AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2 - APPLICATION PROCESSES AND PROCEEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; ARTICLE 3 - OVERLAYS & ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS AND RECREATION - RULES AND RECREATION STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; ARTICLE 6 - PARKING: CHAPTER A, PARKING; ARTICLE 7 - LANDSCAPING: CHAPTER C, MGTS TIER COMPLIANCE; ARTICLE 9 - ARCHAEOLOGICAL AND HISTORIC PRESERVATION: CHAPTER A, ARCHAEOLOGICAL AND RESOURCE PROTECTION; ARTICLE 11 - SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS: CHAPTER A, GENERAL REQUIREMENTS; CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS: CHAPTER Q, PROPORTIONATE FAIR-SHARE PROGRAM; ARTICLE 14 - ENVIRONMENTAL STANDARDS: CHAPTER C, VEGETATION PRESERVATION AND PROTECTION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, as amended from time to time; and

WHEREAS, the BCC has determined that the proposed amendments further a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:
Section 1. Adoption

The amendments set forth in Exhibits listed below, attached hereto and made a part hereof, are hereby adopted.

- Exhibit A - Definition of Addition
- Exhibit B - Modifications by DRO
- Exhibit C - Art. 2 and Art. 3 Minor Amendments
- Exhibit D - Art. 3.A.3.E.2, Planned Development Districts (POD)
- Exhibit E - Art. 4.B, Use Regulations
- Exhibit F - Art. 4.B.1.C.4, Single Family and Cottage Homes
- Exhibit G - Art. 4.B.2, Electric Vehicle Charging Station
- Exhibit H - Landscape Service & Contractor Storage Yard
- Exhibit I - Equestrian Waste Management Facility
- Exhibit J - Art. 5, Supplementary Standards
- Exhibit K - Art. 5.E.5, Hours of Operation
- Exhibit L - Art. 7.C, Landscape Buffers and Interior Landscape Requirement
- Exhibit M - Art. 9, Archaeological and Historic Preservation
- Exhibit N - Art. 11, Subdivision, Platting and Required Improvements
- Exhibit O - Art. 12, Traffic Performance Standards
- Exhibit P - Art. 14, Environmental Standards

Section 2. Interpretation of Captions

All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on interpretation.

Section 3. Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability

If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item contained in this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this Ordinance.

Section 5. Savings Clause

All development orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the Board of County Commissioners, the Zoning Commission, the Development Review Officer, Enforcement Boards, all other County decision-making and advisory boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and procedures established prior to the effective date of this Ordinance shall remain in full force and effect.
Section 6. Inclusion in the Unified Land Development Code

The provisions of this Ordinance shall be codified in the Unified Land Development Code and may be reorganized, renumbered or re-lettered to effectuate the codification of this Ordinance.

Section 7. Providing for an Effective Date

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 23rd day of August, 2018.

SHARON R. BOCK, CLERK & COMPTROLLER  PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By: [Signature] By: Melissa McKinlay, Mayor

Deputy Clerk  County Attorney

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

EFFECTIVE DATE: Filed with the Department of State on the 29th day of August, 2018.
EXHIBIT A
DEFINITION OF “ADDITION”

Part 1. ULDC Art. 1.I.2.A.19, Definitions (page 31 of 119), is hereby amended as follows:

CHAPTER I  DEFINITIONS & ACRONYMS

Section 2  Definitions

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

20. Addition – means any walled and roofed expansion to the perimeter of an existing building. Expansion shall be connected by a roof line, foundation, and a common load-bearing wall of an existing building. Any walled and roofed expansion, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is considered as new construction, and not an addition. An expansion that is connected to an existing building by a breezeway shall be considered an accessory structure.

[Renumber Accordingly]
EXHIBIT B

MODIFICATIONS BY THE DRO

SUMMARY OF AMENDMENTS

Part 1. ULDC Table 2.C.5.B - Administrative Modifications to Prior DOs, (page 46-47 of 105), is hereby amended as follows:

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

<table>
<thead>
<tr>
<th>Request</th>
<th>Allowable Modification</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full DRO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

External Emergency Access Ways
- Addition of emergency access ways
  - Required by the PBC Fire Rescue Department;
  - Notice to the District Commissioner by the Zoning Division; and
  - Access point(s) shall be secured by a gate that has the necessary mechanism to ensure it is closed and secured after each Fire Rescue emergency call. [Ord. 2015-006]

External Access Way to a Civic Pod
- Addition of access ways
  - Pod supports a Fire Rescue Station, Government Owned Towers or a Government Facility;
  - Notice to the District Commissioner by the Zoning Division prior to DRO approval; and
  - No substantial increase in traffic impact above that approved by the BCC as determined by the County Engineer.

External Access Way for Property within the URAO
- Addition of access ways for Interconnectivity
  - The property has a UI or UC Zoning District;
  - Interconnectivity shall comply with Art. 3.B.16.F.5, Interconnectivity Standards; and
  - Interconnectivity shall align with the existing access way located on an adjacent UI or UC parcel;
  - Both parcels shall have a recorded Cross Access Easement and Agreement;
  - No significant increase in traffic above that approved by the BCC as determined by the County Engineer; and
  - Notice to the District Commissioner by the Zoning Division.

[Ord. 2018-002]

Notes:
(1) This shall not apply to accessory structures which are not subject to Concurrency review in accordance with PPM-2D-O-049, Permits Not Subject to Concurrency Review.
(2) Clubhouse located in the Recreation pod of a POD shall be exempt from the relocation thresholds. [Ord. 2016-016]
(3) Applicable to the Project boundary instead of the individual property lines.
(4) Except for Freestanding ATMs or Unmanned Retail Structures, and accessory structures.

Part 2. ULDC Art. 3.E.1.E.1, Modifications by the DRO to a Master Plan, Site Plan, Subdivision Plan or Regulating Plan, (page 140-41 of 212), is hereby amended as follows:

CHAPTER E \ PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 1 General

E. \ Modifications

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

The DRO shall have the authority to approve modifications to a master plan, subdivision plan, site plan or regulating plan approved by the BCC or ZC, subject to the following limitations. In case of a conflict with Art. 2.A.6.B, Plan Requirements and, Art. 2.C.5.B, Administrative Modifications to Prior DOs the following standards shall apply. Modifications which do not comply with these procedures and requirements of this Section shall require approval by the BCC. [Ord. 2009-040]

   Access

   Access shall not be added to roads external to the project, internal roads indicated on the Thoroughfare Identification Map, or to roads external to a pod, except for a residential pod. [Ord. 2015-006] [Relocated from this paragraph, below]

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

Access to roads external to a residential pod, but internal to the project, may be added in accordance with Article 11, Subdivision, Platting and Required Improvements. [Ord. 2015-006] [Relocated from: ]

Notes:
Underlined indicates new text.
Strikten indicates text to be deleted. Strikten and italicized means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to: ].
italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

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

ART. 2, APPLICATION PROCESSES AND PROCEDURES AND
ART. 3, OVERLAYS AND ZONING DISTRICTS MINOR AMENDMENTS

SUMMARY OF AMENDMENTS

Part 1. Art. 2.A.2.C.3, Development Review Officer (page 13 of 105), is hereby amended as
follows:

CHAPTER A GENERAL
Section 2 Zoning Applications
C. Application Types and Authorities
3. Development Review Officer (DRO)
The DRO, shall make a final decision on the following types of applications indicated in Table

