Sales area is limited to five percent of the total square footage of the structure, or 1,000 square feet, whichever is less.

4) **Building Construction**

The produce stand shall be contained in either an entirely enclosed or roofed open-air structure. Motor vehicles, including vans, trucks, semi-trucks, mobile homes, travel trailers, and other permanent or temporary structures shall not be used for storage or display purposes.

5) **AR/RSA and AGR Tiers**

In addition to the standards above, permanent produce stands shall comply with the following:

a) **Locational Criteria**

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.
The structure and accessory area shall be:

(1) Located on an arterial designated on the PBC Thoroughfare Plan; and
(2) Located at least 500 feet from adjacent existing residential uses.

b) Lot Size
The stand shall be located on a legal lot of record. A minimum of one acre shall be allocated to the exclusive use of the stand and accessory parking area.

c) Setbacks
The structure and accessory area shall be setback at least 50 feet from the front and side corner property lines. The rear and side interior setbacks shall meet the minimum standards of the district.

d) Approval
A permanent produce stand shall be a permitted use in the AGR and AR, and by Special Permit in the CN, CC & CG Zoning Districts. [Ord. 2005 – 002]

(1) AR and AGR Districts
The area devoted to the permanent produce stand exceeding 3,000 square feet shall be approved subject to a Class A conditional use. [Ord. 2005 – 002]

6) Stands Less than 1,500 Square Feet
In addition to the standards stated above, stands less than 1,500 square feet (including both the structure and all accessory areas devoted to display or storage) shall be subject to the following development standards: [Ord. 2005 – 002]

a) Paving
The surface parking lot may be constructed of shell rock or other similar material. At a minimum, the following areas shall be paved in accordance with Article 6.A, PARKING, of this Code:
(1) A paved driveway apron area, connecting the streets to the site shall be subject to approval by the County Engineer; and
(2) Handicap parking spaces and handicap access.

7) Wholesale
Wholesale of produce shall be allowed in the AGR district only.

....
Part 1. ULDC Art. 1.I.2.A. [Related to Definitions Starting with A] (page 29 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to clarify the definition of Apparent Drawdown to wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

A. Terms defined herein or referenced in this article shall have the following meanings:

75. Apparent Drawdown - for the purpose of Article 14, the expected direction of groundwater flow caused by a well or wellfields. The apparent drawdown is based on the proximity of wells or wellfields and modeling results which represent the groundwater flow patterns. [Renumber Accordingly.]

Part 2. ULDC Art. 1.I.2.P. [Related to Definitions Starting with P] (page 80 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to create a definition of Participating Water Utilities to wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

P. Terms defined herein or referenced in this article shall have the following meanings:

26. Participating Water Utility - for the purpose of Article 14, a county, municipal or private water utility that enters into an agreement with Palm Beach County to take part in the Water Utility Cost Share Program. [Renumber Accordingly.]

Part 3. ULDC Art. 1.I.2.P. [Related to Definitions Starting with P] (page 84 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to create a definition of Protection Maps for wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

P. Terms defined herein or referenced in this article shall have the following meanings:

98. Protection Maps - for the purpose of Article 14, the depicted Zone of Influence areas that are part of active agreements between Palm Beach County and the Participating Utilities to protect the raw drinking water resources of Palm Beach County and are based on the hydrologic apparent drawdown, municipal boundary, or a combination of both as determined by the Director of ERM. These areas represent the Zone of Influence contour lines that overlay the latest digital ortho-photography prior to BCC adoption showing the location of the outer limits of Zones of Influence for present and future public potable water supply wells and wellfields permitted for 100,000 gallons per day or more. Protection Maps are maintained by ERM. [Renumber Accordingly.]

Part 4. ULDC Art. 1.I.2.W. [Related to Definitions Starting with W] (page 108 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to create a definition of Water Utility Cost Share Program for wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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.
W. Terms defined herein or referenced in this article shall have the following meanings:

15. Water Utility Cost Share Program - for the purpose of Article 14, a voluntary finance contribution program for county, municipal and private water utilities through an agreement to fund county wellfield protection activities within Palm Beach County.

[Renumber Accordingly.]

Part 5. ULDC Art. 1.I.2.W.21, Wellfield (page 109 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to revise the definition of Wellfield for wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

W. Terms defined herein or referenced in this article shall have the following meanings:

21. Wellfield -

a. For the purposes of Art. 14, an area of land which contains one or more than one well for obtaining water for Participating Water Utilities.

b. For the purposes of Art. 15, an area of land which contains more than one potable well that is designed for a pumping rate of at least 100,000 gallons per day.

Part 6. ULDC Art. 1.I.2.W.22, Wellfield Zones 1, 2, 3 and 4 (page 109 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to revise the definition of Wellfield Zones 1, 2, 3 and 4 to wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

W. Terms defined herein or referenced in this article shall have the following meanings:

21. Wellfield Zones 1, 2, 3 and 4 – for the purpose of Article 14, Zones of Influence delineated by iso-travel time contours around public water supply wellheads for Participating Water Utilities. Zone 1 is identified as the land area situated between the well(s) and the within a 30-day travel time, and Zone 2 is the land area situated between the 30 day travel time and the within a 210-day travel time, and Zone 3 is the land area situated between 210 day and the 500 day travel time contours, Zone 4 is determined by the area situated beyond the 500 day travel time contour and within the one foot drawdown contour. Zones of influence Protection Maps, including Zones 3 and 4, are developed pursuant to the Wellfield Protection Section, and are on file and maintained by ERM Department.

Part 7. ULDC Art. 14.B.1.A, Purpose and Intent [Related to Wellfield Protection] (page 13 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This is a revision of the purpose and intent to include the Water Utility Cost Share Program.