Table 2.A.2.C - Development Review Officer
Administrative Processes

<table>
<thead>
<tr>
<th>Administrative Process</th>
<th>DRO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uses indicated as “D” in the Use Matrixes in Art. 4: Use Regulations (1)</td>
<td></td>
</tr>
<tr>
<td>Table 4.A.9.A - Thresholds for Projects Requiring DRO Approval</td>
<td></td>
</tr>
<tr>
<td>Type 1 Waiver</td>
<td></td>
</tr>
<tr>
<td>Final Plan with approved DO by the BCC or ZC</td>
<td></td>
</tr>
<tr>
<td>Temporary Use</td>
<td></td>
</tr>
<tr>
<td>Administrative Modification to an approved DO</td>
<td></td>
</tr>
<tr>
<td>ABN for a prior DO approved by the DRO</td>
<td></td>
</tr>
<tr>
<td>Type 1 Variance</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

Part 2. Art. 2.B.4, Review, Resubmittal and Certification (page 25 of 105), is hereby amended as
follows:

CHAPTER B PUBLIC HEARING PROCESSES
Section 4 Review, Resubmittal and Certification
Review of an application shall be initiated by the DRO on the date it is deemed sufficient, subject to the
timeline specified in the Table below. The processing time may vary based upon the types of requests.
[Ord. 2018-002]

Table 2.B.4 - Review, Resubmittal and Certification

<table>
<thead>
<tr>
<th>Processes</th>
<th>DRO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Submittal by Applicant</td>
<td>Refer to Annual Zoning Calendar.</td>
</tr>
<tr>
<td>Sufficiency Review by Staff</td>
<td>10 days from the date of Application Submittal</td>
</tr>
<tr>
<td>Insufficiency to be addressed by Applicant</td>
<td>The Applicant may resubmit on the Submittal date of the following month. Refer to Annual Zoning Calendar.</td>
</tr>
<tr>
<td>Initiate Review and Staff Comments</td>
<td>10 days from the date of Sufficiency.</td>
</tr>
<tr>
<td>Resubmittal by Applicant</td>
<td>The Applicant shall address all issues and comments by the next Submittal-resubmittal date. Refer to the Annual Zoning Calendar.</td>
</tr>
<tr>
<td>Staff Review and Comments on Resubmittal</td>
<td>Refer to Annual Zoning Calendar.</td>
</tr>
<tr>
<td>Certification for Public Hearings</td>
<td>Refer to Annual Zoning Calendar.</td>
</tr>
<tr>
<td>[Ord. 2018-002]</td>
<td></td>
</tr>
</tbody>
</table>

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EXHIBIT C

ART. 2, APPLICATION PROCESSES AND PROCEDURES AND
ART. 3, OVERLAYS AND ZONING DISTRICTS MINOR AMENDMENTS

SUMMARY OF AMENDMENTS

Part 3. Art. 2.C. Administrative Processes (page 43-44 and 48 of 105), is hereby amended as follows:

CHAPTER C ADMINISTRATIVE PROCESSES

Section 3 General

The DRO shall coordinate the review of applications with all the applicable Agencies based on the request(s), and in accordance with the Table below. The application(s) shall be assigned by the DRO to be reviewed either through the Full DRO, which consists of all applicable County Agencies, or Zoning Agency Review (ZAR), which consists of one to a maximum of five Agencies. An Applicant may also request Sequential or Concurrent Review by the DRO. [Ord. 2018-002]

<table>
<thead>
<tr>
<th>Requests</th>
<th>Processes</th>
<th>Full DRO</th>
<th>ZAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>administrative approval</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ABN for a prior DO approved by the DRO</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Notes | Ord. 2018-002]

Section 4 Review, Resubmittal and Final Decision

Review of an application shall be initiated by the DRO on the date it is deemed sufficient, subject to the timeline specified in the Table below. The processing time may vary based upon the types of requests. [Ord. 2018-002]

C. Continuance or Postponement

Applications for a DO that are continued or postponed for more than six months by the DRO must obtain approval from the Zoning Director. All applications that have been continued or postponed for more than six months without approval from the Zoning Director, shall be administratively withdrawn. [Ord. 2006 – 002] [Ord. 2018-002]

D. Public Meeting Procedures for Type 1 Variance

1. Notification

Refer to Art. 2.B.5 - Notification.

2. Scheduling

Once an application has been certified by the DRO, the DRO shall schedule a public meeting in accordance with the dates established in the Annual Zoning Calendar, or such a time as is mutually agreed upon between the Applicant and the DRO. The scheduling of the application for public meeting shall ensure the public notice requirements are satisfied.

a. Number of Meetings

The DRO shall hold at least one public meeting on applications that are subject to the Type 1 Variance process.

Section 5. Types of Application

C. Temporary Use

Reason for amendments: [Zoning]

This amendment completes the reference of Art.4.B.11.C, Definitions and Supplementary Use Standards for Specific Uses in the standards for Temporary Uses paragraph in Article 2. [Ord. 2018-002]

6. Standards

When considering a DO request for a Temporary Use, the DRO shall utilize the Standards a through b, the DRO shall also consider the limitations and criteria stated in the following Table for each Temporary Use pursuant to Art. 4.B.11.C, Definitions and Supplementary Use Standards for Specific Uses: [Ord. 2018-002]

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EXHIBIT C

ART. 2, APPLICATION PROCESSES AND PROCEDURES AND
ART. 3, OVERLAYS AND ZONING DISTRICTS MINOR AMENDMENTS
SUMMARY OF AMENDMENTS

Part 4.  Art. 2.C.5.D, Type 1 Variances (page 50 of 105), is hereby amended as follows:

CHAPTER C  ADMINISTRATIVE PROCESSES

Section 5.  Types of Application

D. Type 1 Variances

4. Standards

When considering a Type 1 Variance request, the ORO shall consider Standards a through g, indicated below. A Type 1 Variance which fails to meet any of these Standards shall be deemed adverse to the public interest, and shall not be approved. [Ord. 2018-002]

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] [Ord. 2018-002]

b. Special conditions and circumstances do not result from the actions of the applicant; [Ord. 2006-036] [Ord. 2018-002]

c. 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;
[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] [Ord. 2018-002]

e. Granting the variance is the minimum variance that will make possible a reasonable use of the parcel of land, building, or structure; [Ord. 2006-036] [Ord. 2018-002]

f. Granting the variance will be consistent with the purposes, goals, objectives, and policies of the Plan and this Code; and [Ord. 2006-036] [Ord. 2018-002]

g. Granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. [Ord. 2006-036] [Ord. 2018-002]

5. Staff Report and Recommendation

The ORO or the PBC official responsible for reviewing the application shall prepare a report for the application. The ORO shall incorporate the analysis and Conditions of Approval of the Agencies who are responsible for reviewing the application, and a recommendation of approval, approval with conditions, or denial based on the applicable Standards. The report shall be made available to the public at least five days prior to the hearing date.