CHAPTER B WELLFIELD PROTECTION

Section 1 Purpose and Intent

A. The purpose and intent of this Chapter is to protect and safeguard the health, safety, and welfare of the residents and visitors of Palm Beach County by providing criteria for regulating and prohibiting the use, handling, production and storage of certain deleterious substances which may impair present and future public potable water supply wells and wellfields of county, municipal and private utilities that participate in a Water Utility Cost Share program.

Part 8. ULDC Art. 14.B.3.A, Applicability [Related to Wellfield Protection] (page 13 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This is a revision of the Applicability section to only include the wellfields of participants in the Water Utility Cost Share Program.

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/LDRC November 16, 2011
EXHIBIT F
WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)

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.

LDRAB/LDRC November 16, 2011
Page 17 of 35

CHAPTER B WELLFIELD PROTECTION

Section 3 Applicability

A. General
The provisions of this Chapter shall apply within the areas contained in the Protection Maps. The Protection Maps are the depicted Zone of Influence areas surrounding public potable water supply wells and wellfields of county, municipal, and private utilities that participate in the Water Utility Cost Share Program. The Protection Maps are maintained by ERM, and are developed and amended as necessary pursuant to Art. 14.B.6, Zones of Influence. The Zones of Influence Maps, created under Palm Beach County Ordinance No. 88-07, as amended, will remain in full force and effect, until adoption of the Protection Maps. The provisions of this Chapter shall be effective within the incorporated and unincorporated areas of PBC, and shall set restrictions, constraints and prohibitions to protect present and future public potable water supply wells and wellfields from degradation by contamination of deleterious substances.

Part 9. ULDC Art. 14.B.6.A, Maps [Related to Zones of Influence and Wellfield Protection] (page 17 of 37), is hereby amended as follows:

Reason for amendments: [ERM] This revision specifies the method of adoption of Protection Maps and to delete the raw water analysis standards for each well. This is now redundant to the Health Department’s regulations.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

A. Protection Maps
The Zones of Influence Protection Maps, developed as described in Article 14.B.6.A.2, Basis, are incorporated herein and made a part of this Chapter. These Protection Maps shall be on file and maintained by ERM.

1. Amendments
Any amendments, additions or deletions to said Protection Maps shall be approved by the BCC following written notice to property owners within the area covered by the amendment, addition, or deletion, and after public hearing. Written notice as provided herein shall be given at least 30 days prior to the public hearing on the amendment, addition or deletion. Said Maps shall be provided to any agency requesting said Maps.

2. Basis
The Zones of Influence Protection Maps are based upon travel time contours and one foot drawdown contours.

3. Review
The Zones of Influence Protection Maps shall be reviewed at least on an annual basis. However, failure to conduct said review shall not affect the validity of the existing approved Protection Maps. The basis for updating said Maps may include, but is not limited to, the following:

a. Changes in the technical knowledge concerning the applicable aquifer;
b. Changes in the pumping rate of wellfields;
c. Wellfield reconfiguration;
d. Addition or removal of Participating Water Utilities; and
e. Designation of new wellfields.

4. Boundaries
The Zones of Influence indicated on the Zones of Influence Protection Maps are as follows:

5. Interpretation of Boundaries
In determining the location of properties and facilities within the zones depicted on the Zones of Influence Protection Maps, the following rules shall apply:

a. Properties located wholly within one zone reflected on the applicable Zones of Influence Protection Maps shall be governed by the restrictions applicable to that zone;
b. To that extent Article 14.B.6.C, Prohibitions and Restrictions, does not apply, properties having parts lying within more than one zone as reflected on the applicable Zones of Influence Protection Maps shall be governed by the restrictions applicable to the zone in which the part of the property is located;

6. Reference Raw Water Analysis to be Completed for Each Well
A reference set of raw water analyses shall be completed for each for which a Zones of Influence map has been established. Said analyses shall be completed within 185 days after March 7, 1988, for existing wells. A copy of the analytical report shall be forwarded to ERM
and the PBCHD within 14 days of completion. For any new well, this set of analyses shall be completed prior to the release of the well into service by the PBCHD within 14 and ERM. Said analyses shall address inorganic priority pollutants as listed in Appendix 4, Organic Priority Pollutants, and organic pollutants as listed in Chapter 62-550, F.A.C. and as shown in Appendix 4, Organic Priority Pollutants. The cost shall be borne by the utility. The analytical reports shall be prepared by a State of Florida certified laboratory, certified for the applicable analyses. Samples shall be taken by the State of Florida certified laboratory, performing the analyses, or its authorized representative.

Part 10. ULDC Art. 14.B.6.B, Protection of Future Wellfields (page 18 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment clarifies the process for the BCC to approve Protection Maps.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

B. Protection of Future Wellfields

The prohibitions and restrictions set forth in this Chapter and in regulations promulgated pursuant hereto shall apply to any sites officially designated by the BCC as future wellfields. Such prohibitions and restrictions shall become effective upon approval by the BCC of the Zones of Influence Protection Maps for the designated future wellfield. Prior to final action by the BCC in designating a future wellfield or approving the Zones of Influence Maps for those wellfields, all property owners and discernable operating activities within the area affected shall receive written notice at least 30 days prior to the proposed public hearing at which the action shall be considered.

Part 11. ULDC Art. 14.B.6.C.2.b)6), Reporting of Spills (page 20 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment simplifies the process to report spills.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

C. Prohibitions and Restrictions

2. Zone 2

b. Permit Conditions

6) Reporting of Spills

Any spill of a Regulated Substance in excess of the non-aggregate quantity thresholds identified in the definition of "Regulated Substance" shall be reported by telephone to PBCHD and the designated public utility within one hour, and to ERM within 24 hours of discovery of the spill. Clean-up shall commence immediately upon discovery of the spill. A full written report including the steps taken to contain and clean up the spill shall be submitted to ERM within 15 days of discovery of the spill.