[Renumber Accordingly]

Part 5.  ULDC Table 3.B.2.B - Airport Use Regulations (page 20- of 212), is hereby amended as follows:

Table 3.B.2.B - Airport Use Regulations

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Airport Related Uses</th>
<th>Non-Airport Related Uses</th>
<th>Corresponding Zoning District PDRs (1)</th>
<th>Note (2)</th>
<th>Use Applicable to Specific Airport</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Utilities / Excavation Uses / Commercial Communication Towers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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Part 6.  ULDC Art. 3.B.11.C, Use Regulations [Related to SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay] (page 38 - of 212), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 11  SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay

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C. Use Regulations

The following uses may be permitted in the SCGCFO, subject to Art. 4, Use Regulations, and the following: [Ord. 2004-040] [Ord. 2017-007]

<table>
<thead>
<tr>
<th>Uses Permitted by Right: (1)</th>
<th>DRO Uses: (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class A Conditional Uses:</td>
<td>ZAR:</td>
</tr>
</tbody>
</table>

Notes:
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EXHIBIT D

ARTICLE 3.A.3.E.2 – PLANNED DEVELOPMENT DISTRICTS
[RELATED TO ZONING DISTRICT CONSISTENCY WITH FLU ATLAS]

1
Part 1. ULDC Art. 3.A.3.E.2, Planned Development Districts (page 19 of 212), is hereby amended
as follows:

4 CHAPTER A GENERAL
5 Section 3 Zoning District Consistency with the Future Land Use Atlas (FLUA)
6 E. Exemptions/Applicability for Prior Approvals
7 2. Planned Development Districts
8 The following previous approvals shall correspond to the current districts indicated: [Ord. 2011-016]
9 a. Special exceptions for PUDs shall correspond to a PUD. [Ord. 2011-016]
10 b. Special exceptions for large-scale community or regional shopping centers (30,000 square
11 feet or 50,000 square feet of total floor area or more), Planned Commercial Developments
12 (PCDs), Planned Neighborhood Commercial Developments (PNCDs), Planned General
13 Commercial Developments (PGCDs), and Planned Office Business Parks (POBPs) and
14 Planned Industrial Developments (PIDs) shall correspond to a MUPD. [Ord. 2011-016]
15 c. Special exceptions for Planned Industrial Developments (PIDs) shall correspond to IL or
16 IG Zoning District of the subdivision.
17 d. Special exceptions for PIPDs shall correspond to a PIPD. [Ord. 2011-016]
18 e. Special exceptions for MHPDs shall correspond to a MHPD. [Ord. 2011-016]
19 f. Special exceptions for RVPDs shall correspond to a RVPD. [Ord. 2011-016]
20 g. Any of the above where approved as a conditional use approval as opposed to a special
21 exception. [Ord. 2011-016]

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EXHIBIT E

ARTICLE 4.B. - USE REGULATIONS
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 4.B.1.C.1.d, Maximum Occupancy [Related to Congregate Living Facility], (page 15 of 201), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 1 Residential Uses

C. Definitions and Supplementary Use Standards for Specific Uses

1. Congregate Living Facility (CLF)
   a. Definition
      A facility which provides long-term care, housing, food service, and one or more assistive care services for persons not related to the owner or administrator by blood or marriage.
   b. Licensing
      Type 1 and 2 CLFs shall be licensed by one of the licensing entities referenced in State Statute 419.001.
   c. Approval Process - RS Zoning District
      A Type 3 CLF may be allowed in the RS Zoning District with an HR-8 FLU designation subject to a Class A Conditional Use approval.
   d. Maximum Occupancy
      1) Type 1 CLF
         Six persons, excluding staff.
      2) Type 2 CLF
         14 persons, excluding staff.
      3) Type 3 CLF
         The maximum occupancy shall be determined by FLUE Table III.C.1 of the Plan and multiplying the maximum allowable density by 2.39. A dwelling unit is equivalent to 2.39 beds.
      4) PDD Occupancy Bonus
         The gross area of a pod supporting a CLF in a planned development shall be deducted from the gross area of the planned development for the purpose of calculating the maximum density allowed in the PDD.
   e. Separation
      The separation requirements in this Section shall be measured from the nearest point of the existing CLF structure to the nearest point of the proposed CLF structure.
      1) Type 1 CLF
         A Type 1 CLF, shall not be located within a radius of 1,000 feet of another Type 1 CLF regulated by F.S. §419.001 and within a radius of 1,200 feet of a Type 2 CLF.
      2) Type 2 CLF - RM Zoning District
         A Type 2 CLF located in the RM Zoning District shall not be located within a radius of 1,200 feet of another CLF.

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

ARTICLE 4.B. - USE REGULATIONS
SUMMARY OF AMENDMENTS

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

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Accessory Use</td>
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<tr>
<td>Caretaker Quarters (4)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>D</td>
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<td>D</td>
</tr>
</tbody>
</table>

[Ord. 2018-XXX]

Notes:

... DRO Approval through the ZAR process.

... L Permitted by Right when accessory to Government Facilities.

5. Part 3. ULDC Art. 4.B.1.E, Accessory Residential Use Standards [Related to Accessory Quarters and Caretaker Quarters] (page 20 of 204), is hereby amended as follows:

6. CHAPTER B USE CLASSIFICATION

7. Section 1 Residential Uses

8. E. Accessory Residential Use Standards

9. 1. Accessory Quarters

a. Definition

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

b. Building Area

The use shall be subject to the following:

1) On less than one acre: a maximum of 800 square feet.
2) On one acre or more: a maximum of 1,000 square feet.
3) The floor area calculation shall include only the living area of the accessory quarter under a solid roof.
4) Additional floor area under a solid roof that is utilized as a porch, patio, porte-cochere, carport, or garage shall not exceed 500 square feet.

10. [Renumber Accordingly]

11. 2. Caretaker Quarters

a. Definition

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

b. Building Area, except when accessory to government facilities

The use shall be subject to the following:

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

12. Part 4. ULDC Art. 4.B.2, Commercial Uses (page 45, 53 and 61 of 204), is hereby amended as follows:

13. CHAPTER B USE CLASSIFICATION

14. Section 2 Commercial Uses

15. C. Definitions and Supplementary Use Standards for Specific Uses

Notes:

Underlined indicates new text.

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Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

A series of four bolded ellipses indicates language omitted to save space.
ARTICLE 4.B. - USE REGULATIONS
SUMMARY OF AMENDMENTS

23. Medical or Dental Office
   a. Definition
      An establishment where patients, who are not lodged overnight, are admitted for
      examination, elective surgical care, immediate but not emergent care or treatment by
      persons practicing any form of healing or health-building services whether such persons
      be medical doctors, chiropractors, osteopaths, podiatrists, naturopaths, optometrists,
      dentists, or any such profession, the practice of which is lawful in the State of Florida.
   b. Typical Uses
      A Medical or Dental Office may include, but is not limited to, an Ambulatory Surgical Center
      or urgent care center.
   c. INST FLU Designation
      A Medical or Dental Office may be allowed subject to DRO approval, within the boundaries
      of the following five site specific FLUA amendments:
      1) SCA 2005-027, Linton/Jog Institutional, Ord. 2006-005;
      2) SCA 2008-015, Jog/Joe Delong Institutional, Ord. 2008-005;
      3) SCA 2009-002, Atlantic/Sims Medical Office, Ord. 2009-006;
      4) LGA 2010-014, Suess Institutional (Southern & Seminole Pratt and Whitney), Ord.
         2010-031; and,
      5) LGA 2012-002, Agriculture Reserve Boynton Beach, Ord. 2012-017.
   d. Zoning Districts – CN, CLO and CHO
      May be Permitted by Right when not exceeding 3,000 square feet of GFA.
   e. Ambulatory Surgical Center
      Ambulatory Surgical Centers licensed by the Florida Agency for Health Care Administration
      (AHCA), under the authority of F.S. Chapter 395, Part 1, and FAC Chapter 58A-5, limited
      to the provision of elective same day surgical care, where patients are ambulatory.
      1) Building Area
         a) An Ambulatory Surgical Center up to 10,000 square feet of GFA may be allowed
            subject to the approval process for a Medical or Dental Office.
         b) An Ambulatory Surgical Center greater than 10,000 square feet of GFA may only
            be allowed in developments with a CH-FLU designation, subject to Class A
            Conditional Use approval.
      2) Elective Surgical Care
         Ambulatory Surgical Centers must not be designed to accept patients requiring
         emergency care, including the provision of ambulance drop off areas; however,
         Ambulatory Surgical Centers may be allowed to incorporate ambulance loading zones
         and related emergency facilities necessary to address any complications that may
         arise during normal procedures, as required by AHCA or Florida Statute.