Part 12. ULDC Art. 14.B.6.C.3.b)5), Reporting of Spills (page 22 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment simplifies the process to report spills.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

C. Prohibitions and Restrictions

3. Zone 3

b. Permit Conditions

5) Reporting of Spills

Any spill of a Regulated Substance in excess of the non-aggregate quantity thresholds identified in the definition of "Regulated Substance" shall be reported by telephone to PBCHD and the designated public utility within one hour, and to ERM

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.
within 24 hours of discovery of the spill. Clean-up shall commence immediately upon
discovery of the spill. A full written report including the steps taken to contain and
clean up the spill shall be submitted to ERM within 15 days of discovery of the spill.

Part 13. ULDC Art. 14.B.6.C.4.b(2), Reporting of Spills (page 22 of 52), is hereby amended as
follows:

Reason for amendments: [ERM] This amendment simplifies the process to report spills.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

C. Prohibitions and Restrictions

4. Zone 4

b. Permit Conditions

2) Reporting of Spills

Any spill of a Regulated Substance in excess of the non-aggregate quantity
thresholds identified in the definition of “Regulated Substance” shall be reported by
telephone to PBCHD and the designated public utility within one hour, and to ERM
within 24 hours of discovery of the spill. Clean-up shall commence immediately upon
discovery of the spill. A full written report including the steps taken to contain and
clean up the spill shall be submitted to ERM within 15 days of discovery of the spill.

hereby amended as follows:

Reason for amendments: [ERM] This amendment removes standards that are a Health Department
responsibility and are duplicative of State regulations.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

E. Domestic Wastewater and Stormwater Treatment and Exfiltration Systems

1. Sanitary Sewer Mains

All new or replacement installations of sanitary sewer mains in Zone 1 or Zone 2 of a public
drinking water wellfield shall be constructed to force main standards. Standards for
installation are shown in Appendix 5, Minimum Standards for Sewer Pipe Fittings, Coatings
and Leakage Testing, and shall be enforced by PBCHD through the permit process. For new
wells placed in areas of existing sanitary sewers, the sewers in Zones 1 and 2 must be
pressure tested at each joint, grouted and sealed with proof of testing provided to the PBCHD
prior to release of the well for service.

2. Exfiltration Systems

No new exfiltration system shall be constructed in Zone 1 or Zone 2 of a public drinking water
wellfield.

3. Retention/Detention Ponds

New retention or detention ponds located within wellfield zones shall comply with the criteria
described in the SFWMD Management and Storage of Surface Waters Permit Information
Manual IV. These criteria are enforced through the SFWMD permitting process.

4. Percolation Ponds

New percolation ponds for domestic wastewater treatment located within wellfield zones shall
comply with the requirements for separation from public drinking water wells set forth in
Chapters 62-555 and 62-610, F.A.C., and enforced by Florida Department of Environmental
Protection and the PBCHD.

5. Land Application of Domestic Wastewater Effluent

Land application of domestic effluent or sludge within wellfield zones shall comply with the
requirements for separation from public drinking water wells as set forth in Chapters 62-555,
62-610, and 62-640, F.A.C., and enforced by Florida Department of Environmental Protection
and the PBCHD.

6. Onsite Sewage Disposal Systems

New onsite sewage disposal systems (septic tanks) located within wellfield zones shall
comply with the requirements for maximum sewage loading and separation from public
drinking water wells as set forth in Environmental Control Rule (ECR) I and enforced by the
PBCHD.

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/LDRC November 16, 2011 Page 19 of 35
EXHIBIT F
WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)

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 15. ULDC Art. 14.B.7.B.2, Closure Permit (page 25 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment specifies within which zones require a closure permit.

CHAPTER B WELLFIELD PROTECTION

Section 7 Wellfield Protection (Operating and Closure Permits)

B. Applications
2. Closure Permit
Closure permit applications shall be required in Zone 1 and Zone 2 and contain the following information:

c. The Florida Department of Environmental Protection and the PBCHD shall be advised in writing of each closure permit application.

Part 16. ULDC Art. 14, Appendices 4 & 5 (page 47 of 52), is hereby amended as follows:

Reason for amendments: [ERM] These are Health Department standards and are duplicative of State regulations.

----

APPENDIX 4 ORGANIC PRIORITY POLLUTANTS

<table>
<thead>
<tr>
<th>Name</th>
<th>CAS Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>alanine</td>
<td>74-79-9</td>
</tr>
<tr>
<td>benzoic acid</td>
<td>107-18-4</td>
</tr>
<tr>
<td>benzoic acid in RBC</td>
<td>107-18-4</td>
</tr>
<tr>
<td>methoxyacetic acid</td>
<td>99-96-0</td>
</tr>
<tr>
<td>toluene</td>
<td>108-88-3</td>
</tr>
<tr>
<td>2, 4-dichlorophenoxyacetic acid</td>
<td>104-51-0</td>
</tr>
<tr>
<td>dichromate</td>
<td>89-98-6</td>
</tr>
<tr>
<td>dibromoacetic acid</td>
<td>618-14-0</td>
</tr>
<tr>
<td>diepoxide</td>
<td>120-48-8</td>
</tr>
<tr>
<td>dibromomaleate</td>
<td>85-99-5</td>
</tr>
<tr>
<td>diepoxyde</td>
<td>101-45-3</td>
</tr>
<tr>
<td>2, 4-dichlorophenol</td>
<td>106-52-4</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>79-01-6</td>
</tr>
<tr>
<td>1, 3-dichlorobenzene</td>
<td>108-88-3</td>
</tr>
<tr>
<td>dibromochloromethane</td>
<td>99-96-0</td>
</tr>
<tr>
<td>dibromochloromethane</td>
<td>99-96-0</td>
</tr>
<tr>
<td>dichloromethane</td>
<td>75-09-2</td>
</tr>
<tr>
<td>dichlorodifluoromethane</td>
<td>75-09-2</td>
</tr>
<tr>
<td>bromoform</td>
<td>75-09-2</td>
</tr>
<tr>
<td>1, 1-dichloroethene</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>vinyl chloride</td>
<td>108-88-3</td>
</tr>
<tr>
<td>vinyl chloride (VCI)</td>
<td>74-79-9</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 2-dichloroethylbenzene</td>
<td>108-88-3</td>
</tr>
<tr>
<td>methyl tert-butyl ether (MTBE)</td>
<td>108-88-3</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>ethylene dibromide</td>
<td>74-79-9</td>
</tr>
<tr>
<td>chloroform</td>
<td>75-09-2</td>
</tr>
<tr>
<td>chloroform in RBC</td>
<td>75-09-2</td>
</tr>
<tr>
<td>1, 2-dichloropropane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>trichloroethene</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 1, 2-trichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 1, 2-trichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 1, 2-trichloroethene</td>
<td>71-47-6</td>
</tr>
<tr>
<td>ethylene dibromide</td>
<td>74-79-9</td>
</tr>
<tr>
<td>dibromochloromethane</td>
<td>99-96-0</td>
</tr>
<tr>
<td>dibromochloromethane</td>
<td>99-96-0</td>
</tr>
<tr>
<td>chloroform</td>
<td>75-09-2</td>
</tr>
<tr>
<td>chloroform in RBC</td>
<td>75-09-2</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>2, 4-dichlorophenoxyacetic acid</td>
<td>104-51-0</td>
</tr>
<tr>
<td>chloroform</td>
<td>75-09-2</td>
</tr>
<tr>
<td>chloroform in RBC</td>
<td>75-09-2</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>2, 4-dichlorophenoxyacetic acid</td>
<td>104-51-0</td>
</tr>
<tr>
<td>chloroform</td>
<td>75-09-2</td>
</tr>
<tr>
<td>chloroform in RBC</td>
<td>75-09-2</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>2, 4-dichlorophenoxyacetic acid</td>
<td>104-51-0</td>
</tr>
<tr>
<td>chloroform</td>
<td>75-09-2</td>
</tr>
<tr>
<td>chloroform in RBC</td>
<td>75-09-2</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>1, 2-dichloroethane</td>
<td>71-47-6</td>
</tr>
<tr>
<td>2, 4-dichlorophenoxyacetic acid</td>
<td>104-51-0</td>
</tr>
</tbody>
</table>
WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)

Inorganic Priority Pollutants

<table>
<thead>
<tr>
<th>Element</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mercury</td>
<td>Lead</td>
</tr>
<tr>
<td>Cadmium</td>
<td>Arsenic</td>
</tr>
<tr>
<td>Selenium</td>
<td>Nickel</td>
</tr>
<tr>
<td>Cyanide</td>
<td></td>
</tr>
</tbody>
</table>

Parameters reflected in this table may be adjusted by ERM.

APPENDIX 5 MINIMUM STANDARDS FOR SEWER PIPE FITTINGS

A. Ductile Iron Pipe and Fittings for Gravity Sewer and Force Main Application

1. Ductile iron pipe shall conform to the requirements of ANSI/AWWA C151/A21.52-86 unless otherwise noted on the plans. The pipe shall be Class 50 thickness for pipe six inches or larger in size and Class 51 for pipe smaller than six inches. Glands for mechanical joints shall be of ductile iron or cast iron.

2. Fittings shall conform to the requirements of ANSI/AWWA C110/A21.10-87. Fittings 12 inches and smaller shall have a 250 psi minimum working pressure.

3. Flanged ductile iron pipe shall be Class 53. Flanged ductile iron pipe and fittings shall have threaded flanges, unless otherwise noted on the drawings, and shall conform to ANSI/AWWA C115/A21.15-83. All flanges shall be Class 156, ANSI B16.5. All above grades flanges shall be flat faced unless they are mating up to existing, or otherwise, specified, raised flanges. All gaskets shall be full faced 1/8" red rubber.

4. Joints shall conform to the requirements of ANSI/AWWA C111/A21.11-85.

B. Polyvinyl Chloride Pipe (PVC) and Fittings for Gravity and Sewer Force Main Applications

1. Gasketed Joint Pipe
   a. Pipe four inches or larger in diameter shall conform to the requirements as set forth in AWWA C900-81 with dimension ration DR 18. Provisions must be made for contraction and expansion at each joint, or with a rubber ring and an integral bell as part of each joint, or by a rubber ring sealed coupling. Clean, reworked material generated from the manufacturer’s own pipe production may be used. Fittings shall be cast or ductile iron. Pipe shall have cast iron pipe equivalent outside dimensions.
   b. Pipe smaller than four inches in diameter shall conform to Commercial Standard CS 256 and ASTM D-22141. Provisions shall be made for contraction and expansion at each joint with a rubber ring, and an integral bell as part of each joint, or by a rubber ring sealed coupling. Pipe shall be made from SOR 21, 200 psi clean, virgin NSF approved Type I, Grade 1 PVC conforming to ASTM D 1784. Clean reworked material generated from the manufacturer’s own pipe production may be used. Fittings for pipe smaller than four inches in diameter shall be PVC.

C. Coatings
   The lining material for ductile iron pipe and fittings shall be virgin polyethylene complying with ANSI/AWWA D1248, compounded with an inert filler and with sufficient carbon black to resist ultraviolet rays during above ground storage of the pipe and fittings. The polyethylene shall be bonded to the interior of the pipe or fitting by heat.