34. Retail Sales
   a. Definition
      An establishment providing general retail sales or rental of goods, but excluding uses
      specifically classified as another use type.
   g. Collocated Use
      A Retail Sales use may be Permitted by Right in the IL, IG, PO, IPF Zoning District or
      MUDP with an INST FLU designation when collocated to an Animal Shelter.
   [Renumber Accordingly]

41. Veterinary Clinic
   a. Definition
      An establishment engaged in providing medical care, treatment and temporary boarding
      for animals.
   g. Collocated Use
      1) A Veterinary Clinic may be Permitted by Right in the IG, PO, IPF Zoning District or
         MUDP with an INST FLU designation when collocated to an Animal Shelter.
      2) Veterinary Clinics operated by a licensed veterinarian for the care of the animals kept
         in the shelter facility may also offer veterinary services to the public.

Part 5. ULDC Art. 4.B.3, Recreation Uses (page 68-69 of 204), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION
Section 3 Recreation Uses

Notes:
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C. Definitions and Supplementary Use Standards for Specific Uses

5. Fitness Center
   a. Definition
      An establishment containing multi-use facilities for conducting recreational sport activities.
   b. Typical Activities
      Typical sport activities may include but is not limited to aerobic exercises, weight lifting, running, swimming, racquetball, handball, squash, dance studios and martial arts studios.
   c. Approval Process—
      1) CC Zoning District and MUPD with CL FLU Designation
         a) A Fitness Center that has less than 8,000 square feet of GFA shall be Permitted by Right.
         b) A Fitness Center with more than 8,000 square feet but less than 15,000 square feet shall be subject to DRO approval.
      2) Commercial Pod of PUD
         A Fitness Center less than 10,000 square feet may be Permitted by Right.
   d. Zoning District - CN Zoning District
      The use shall be limited to 3,000 square feet of GFA when located in CN Zoning District and shall not include outdoor activities.
   e. Existing Approvals – IL Zoning District and Industrial Light pod of PIPD
      A Fitness Center legally established in the IL Zoning District or Industrial Light pod of a PIPD prior to March 2, 2017 shall be considered legal conforming.

9. Park, Public
   c. Collocated Uses
      The following shall be collocated uses Permitted by Right in the PO Zoning District when included as part of a Public Park:
      1) Outdoor Shooting Range limited to non-mechanical equipment archery;
      2) Arena or Stadium or Amphitheater separated at least 1,500 feet from parcels of land with a Conservation and Residential FLU designation or use.
      3) Commercial Equestrian Arena;
      4) Marina limited to docks, wet slips or boat ramps; and,
      5) Security or Caretaker’s Quarters.

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

CHAPTER B USE CLASSIFICATION

Section 4 Institutional, Public and Civic Uses

C. Definitions and Supplementary Use Standards for Specific Uses

6. Crematory
   a. Definition
      A facility used for the incineration that employs various methods of processing of human or animal remains, consistent with F.S. 497.005, as periodically amended.
   b. Equipment Location
      Crematory equipment shall be located within a fully enclosed building.
   c. Services Prohibited
      Services such as public observances, sermons or other similar activities shall be prohibited, unless collocated with an approved funeral home.
   d. Collocated Use
      In the RM Zoning District, a Crematory may be collocated with a Cemetery subject to Class A Conditional Use approval, provided the use is restricted to those being buried within that Cemetery.

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ARTICLE 4.B. - USE REGULATIONS
SUMMARY OF AMENDMENTS

Chapter B USE CLASSIFICATION

Section 10 Excavation Uses

C. Definitions and Supplementary Use Standards for Excavation Uses

4. Type 2 Excavation

f. Use Approval and Procedures

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

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

(1) Notice of Intent to Construct pursuant to Article 4.B.10.B.6, Notice of Intent to Construct;


(3) Littoral zone and general upland reclamation requirements pursuant to Article 4.B.10.B.7.c, Reclamation Standards; and,

(4) Maintenance and Monitoring requirements pursuant to Article 4.B.10.B.7.e, Maintenance and Monitoring.

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EXHIBIT F

ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES

1 Part 1. ULDC Art. 4.B.1.C.3, Definitions and Supplementary Use Standards for Specific Uses related to Multifamily (page 16 of 204), is hereby amended as follows:

4 CHAPTER B USE CLASSIFICATION
5 Section 1 Residential Uses
6 C. Definitions and Supplementary Use Standards for Specific Uses
7 3. Multifamily
8 d. Zoning District
9 3) Cottage Homes in MF Pod
10 A maximum of 1,000 square feet per unit.

11 Part 2. ULDC Art. 4.B.1.C.4, Definitions and Supplementary Use Standards for Specific Uses related to Single Family (page 17 of 204), is hereby amended as follows:

14 C. Definitions and Supplementary Use Standards for Specific Uses
15 4. Single Family and Cottage Homes
16 a. Definition for Single Family
17 The use of a lot or a structure for one detached dwelling unit.
18 b. Definition for Cottage Home
19 The use of a lot or a structure for one detached dwelling unit with reduced property development regulations than a typical Single Family lot and unit.
20 c. Cottage Homes in SF Pod
21 A maximum of 1,000 square feet per unit.

22 Part 3. ULDC Art. 3.D.1.D.2, Multifamily Separation related to Setbacks (page 123 of 212), is hereby amended as follows:

29 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)
30 Section 1 PDRs for Standard Zoning Districts
31 D. Setbacks
32 2. Multifamily Separations
33 The minimum separation for multifamily structures in the RM district shall correspond to the setback regulations in Table 3.0.1.A, Property Development Regulations.
34 a. Cottage Homes
35 The minimum separation for Cottage Homes that are located in a MF Pod of a PUD may be reduced from 15 feet to ten feet subject to the approval by the Fire Department and the Building Division.

39 Part 4. ULDC Table 3.D.2.E – Cottage Home Property Development related to PDRs for Specific Housing Type (page 134 of 212), is hereby amended as follows:

45 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)
46 Section 2 PDRs for Specific Housing Types
47

50 (This space intentionally left blank)

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EXHIBIT F

ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES

E. Cottage Homes

Cottage Homes shall comply with the following PDRs:

Table 3.D.2.E – Cottage Home Property Development Regulations (1)(2)

<table>
<thead>
<tr>
<th>Lot Dimensions</th>
<th>Density</th>
<th>FAR (2)</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size</td>
<td>Width and Frontage</td>
<td>Depth</td>
<td>Building Coverage</td>
</tr>
<tr>
<td>1,000 sf to 2,500 sf</td>
<td>30 ft to 30 ft – side street</td>
<td>50 ft</td>
<td>35 ft (max)</td>
</tr>
</tbody>
</table>

Notes:
1. Minimum Property Development Regulations except where it stated as maximum.
2. For Cottage Homes that are located in a MF zone, apply the RM PDRs pursuant to Table 3.D.1.A Property Development Regulations.