D. Leakage Tests
   The test shall be of two hour duration. During the test, the pipe being tested shall be maintained at a pressure of not less than 150 psi. Leakage is defined as the quantity of water added to the pipe being tested during the test period. No pipe installation will be accepted if the leakage exceeds the quantities specified in AWWA C-600, Sec. 4.2. No more than 500 feet of gravity sewer main or 1000 feet of force main shall be tested at one time.

E. Manholes
   Manholes shall be precast and coated with an inert impervious material. Manhole inlets and outlets shall be tightly sealed around the sewer pipe and coated to prevent leakage.
EXHIBIT G

ENCLOSED AUCTION IND/MUPD
SUMMARY OF AMENDMENTS
(Updated 11/8/11)

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

1. Part 1. ULDC Table 3.E.1.B, PDD Use Matrix (page 140 of 228), is hereby amended as follows:

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Pods</th>
<th>MUPD</th>
<th>MXPD</th>
<th>PIPD</th>
<th>LCC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reason for amendments: [Zoning] Streamline approval process for enclosed auctions where located in a Multiple Use Planned Development (MUPD) having an Industrial (IND) Future Land Use designation. Current requirement to obtain BCC approval is recommended to be simplified to require an administrative approval by the Development Review Officer (DRO). As many IND/MUPD’s typically require or provide for minimal parking, DRO oversight is required to ensure that any proposed Enclosed Auction uses have sufficient parking, which may also include review/approval of a Shared Parking Study.

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

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Pods</th>
<th>MUPD</th>
<th>MXPD</th>
<th>PIPD</th>
<th>LCC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auction, Enclosed</td>
<td>R</td>
<td>P</td>
<td>P</td>
<td>B</td>
<td>D</td>
</tr>
<tr>
<td>Commercial Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Notes:
- P Permitted by right
- D Permitted subject to approval by the DRO
- S Permitted in the district only if approved by Special Permit
- R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.

2. Part 2. ULDC Art. 4.B.1.A.16, Auction (pages 34-35 of 170), is hereby amended as follows:

Reason for amendments: [Zoning] See also Part 1 above. Delete redundant provision reiterating approval process for an Enclosed Auction located in an IND/MUPD, which is indicated in Table 3.E.1.B, PDD Use Matrix.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

16. Auction

An establishment engaged in the sale of merchandise to the highest bidder in an enclosed building or outdoor. [Ord. 2009-040]

a. Temporary

A temporary auction shall comply with the Special Event supplementary use standards, Article 2.D.2, Special Permit.

b. Enclosed

All activities, display and sale of merchandise shall occur within an enclosed building. [Ord. 2009-040]

1. MUPD

An enclosed auction in a MUPD with IND FLU designation shall be subject to a Requested Use approval process. [Ord. 2009-040]

c. Outdoors

An auction with all or a portion of the activity, display and sale of merchandise occurring outdoor on site shall require approval of a Class A Conditional Use. [Ord. 2007-001] [Ord. 2009-040]

2. TMD and LCC Districts

Auctions are permitted only within enclosed buildings in the U/S tier. [Ord. 2005-002] [Ord. 2009-040] [Ord. 2010-005]

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

LDRAB/LDRC
November 16, 2011
Page 22 of 35
ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES
SUMMARY OF AMENDMENTS
(Updated 11/3/11)

Part 1. ULDC Art. 2.B.1.B, Standards [Related to Official Zoning Map Amendments] (page 26 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] FLUE Policy 4.1-c of the Plan requires the County only consider the objectives and recommendations of any applicable Neighborhood Plans when issuing a Development Order for a FLUA amendment, Conditional Use or Development Review Officer approval. Consistency is not a requirement for approval and should not be stated within the standards.

CHAPTER B PUBLIC HEARING PROCESS

Section 1 Official Zoning Map Amendment (Rezoning)

B. Standards

When considering a Development Order application for rezoning to a standard zoning district, the BCC and ZC shall consider Standards standards 1 – 7 & indicated below. In addition the standards indicated in Section Section 2.B of this Chapter chapter shall also be considered for rezoning to a standard zoning district with a Conditional Use conditional use, and rezoning to a PDD or TDD with or without a Requested Use requested use or Waiver waiver. An amendment which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. [Ord. 2007-001]

1. Consistency with the Plan
The proposed amendment is consistent with the Plan. [Ord. 2007-001]

2. Consistency with the Code
The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code. [Ord. 2007-001]

3. Compatibility with Surrounding Uses
The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district. [Ord. 2007-001]

4. Effect on the Natural Environment
The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment. [Ord. 2007-001]

5. Development Patterns
The proposed amendment will result in a logical, orderly, and timely development pattern. [Ord. 2007-001]

6. Consistency with Neighborhood Plan
The proposed zoning district is consistent with applicable neighborhood plans in accordance with BCC policy. [Ord. 2007-001]

67. Adequate Public Facilities
The proposed amendment complies with Art. 2.F, Concurrency. [Ord. 2007-001]

78. Changed Conditions or Circumstances
There are demonstrated changed conditions or circumstances that necessitate the amendment. [Ord. 2007-001]

Part 2. ULDC Art. 2.B.2.B, Standards for Conditional Uses, Requested Uses and Development Order Amendments (page 27 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] FLUE Policy 4.1-c of the Plan requires the County only consider the objectives and recommendations of any applicable Neighborhood Plans when issuing a Development Order for a FLUA amendment, Conditional Use or Development Review Officer approval. Consistency is not a requirement for approval and should not be stated within the standards.

CHAPTER B PUBLIC HEARING PROCESS

Section 2 Conditional Uses, Requested Uses Development Order Amendments, and Unique Structures

B. Standards for Conditional Uses, Requested Uses and Development Order Amendments

When considering a Development Order application for a Conditional or Requested Use, the BCC and ZC shall consider Standards standards 1 – 8 & indicated below. A Conditional or Requested Use, or Development Order Amendment which fails to meet any of these Standards standards shall be deemed adverse to the public interest and shall not be approved. [Ord. 2007-001] [Ord. 2011-016]

1. Consistency with the Plan

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

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES
SUMMARY OF AMENDMENTS
(Updated 11/3/11)

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

….

LDRAB/LDRC November 16, 2011

Page 24 of 35
ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES  
SUMMARY OF AMENDMENTS  
(Updated 11/3/11)

Part 4. ULDC Art. 2.D.3.C.1.a [Related to Type IB Administrative Variance for Residential Lots of Three Units or Less] (page 42 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] Clarify Administrative Authority to grant relief from Property Development Regulations for residential lots of 3 units or less, consistent with the original intent of the creation of the Type IB Administrative Variance. Again noting, that variance relief cannot be sought from the density limitations of the Plan.

CHAPTER D ADMINISTRATIVE PROCESS
Section 3 Type IA and Type IB Administrative Variances

C. Type IB Administrative Variances
A pre-application meeting with staff shall be required prior to application submittal. Variance requests for density or intensity beyond the stated limits of the Plan shall be prohibited. Type IB variances may be considered for the following:  [Ord. 2006-036]  [Ord. 2008-003]

1. Residential Lots of Three Units or Less
A variance may be requested for the following:  [Ord. 2006-036]  [Ord. 2008-003]


   Reductions or increases of Property Development Regulations greater than five percent of the minimum or maximum requirement:  [Ord. 2006-036]  [Ord. 2008-003]

   ....

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/LDRC November 16, 2011
Part 1.  ULDC Art. 3.A.3.E.1, Standard Districts (pages 18 of 228), is hereby amended as follows:

Reason for amendments:  [Zoning] Amend to be consistent with FLUE Objective 1.8, Glades Area Protection Area Overlay (GAPO) and Policy 1.8-b, which allows for the RR-10 FLU designation West of the L-8 Canal, to include the following “Specific Existing Uses: Mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; conservation, including wildlife corridors; and the Florida Power and Light (FPL) proposed power plant and related cooling areas.”

CHAPTER A GENERAL

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

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, unless exempted otherwise herein.  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.  [Ord. 2011-016]

1.  Standard Districts

The following previously established zoning districts shall correspond to the current districts indicated:  [Ord. 2011-016]

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.  Property with an SA District located in the Glades Area Protection Overlay (GAPO) shall be exempt from the rezoning requirement.  [Ord. 2011-016]
Part 1. ULDC Art. 4.B.1.A.3.f, Game and Exotic Animal [Related to Bona Fide Agriculture] (page 28 of 170), is hereby amended as follows:

Reason for amendments: [Zoning] Correct to reflect Florida Fish and Wildlife Conservation Commission (FWC) as the agency that regulates private or commercial game farms pursuant to Rules and Regulations of the FWC, Rule 68-12.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

3. Agriculture, Bona Fide

f. Game and Exotic Animals

The Florida Game and Fresh Water Fish Commission (FGFWC) Florida Fish and Wildlife Conservation Commission (FWC) shall regulate game farms or game animal care for private or commercial purposes.

...
Part 1. ULDC Art. 9.B.4, Regulations Affecting Historic Sites (page 11 - 13 of 17), is hereby amended as follows:


CHAPTER B HISTORIC PRESERVATION PROCEDURES

Section 4 Regulations Affecting Historic Sites

A. Development Standards For Historic Districts and Sites

7. The construction of new buildings or structures, or the relocation, alteration, reconstruction, or major repair or maintenance of a non-contributing building or structure within a designated historic district shall meet the same compatibility standards as any material change in the exterior appearance of an existing contributing building. Any material change in the exterior appearance of any existing non-contributing building, structure or appurtenance in a designated historic district shall be generally compatible with the form, proportion, mass, configuration, building material, texture, color and location of historic buildings, structures, or sites adjoining or reasonably proximate to the contributing building, structure or site.

8. All improvements to buildings, structures and appurtenances within a designated historic district shall be visually compatible. Visual compatibility shall be defined in terms of the following criteria:

   g. Relationship of Materials, and Texture and Color

   The relationship of materials, and texture and color of the facade of a building should be visually compatible with the predominant materials used in the historic sites, buildings and structures within a historic district.

C. Certificate of Appropriateness

1. Activities Requiring Certificate of Appropriateness

   c. A Certificate of Appropriateness shall be required for any material change in existing walls, fences and sidewalks, change of color, or construction of new walls, fences and sidewalks.

2. Certificate Not Required

   b. A Certificate of Appropriateness shall not be required for any interior alteration, construction, reconstruction, restoration or renovation. General and occasional maintenance and repair shall include lawn and landscaping care and minor repairs that restore or maintain the historic site or current character of the building or structure. General and occasional maintenance and repair shall also include any ordinary maintenance which does not require a building permit from the County. General and occasional maintenance and repair shall not include any of the activities described in Article 9.B.4.C.1, Activities Requiring Certificate of Appropriateness, above, nor shall it include exterior color change, addition or change of awnings, signs, or alterations to porches and steps or other alterations which require excavation or disturbance of subsurface resources.
PART 1. ULDC Art. 11.A.3.A, Platting Requirements (Page 8 of 47), is hereby amended as follows:

Reason for amendments: [Land Dev.] To correct a code reference to allow for the recently created Lot Combination process in addition to the Plat Waiver process.