Part 5. ULDC Table 3.E.2.D – PUD Property Development Regulations (page 148 of 212), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2 Planned Unit Development (PUD)

D. Property Development Regulations (PDRs)

Table 3.E.2.D - PUD Property Development Regulations

<table>
<thead>
<tr>
<th>POD</th>
<th>Lot Dimensions</th>
<th>Density</th>
<th>FAR (2)</th>
<th>Building Coverage</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>MF</td>
<td>Apply the RM district regulations in Table 3.D.1.A-47, Property Development Regulations.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part 6. ULDC Table 5.B.1.A – Screen Enclosure Setbacks (page 26 of 110), is hereby amended as follows:

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

Table 5.B.1.A - Pool/Spa Setbacks

<table>
<thead>
<tr>
<th>Setbacks</th>
<th>Front</th>
<th>Side</th>
<th>Side Street</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>28 feet</td>
<td>10.5 feet</td>
<td>18 feet</td>
<td>10.5 feet</td>
</tr>
<tr>
<td>Cottage Home</td>
<td>20 feet</td>
<td>5 feet</td>
<td>12 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td>ZLL</td>
<td>13 feet</td>
<td>ZLL: 3 feet</td>
<td>Non-ZLL: 5 feet</td>
<td>13 feet</td>
</tr>
<tr>
<td>Townhouse</td>
<td>Parking Tract: 13 feet</td>
<td>3 feet</td>
<td>18 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>28 feet</td>
<td>18 feet</td>
<td>28 feet</td>
<td>15 feet</td>
</tr>
<tr>
<td>Neighborhood Recreation Facility less than 1 acre</td>
<td>25 foot setback or separation to the nearest residential lot line</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighborhood Recreation Facility 1 acre or more</td>
<td>50 foot setback or separation to the nearest residential lot line</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
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EXHIBIT F

ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES

1 Part 7. ULDC Table 5.B.1.A – Screen Enclosure Setbacks (page 26 of 110), is hereby amended as follows:

2 CHAPTER B ACCESSORY USES AND STRUCTURES

3 Section 1 Supplementary Regulations

4 A. Accessory Uses and Structures

5 Part 8. ULDC Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements (page 4 of 40), is hereby amended as follows:

6 CHAPTER A PARKING

7 Section 1 General

8 B. Applicability

9 Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements

<table>
<thead>
<tr>
<th>Use Classification: Residential</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congregate Living Facility,</td>
<td>1 space per unit or 2</td>
<td></td>
</tr>
<tr>
<td>Type 1, Type 2, Type 3</td>
<td>beds whichever is greater; plus 1 space per 200 sq. ft. of office space</td>
<td>(12)</td>
</tr>
<tr>
<td>Multifamily</td>
<td>1 space per efficiency unit; 2 spaces per unit (one bedroom or more); plus 1 guest parking space per 4 units with common parking areas.</td>
<td>N/A</td>
</tr>
<tr>
<td>Single Family, Cottage Home,</td>
<td>2 spaces per unit</td>
<td></td>
</tr>
<tr>
<td>Zero Lot Line Home, Townhouse,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>or Mobile Home Dwelling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Quarters</td>
<td>1 space per unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Caretaker Quarters</td>
<td>1 space per unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Farm Residence</td>
<td>2 spaces per unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Farm Worker Quarters</td>
<td>1 space per 4 units or</td>
<td>N/A</td>
</tr>
<tr>
<td>Garage Sale</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Grooms Quarters</td>
<td>1 space per unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Guest Cottage</td>
<td>1 space per cottage</td>
<td>N/A</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Kennel, Type 1</td>
<td>1 space per 500 sq. ft.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>of cage or kennel area.</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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EXHIBIT F

ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES

1 Part 9. ULDC Art. 7.C.2.B.2 – Exemptions related to Compatibility Buffer (page 16 of 53), is hereby amended as follows:

4 CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

5 Section 2 Types of Landscape Buffer

6 B. Compatibility Buffer

7 A Compatibility Buffer shall consist of Canopy trees and rows of shrubs. Palms or pines may be used as a substitute for Canopy trees. [Ord. 2018-002]

8 2. Exemption Compatibility Buffers shall not be required for the following: [Ord. 2018-002]

9 a. Single Family residential subdivisions or pods adjacent to Single Family residential subdivisions or pods. Cottage Home pods adjacent to Cottage Home pods; [Ord. 2018-002]

10 Part 10. ULDC Art. 7.C.2.C – Incompatibility Buffer Types (page 18 of 53), is hereby amended as follows:

11 CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

12 Section 2 Types of Landscape Buffer

13 C. Incompatibility Buffer

14 Table 7.C.2.C - Incompatibility Buffer Types

<table>
<thead>
<tr>
<th>Difference Between Adjacent Uses (1)</th>
<th>Use Classification</th>
<th>Abutting</th>
<th>Use Classification</th>
<th>Required Buffer Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential, Single Family and Z LL</td>
<td>Residential, Cottage Homes</td>
<td></td>
<td>Type 1</td>
<td></td>
</tr>
<tr>
<td>Residential, Detached</td>
<td>Residential, Attached (3)</td>
<td></td>
<td>Type 2</td>
<td></td>
</tr>
<tr>
<td>Residential, Detached</td>
<td>Type 3 CLF</td>
<td></td>
<td>Type 2</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Commercial</td>
<td></td>
<td>Type 2</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Recreational</td>
<td></td>
<td>Type 2</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Institutional, Public and Civic</td>
<td>Type 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Agricultural</td>
<td></td>
<td>Type 3</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Industrial</td>
<td></td>
<td>Type 3</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Utility (2)</td>
<td></td>
<td>Type 3</td>
<td></td>
</tr>
</tbody>
</table>


Notes:
1. Determination of use classification shall be consistent with Art. 4, Use Regulations. Where proposed development abuts vacant parcels, use classification shall be based on Future Land Use (FLU) designation. [Ord. 2018-002]
2. Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. [Ord. 2017-007] [Ord. 2018-002]
3. Shall also apply to a Type 2 CLF. [Ord. 2018-002]

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ARTICLE 4.B.1.C. – SINGLE FAMILY AND COTTAGE HOMES

1 Part 11. ULDC Table 7.C.3.A – Interior Landscaping Requirements related to Interior Landscaping (page 20 of 53), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Add tree planting requirement for Cottage Homes.

4 CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

5 Section 3 Interior Landscaping

6 A. Calculation of Interior Landscaping

7 Table 7.C.3.A – Interior Landscaping Requirements

<table>
<thead>
<tr>
<th>Min. Tree Quantities</th>
<th>U.S. Tier</th>
<th>AGR and Glades Tiers</th>
<th>Exurban and Rural Tiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential lot – SF, Cottage Homes, ZLL, TH and MF</td>
<td>1 per 1,250 sq. ft. (max. 15 trees) (1)(2)</td>
<td>1 per 1,000 sq. ft. (max. 30 trees) (1)(2)</td>
<td>1 per 800 sq. ft. (max. 30 trees) (1)(2)</td>
</tr>
<tr>
<td>Non-residential Vehicular Use Area (3)</td>
<td>1 per 2,000 sq. ft.</td>
<td>1 per 1,500 sq. ft.</td>
<td>1 per 1,200 sq. ft.</td>
</tr>
<tr>
<td>Min. Shrub Quantities</td>
<td>U.S. Tier</td>
<td>AGR and Glades Tiers</td>
<td>Exurban and Rural Tiers</td>
</tr>
<tr>
<td>Residential lot – SF, Cottage Homes, ZLL, TH and MF</td>
<td>3 per 1,250 sq. ft. (max. 45 trees) (1)(2)</td>
<td>3 per 1,000 sq. ft. (max. 90 trees) (1)(2)</td>
<td>3 per 800 sq. ft. (max. 90 trees) (2)</td>
</tr>
<tr>
<td>Non-residential Vehicular Use Area (3)</td>
<td>3 per 2,000 sq. ft.</td>
<td>3 per 1,500 sq. ft.</td>
<td>3 per 1,200 sq. ft.</td>
</tr>
</tbody>
</table>

Notes:
1. Tree and shrub planting requirements for Residential Lots shall be based on the pervious surface areas of the lot. For Cottage Homes that have less than 1,250 sq. ft. of lot size, a minimum of one flowering tree or palm shall be provided. [Ord. 2014-025, Ord. 2018-002]
2. No maximum for lots with Multi-family units. [Ord. 2018-002]
3. Interior quantity of trees and shrubs shall be based on ten percent of the gross paved areas of the vehicular use area, excluding preservation, lakes, and retention areas. [Ord. 2018-002]

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EXHIBIT G

ARTICLE 4.B.2 – ELECTRIC VEHICLE CHARGING STATION

Part 1. ULDC Art. 4.B.2, Electric Vehicle Charging Station (page 38 of 204), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 2 Commercial Uses

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## EXHIBIT G
### ARTICLE 4.B.2 – ELECTRIC VEHICLE CHARGING STATION

<table>
<thead>
<tr>
<th>AGR</th>
<th>RESIDENTIAL</th>
<th>COMMERCIAL</th>
<th>IND</th>
<th>INST</th>
<th>Use Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>CON</td>
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### PLANNED DEVELOPMENT DISTRICTS (POD)

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### TRADITIONAL DEVELOPMENT DISTRICTS (TOD)

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### Source

- [Expanded text](link)

### Notes:
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- Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
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BCC Adoption Hearing August 23, 2018
C. Definitions and Supplementary Use Standards for Specific Uses

10. Electric Vehicle Charging Station Facility

a. Definitions

A facility that provides infrastructure that supplies electric energy for the charging of electric vehicles. Electric vehicles shall include, but not limited to: Battery-powered electric vehicles, Plug-in hybrid electric vehicles, Electric motorcycles, and Fuel cell vehicles. The service is provided to the public and the facility can be manned or unmanned.

b. Location Criteria for Principal Use

1) An EVCS facility shall comply with Art. 5.E.2, Location Criteria.
2) An EVCS facility with a CL FLU designation shall comply with Art. 5.E.1, Major Intersection Criteria.
3) I-95 or Turnpike Interchanges

A parcel with a Commercial High (CH) future land use designation within 0.50 miles of an I-95 or Turnpike interchange shall be exempt from the location criteria listed above.

c. Design and Construction Standards for Stations for Principal or Accessory Use

1) The location of the EVCS (charger and/or charging space(s)) shall not be located in the following areas:
   a) required loading areas;
   b) required landscape buffers, islands, or medians; and
   c) Any other areas that will impede vehicular or pedestrian traffic circulation or visibility.
2) All EV parking spaces shall be a minimum of nine feet in width by 18.5 feet in length. The charging unit may be installed in front of the space or on the side. An optional pedestrian access aisle (between 18 inches to 2 feet) may be provided between the unit and the vehicle. Two adjacent EVCS spaces may utilize the same access aisle.
3) EV spaces shall be painted green, or shall be marked by green painted lines or curbs;
4) A canopy, if provided, shall not exceed 15 feet in height over the charging unit;
5) Each EV space shall be marked by a sign designating the parking space as an electric vehicle parking space, in accordance with Art. 8.B.2, Small Signs and the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration. Each sign shall include the following information:
   a) Voltage and amperage levels;
   b) Any applicable usage fees;
   c) Safety information; and
   d) Contact information for the owner of the charging station, to allow a consumer to report issues relating to the charging station.
6) A generator, if provided, shall comply with Art. 5.B.1.A.18.b, Permanent Generator

d. Accessory Use

EVCS shall be permitted as an accessory use to residential or nonresidential uses when a parking space(s), equipped with EVCS infrastructure, is provided within the parking lot or vehicular service area of a principal use for public or private use. An accessory EVCS may be located in any Zoning district subject to DRO approval.

1) Accessory to Nonresidential Uses

Shall not exceed a maximum of 20 spaces or ten percent of the total required parking spaces for the use or, whichever is less.
2) Accessory Residential

a) EVCS that is accessory to a home (SF, ZLL or TH) is permitted and exempt from the regulations in this Section.
b) An EVCS located within a common parking area shall comply with the provisions for Accessory to Non Residential uses listed above.

[Renumber Accordingly]
EXHIBIT G

ARTICLE 4.B.2 – ELECTRIC VEHICLE CHARGING STATION

Part 2. ULDC Table 3.B.2.B, Airport Use Regulations (page 21 of 212), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 2 AZO, Airport Zoning Overlay

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Airport Related Uses</th>
<th>Non-Airport Related Uses</th>
<th>Corresponding Zoning District PDRs (1)</th>
<th>Use Applicable to Specific Airport</th>
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ORD. 2006-036 [ORD. 2008-003] [ORD. 2010-009] [ORD. 2010-022] [ORD. 2011-016] [ORD. 2017-007]

Part 3. ULDC Table 3.B.14.E, WCRAO Sub-area Use Regulations (page 46 of 212), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 14 WCRAO, Westgate Community Redevelopment Overlay

<table>
<thead>
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ORD. 2006-004 [ORD. 2007-013] [ORD. 2009-040] [ORD. 2010-022] [ORD. 2011-016] [ORD. 2012-007] [2017-002] [ORD. 2017-007] [ORD. 2018-002]

Notes:

Key:
- X: Prohibited in Sub-area.
- Subject to Use Regulations of zoning district.
- Class A Conditional Use [ORD. 2017-007]

Part 4. ULDC Art. 1.1.3, Abbreviations and Acronyms (page 114 of 118), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 3 Abbreviations and Acronyms

EvPA Everglades Protection Area [ORD. 2014-025]
EV Electric Vehicle
EVCS Electric Vehicle Charging Station
FAA Federal Aviation Administration

Notes:
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EXHIBIT H

ARTICLE 4 - USE REGULATIONS
[RELATED TO LANDSCAPE SERVICE AND CONTRACTOR STORAGE YARD]

SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 4.B.2.C.20, Landscape Service (page 43-44 of 204), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 2 Commercial Uses

C. Definitions and Supplementary Use Standards for Specific Uses

20. Landscape Service

An establishment engaged in the provision of landscape maintenance or installation services, such as lawn mowing, tree, shrub or hedge trimming, leaf blowing, landscape design, and landscape installation.

a. AR District in RSA

A landscape service as a principal use shall be located on a collector or arterial street on a minimum of three acres.

b. AGR District

Shall be permitted subject to DRO approval as an accessory use only in conjunction with a retail or wholesale nursery, excluding those that meet the limitations of a home occupation.

c. Landscape Buffer

An Incompatibility Buffer as required by Art. 7.C.2.C., Incompatibility Buffer, may be waived if the use is adjacent to farm worker quarters or mobile home accessory to a bona fide Agriculture use.

d. Storage

Outdoor storage of debris shall be prohibited.

e. Accessory Use

May be allowed as an accessory use to a retail or wholesale nursery on a minimum of three acres.

f. Yard Waste Storage

Landscape service with storage of yard waste shall front on a collector or arterial street, and shall comply with the following requirements:

1) Setbacks

Loading and service areas shall be located a minimum of 50 feet from all property lines and 100 feet from adjacent property with residential use or FLU designation.