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 the Article unless such requirement is specifically waived by the County Engineer in accordance with the provisions of Article 11.A.8-B, Plat Waiver and Certified Boundary Survey Exceptions to General Requirements.
PART 1. ULDC Art. 13.A.7.A.2, Municipality May Require Direct Payment to County (page 9 of 45), is hereby amended as follows:

**Reason for amendments:** [OFMB] Added language provides for impact fee collections where one municipality agrees to review permits and collect impact fees for another municipality.

CHAPTER A GENERAL

Section 7 Collection and Administrative Fees

A. Timing and Collection of Payment

2. Municipality May Require Direct Payment to County.

   A municipality who is reviewing its own applications for development permits may opt to have PBC collect the impact fees, pursuant to interlocal agreement. If PBC is the permitting authority for the municipality by interlocal agreement, no additional interlocal agreement is necessary for PBC to collect impact fees for permits issued for that municipality. If PBC collects the impact fees, the municipality shall not be entitled to the administrative fee. PBC shall not charge the municipality for collecting the impact fee. The municipality shall be responsible for ensuring that all impact fees are paid before issuing any building permit or other permit. One municipality may opt to have a second municipality review development permits and collect impact fees on behalf of the municipality, provided the municipality that collects impact fees maintains separate records to account for the collection and remittance of the impact fees to PBC in accordance with this article. [Ord. 2010-018]
EXHIBIT N
 ARTICLE 4 – USE REGULATIONS
 SUMMARY OF AMENDMENTS
 (Updated 10/7/11)

Reason for amendments: [ZONING] The amendment is a result of an increase in the average household size in Palm Beach County from 2.34 people indicated in the 2000 U.S. Census to 2.39 people indicated in the 2010 U.S. Census.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

34. Congregate Living Facility

a. Maximum Occupancy

3) Type 3

Determined by Table 4.B.1.A, Maximum Permissible Occupancy in Type 3 Congregate Living Facilities, below; or, in the case of TDR’s or a non residential district by the alternate density specified in the Plan by 2.39-2.34 residents. [Ord. 2005-002]

Table 4.B.1.A - Maximum Permissible Occupancy in Type 3 Congregate Living Facilities

<table>
<thead>
<tr>
<th>FLU Category</th>
<th>Zoning District</th>
<th>Maximum Occupancy (Residents per Acre)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard District</td>
<td>PDD or TDD (1)</td>
<td></td>
</tr>
<tr>
<td>RR 20</td>
<td>AR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>RR 10</td>
<td>AR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>RR 5</td>
<td>AR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>RR 2 5</td>
<td>AR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>AGR</td>
<td>AGR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>RR</td>
<td>AR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>HR 20</td>
<td>AR</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>AGE</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>LR 1</td>
<td>RE, RT</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>LR 2</td>
<td>RT</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>LR 3</td>
<td>RT</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>MR 5</td>
<td>RS</td>
<td>PROHIBITED</td>
</tr>
<tr>
<td>HR 8</td>
<td>RS, RM</td>
<td>14.34-14.34</td>
</tr>
<tr>
<td>HR 12</td>
<td>RM</td>
<td>19.12-19.72</td>
</tr>
<tr>
<td>HR 18</td>
<td>RM</td>
<td>19.12-19.72</td>
</tr>
</tbody>
</table>

Notes:
1. For the purpose of this Section, the required minimum acreage for a PDD consisting exclusive of a CLF may be reduced by 50 percent.
2. For CLF, one TDR unit is equivalent to 2.39-2.34 beds. [Ord. 2005-002]
3. The maximum density permitted shall be in accordance with the acreage of the subject site and the density assigned on the AGE Site Specific FLUA Conceptual Plan multiplied by 2.39-2.34 residents. [Ord. 2010-002]
Part 1. ULDC Art. 3.D.1.B.3, Density Bonus Programs (page 124 of 228), is hereby deleted as follows:

Reason for amendments: [Planning] Revision is proposed as this text is no longer necessary as each density bonus program currently has its own property development regulations in the ULDC for lot dimensions, building intensity and setbacks.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 1 PDRs for Standard Zoning Districts

B. General Exceptions

3. Density Bonus Programs

Special density programs for affordable housing are available through the use of VDBs, TNDs, and in the Westgate CRAO and may use regulations below.

a. Density Bonus Program Development

1) Purpose and Intent

The purpose of this Section is to provide flexibility from traditional PDRs in order to allow greater opportunities for cost effective development for housing approved in conjunction with a density bonus program. The regulations represent the minimum regulations acceptable without compromising minimum health and safety standards.

2) Applicability

The provisions of this Section may be applied to all residential development which receives a density bonus for workforce housing, as defined in the Plan.

3) Threshold

100 percent of the units subject to the density bonus, or a minimum of 50 percent of the total number of units in the project, whichever is greater, shall be set aside for workforce housing in accordance with the applicable density bonus program in the Plan.

4) Lot Dimensions

The lot dimensions for all housing types may be reduced by 20 percent.

5) Building Intensity

The maximum building coverage and FAR for all housing types may be increased by 20 percent.

6) Setbacks

The minimum building setbacks/separations for all housing types may be reduced by 20 percent, except for the front setback in the RS and RM districts, which may be reduced by 40 percent.

[Renumber Accordingly]

Part 2. ULDC Art. 5.G.1.F, WHP On-site Construction (page 67 of 91), is hereby amended as follows:

Reason for amendments: [PLANNING/ZONING] Clarification of phasing limitation to address amendments to a prior approval that may have already commenced initial phases, to allow for a Development Order Amendment that includes new WHP units in later or final phases.