2) Standards

a) Only one yard waste storage area shall be permitted on site;

b) Shall not exceed 30 by 40 feet;

c) Yard waste shall be screened on three sides by a wall with a maximum height of 12 feet. The open end of the wall shall not face any property with residential use or FLU designation;

d) Yard waste piles shall not exceed the height of the wall;

e) Surface of the storage area shall be paved with concrete and have positive drainage, and,

f) Yard waste that is not generated by the landscape service shall be prohibited on site.

g. Home Occupation

A limited landscape service, not including yard waste or landscape installation services, may be approved as a Home Occupation subject to the requirements of Art. 4.B.1.E.10, Home Occupation, and this section, subject to the following exemptions or requirements:

1) Exception – AR/RSA Zoning District

A limited Landscape Service on a lot three acres or more may be allowed as follows:

[Partially relocated from 4.B.2.C.20.g.2), AR District in RSA, below]

a) Subject to DRO approval through the ZAR process prior to issuance of a Business Tax Receipt;

4) Buffers

The use shall be exempt from incompatibility buffer requirements. [Relocated to Art. 4.B.2.C.20.g.2), below]

2) AR-District in RSA

A landscape service may be permitted subject to the limitations of Art. 4.B.1.E.10, Home Occupation, except that parcels three acres or more in size may also be eligible for the following: [Partially relocated to 4.B.2.C.20.g.1), Exception]

Notes:

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EXHIBIT H
ARTICLE 4 - USE REGULATIONS
[RELATED TO LANDSCAPE SERVICE AND CONTRACTOR STORAGE YARD]
SUMMARY OF AMENDMENTS

1) A maximum of three persons living outside of the home may be employed under the home occupation the DRO approval.

bc) The use shall also be exempt from the outside storage limitations of Art. 4.B.1.E.10. Outside Outdoor Storage, provided that outside storage is shall be limited to equipment such as lawnmowers, hedges, weed eaters, and small trailers. Storage shall not include heavy equipment associated with landscape installation services, such as bobcats, loaders, dump trucks, or heavy equipment trailers.

d) Storage areas shall be screened from view from any R-O-W or parcel of land with a Residential FLU designation or use through the use of opaque fences, walls or existing or newly planted native vegetation, provided the material provides an opaque screen within one year of the issuance of the business tax receipt. No additional vegetation shall be required where equipment is screened from view behind permitted fences or other structures.

e) Parking spaces shall be provided for every employee in addition to the spaces required for a Single Family. All vehicle parking or storage areas shall utilize improved surfaces such as asphalt, pavement or shell rock.

2) Home Occupation having Landscape Service shall be exempt from the incompatibility buffer requirements. [Relocated to Art. 4.B.2.C.20.g.1], Buffers, above]

Part 2. ULDC Art. 4.B.5.C.1, Contractor Storage Yard (page 85-86 of 204), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION
Section 5 Industrial Uses
C. Definitions and Supplementary Use Standards for Specific Uses
1. Contractor Storage Yard
a. Definition
The storage of construction material, mechanical equipment used in construction activity, or commercial vehicles used by building trades and services, other than construction sites.

b. Overlay - WCRAO
1) Approval Process
The use shall be limited to the UG and UI Sub-areas of the WCRAO subject to Class 3.A Conditional Use approval.

2) Accessory Office
The use shall include a structure required to comply with the provisions of Table 3.B.14.F - WCRAO Sub-area PDRs.

3) Nonconformities
Uses approved prior to March 2, 2017 shall be considered legal conforming uses.

c. Home Occupation - AR/RSA
A limited Contractor Storage Yard may be allowed as a Home Occupation subject to a DRO approval through the ZAR Process, when located in the Agriculture Residential (AR) Zoning District within the Rural Service Area (RSA) on lots a minimum of five acres in size, subject to the requirements of Art. 4.B.1.E.10, Home Occupation, and the following:

1) Exception - AR/RSA Zoning District
A limited Contractor Storage Yard on a lot five acres or more, may be allowed as follows: [Partially relocate from Art. 4.B.5.C.1.c, Home Occupation, above]

a) Subject to a DRO approval through the ZAR Process prior to issuance of a Business Tax Receipt: [Partially relocate from Art. 4.B.5.C.1.c, Home Occupation, above]

b) A maximum of three persons living outside of the home may be employed under the DRO approval: [Partially relocated from Art. 4.B.5.C.1.c.1.c, Additional Employees, below]

1) General
a) Buffers
The use shall be exempt from incompatibility buffer requirements. [Relocate below under Art. 4.B.5.C.1.c.2], below]

bc) Hours of Operation

Notes:
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EXHIBIT H

ARTICLE 4 – USE REGULATIONS
[RELATED TO LANDSCAPE SERVICE AND CONTRACTOR STORAGE YARD]

SUMMARY OF AMENDMENTS

The loading or unloading, or movement of any stored vehicles, equipment, or other similar activities, or additional employees shall be prohibited between the hours of 8:00 p.m. and 6:00 a.m.

c) Additional Employees
d) A maximum of three persons living outside of the home may be employed under the Home Occupation, provided parking spaces for every employee vehicle shall not be added to the site parked on unimproved surfaces nor in the front or side yard unless within the business owner’s driveway or enclosed storage area.

Outdoor Storage
1) Where additional vehicles, semi-truck trailer, or equipment are allowed below, the use may be exempt from the outside storage limitations of Art. 4.B.1.E.10, provided that outside storage areas of equipment shall be screened from view from any R-O-W or parcel of land with a Residential FLU designation or use, through use of opaque fences, walls or existing or newly planted native vegetation, prior to issuance of the Business Tax Receipt.
2) No additional vegetation shall be required where equipment is screened from view behind permitted opaque fences or other structures;
3) Outdoor storage shall be prohibited within the front yard, and shall be setback a minimum of 15 feet, or 25 feet for vehicles or equipment greater than eight feet in height, from any abutting parcel with a Residential FLU or use; and,
4) Additional maximum of three vehicles or equipment shall only be permitted, unless the acreage requirements is met.
5) All vehicle parking or storage areas shall utilize where parked or stored on improved surfaces such as asphalt, pavement or shell rock.

Ownership
Any additional permitted vehicles or equipment shall be owned or leased by the Home Occupation license holder, except for semi-trucks operated by the license holder, that are stored not more than two days per week at the home.

Trucks and Equipment
The following additional vehicles or equipment owned by the business owner, may be permitted in accordance with the outdoor storage provisions above:
1a) One Semi truck with or without trailer; or,
2b) One large equipment; and,
3c) One trailer and one item of heavy equipment, such as a bobcat or loader, but excluding large equipment such as cranes.
3) Additional Vehicles or Equipment
One additional vehicle, trailer or piece of equipment permitted under Trucks and Equipment above may be allowed for each additional 10 acres. [Partially relocated above]

2) Home Occupation having Contractor Storage Yard shall be exempt from the incompatibility buffer requirements. [Relocated from Art. 4.B.5.C.1.c.1(a), Buffers, above]

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ARTICLE 4 – USE REGULATIONS
[RELATED TO LANDSCAPE SERVICE AND CONTRACTOR STORAGE YARD]
SUMMARY OF AMENDMENTS

With the exception of outdoor instructional services, a Home Occupation shall be conducted within the principal dwelling or off-site, and shall not be conducted within any accessory building or structure or within any open porch or carport that is attached to and part of the principal structure. Instructional services, which by their nature must be conducted outside of the principal structure, such as swimming lessons, shall be located in a rear or side yard.

d. No Change to Character of Dwelling
The residential character of the dwelling in terms of exterior appearance and interior space shall not be altered or changed to accommodate a home occupation.