CHAPTER G DENSITY BONUS PROGRAMS

Section 1 Workforce Housing Program (WHP)

F. WHP On-site Construction

WHP units may be located on-site in accordance with the provisions of Article 5.G.1.C, Workforce Development Alternatives; however, under no circumstances shall any site be permitted to develop at a density greater than that permitted by the Plan. Prior to final DRO approval, the applicant shall identify on the plan the total number of WHP units proposed for development within each pod or phase, as applicable. The plan shall also indicate the number of units in each applicable WHP income category. In no instance shall all of the WHP units shall not be constructed in the last stage phase of a multi-phased development (pod/phase where applicable), except for a Development Order Amendment to a Development Order approved prior to WHP requirements. [Ord. 2010-005]

This space intentionally left blank

Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to: ]. Strikten indicates text to be deleted. Italized 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 O
DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/19/11)

Part 3. ULDC Art. 5.G.1.1, Sales and Rental Prices of WHP Units (page 69 of 91), is hereby amended as follows:

Reason for amendments: [PLANNING] Revisions proposed in order to establish a WHP unit rental floor price and to provide clarification regarding the WHP unit utility allowance.

CHAPTER G DENSITY BONUS PROGRAM

Section 1 Workforce Housing Programs

I. Affordability Requirements

1. Sales and Rental Prices of WHP Units
All required WHP units shall be offered for sale or rent at an attainable housing cost for each of the targeted income ranges. The sale and rent prices shall be updated annually by the Planning Director, or designee, with the sale prices based on the Area Median Income (AMI), and the household income limits for PBC (West Palm Beach/Boca Raton metropolitan statistical area) for a family of four, which pricing shall not be adjusted based on the number of occupants, as published annually by HUD (sale price: household income figure multiplied by three and priced at the middle of each of the four WHP income categories), and rental prices based on the annual Florida Housing Finance Corporation Multi-Family Rental Figure, as adjusted for number of bedrooms in WHP rental units. The minimum WHP price initially established for each rental unit within each WHP income category range will be the rental floor. This rental floor shall serve as the minimum rental price point required throughout the thirty (30) year term of this Covenant. Any utility allowances applied against gross maximum WHP unit rents shall also be adjusted based on a number of bedrooms in WHP rental units. A chart with the sales and rent prices will be maintained and updated annually by the County.

[Ord. 2006-055] [Ord. 2010-005] A chart with the sales and rent prices will be maintained and updated annually by the County.

a. Utility Allowance
Utilities shall include, but not be limited to, water, sewer, gas and electric. When one or more utility cost(s) are included within the WHP unit rent price, and reasonable, reliable and verifiable documentation is provided that indicates the total utility cost included within the WHP unit rent price meets or exceeds the stated utility allowance cost, then the utility allowance requirement would be waived. If the information provided constitutes an amount less than the prescribed utility allowance, the value may be applied against the utility allowance and the remaining balance shall be credited to the WHP resident’s rent.

Part 4. ULDC Art. 5.G.2.A, Purpose and Intent [Related to Affordable Housing Program] (page 71 of 91), is hereby amended as follows:

Reason for amendments: [PLANNING] Revisions proposed in order to allow consideration to adjust the percentage of units required within the AHP income ranges based on programmatic requirements imposed by affordable housing funding source.

CHAPTER G DENSITY BONUS PROGRAM

Section 2 Affordable Housing Program

A. Purpose and Intent
The AHP implements HE Policies 1.1-o and 1.5-g of the Plan, among others, by establishing an AHP. The AHP is a voluntary program used by an applicant seeking additional density for an affordable housing development. An AHP applicant elects to provide at a minimum 65 percent of the total number of dwelling units targeted to households at incomes of 60 percent of Area Median Income (AMI) and below. In any proposal a maximum of 20 percent of all units will target incomes of 30 percent and below AMI. The program ensures a minimum affordability period, and provides for a density bonus and other incentives. The program is intended to increase the supply of housing opportunities for persons employed in PBC in jobs that residents rely upon to make the community viable. Consideration may be given to developments requesting income percentage targets that are different from those previously indicated, based on programmatic requirements imposed by a governmental agency providing affordable housing funding or another entity with different programmatic requirements, with the final determination made by the Executive Director of Planning, Zoning and Building or designee. [Ord. 2009-040]

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.
DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/19/11)

Reason for amendments: [PLANNING] Should the proposed revision be made to Article 5.G.2.A. (previous revision) then this item would be redundant and is proposed for deletion.

CHAPTER G DENSITY BONUS PROGRAM

Part 5. ULDC Art. 5.G.2.B.3. When WHP and AHP Units are Proposed (WHP and AHP Units are Proposed by the Applicant) [Related to Affordable Housing Program] (page 72 of 91), is hereby deleted as follows:

Reason for amendments: [Planning] Revisions proposed in order to provide clarification regarding the TDR bonus density and its consistency with the applicable Neighborhood Plan.

CHAPTER G DENSITY BONUS PROGRAM

Section 3 Transfer of Development Rights (TDRs) - Special Density Program

G. Transfer of Development Rights (TDRs) Bank

d. Additional prices for TDR units shall be as follows: [Ord. 2011-001]

1) For TDR units located within an area that has a BCC accepted Neighborhood Plan, and the proposed density increase development is identified within or supported by consistent with the Neighborhood Plan, the TDR price shall be 75 percent of full TDR price as established in 4.b. 1 and 2 above. [Ord. 2011-001]

Part 7. ULDC Art. 5.G.4. Property Development Regulations (PDRs) for Density Bonus Program Development (page 86 of 91), is hereby deleted as follows:

Reason for amendments: [Planning] Revision is proposed as this text is no longer necessary as each density bonus program currently has its own property development regulations in the ULDC for lot dimensions, building intensity and setbacks.

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.
2. **Building Intensity**
   The maximum building coverage and floor area ratio for all residential districts for all housing types may be increased by 20 percent.

3. **Setbacks**
   The minimum building setbacks/separations for all residential districts for all housing types may be reduced by 20 percent, except for the front setback in the RS and RM districts, which may be reduced by 40 percent.

....