1. Employees
Shall be conducted by members of the immediate family residing in the dwelling unit only.

A maximum of one person who is not a member of the immediate family may assist in the operation of the home occupations at the residence.

f. Advertising
No external evidence or sign shall advertise, display, or otherwise indicate the presence of the home occupation, nor shall the street address of the home occupation be advertised through signs, billboards, television, radio, or newspapers. Advertising on vehicles shall be limited to the minimum necessary to meet requirements mandated by F.S. Chapter 489 or Chapter 67-1876 of the PBC Contractor’s Certification Division Manual.

g. Cottage Foods
No food preparation shall be allowed, except as allowed in accordance with F.S. Section 500.80 cottage food operations, as amended.

h. On-Premise Sale of Goods and Services
A Home Occupation shall not involve the sale of any stock, trade, supplies, products, or services on the premises, except for instructional services or incidental retail sales where the Home Occupation is a mail order or internet business.

i. Instructional Services
Instructional services shall meet the following additional regulations:

1) Home Instruction, Inside
Teaching which takes place inside the dwelling unit of the instructor. Typical instruction includes music lessons and academic tutoring.

2) Home Instruction, Outside
Teaching which takes place outside the dwelling unit, on the property of the instructor. This type of instruction is limited to subject matter which necessitates outside instruction. Typical instruction includes tennis, swimming lessons, dog training and equestrian lessons.

3) Hours of Operation
Instruction shall occur only between the hours of 9:00 a.m. and 8:00 p.m. daily.

4) Number of Students
A maximum of three students at a time may be allowed to receive instruction during a lesson.

5) Parking
No more than two vehicles associated with the lessons may be allowed to be parked at the instructor’s home at any time.

6) Resident
The instruction must be conducted by a resident of the dwelling where lessons are provided. Only one instructor may be allowed to provide instruction.

j. Home Occupation in the AR/RSA
Additional standards and approval process apply to Home Occupation with limited Landscape Service or limited Contractor Storage Yard pursuant to Art. 4, Use Regulations.

k. Outside Storage
No equipment or materials used in the home occupation shall be stored or displayed outside of the dwelling, including driveways.

l. Nuisances
No Home Occupation shall involve the use of any mechanical, electrical or other equipment, materials or items which produce noise, electrical or magnetic interference, vibration, heat, glare, smoke, dust, odor or other nuisance outside the residential building. There shall be no storage of hazardous or noxious materials on the site of the home occupation. There shall be no noise of an objectionable nature from the Home Occupation audible at adjoining property lines.

m. Violations or Hazard

Notes:
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EXHIBIT H

ARTICLE 4 - USE REGULATIONS
[RELATED TO LANDSCAPE SERVICE AND
CONTRACTOR STORAGE YARD]

SUMMARY OF AMENDMENTS

If any of the above requirements are violated, or if the use, or any part thereof, is
determined by the Zoning Director to create a health or safety hazard, then the business
tax receipt may be revoked.

Vehicles
One business related vehicle per dwelling unit not over one ton rated capacity may be
parked at the home, provided the vehicle is registered to a resident of the dwelling,
commercial vehicles are prohibited.

Part 4. ULDC Table 2.C.3 – DRO Administrative Processes (page 43 of 105), is hereby amended
as follows:

<table>
<thead>
<tr>
<th>Requests</th>
<th>Processes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Full DRO</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Administrative Approval</td>
</tr>
<tr>
<td>Special Permit pursuant to Art. 4.B.3.C.1.e. Home Occupation in ARRISA related to limited Contractor Storage Yard and Art. 8.H.2, Billboards</td>
<td>(6)</td>
</tr>
<tr>
<td>Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6. Shall be processed as a Special Permit.</td>
</tr>
<tr>
<td>[Ord. 2018-003]</td>
<td></td>
</tr>
</tbody>
</table>

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EXHIBIT I

EQUESTRIAN WASTE MANAGEMENT FACILITY
SUMMARY OF AMENDMENTS

1 Part 1. ULDC Art. 3.A.3.B.1.p, Standard District Exceptions and Limitations (page 18 of 212), is hereby amended as follows:

2 CHAPTER A GENERAL

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

5 B. Standard Districts

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

7 1. Standard District Exceptions and Limitations

8 The following list of exceptions shall be permitted:

9 The AP District is consistent with the Special Agriculture (SA) FLU designation where necessary to accommodate an Equestrian Waste Management Facility. [Ord. 2017-007]

10

11

12 Part 2. ULDC Art. 4.B.5.C.4, Equestrian Waste Management Facility (page 86 of 204), is hereby amended as follows:

17 CHAPTER B USE CLASSIFICATION

18 Section 5 Industrial Uses

19 C. Definitions and Supplementary Use Standards for Specific Uses

20 ....

21 4. Equestrian Waste Management Facility

a. Definition

An establishment used for the recovery, recycling, or transfer of equestrian waste, provided used bedding is limited to organic materials, such as wood shavings, chips or sawdust, straw or hay, peat moss, or paper limited to newspapers, but excluding plastics, textiles or sand. Recovery may include collection, separation or sorting, or limited processing necessary to reduce volume, render materials safe for transport, storage or disposal, or the cleaning and packaging of materials for reuse. The facility may include manufacturing of products utilizing the equestrian waste including, but not limited to, bedding, fertilizer, pellets, and logs. Transfer may include the transfer of equestrian manure or bedding from smaller vehicles used for collection to larger vehicles for shipment to another destination.

b. Approval Process - AP Zoning District with SA FLU Designation

An Equestrian Waste Management Facility may be allowed in the AP Zoning District with an SA FLU designation subject to BCC approval as a Class A Conditional Use.

Glades and AGR Tiers

Equestrian Waste Management Facility shall be prohibited in the Glades Tier and the AGR Tier.

c. Location

Shall have frontage and access from an Arterial or Collector Street. Access from residential streets shall be prohibited.

d. Separation Distance

An Equestrian Waste Management Facility shall be separated a minimum of 1,000 feet from a food processing or packing plant. In addition to Art. 2.B.1.B.2, Standards for Conditional Uses and Development Order Amendments, the BCC shall consider whether the proposed 1,000 foot separation is adequate for this use at this location as part of the findings for the final decision of the request.

e. Collocated Use

Equestrian Waste Management Facility may be collocated with a Potting Soil Manufacturing, Composting Facility, or Chipping and Mulching subject to a Class A Conditional Use approval, only when located in a parcel with an industrial zoning district or FLU designation.

e. Landscaping Adjacent to Residential

The landscape buffer for any Any Equestrian Waste Management Facility located within 250 feet of a parcel with a residential use or FLU designation, shall be upgraded to a Type 3 Incompatibility Buffer. This Buffer shall be a minimum of 30 feet in width, and shall consist of a two-foot high berm, and double the number of required trees, planted in two staggered rows. Where outdoor activities are permitted within this distance but an Incompatibility Buffer is not required, the buffer shall also be upgraded to include a minimum six-foot hedge, fence or wall. Measurement shall be taken from property line of the Facility to the property line of the adjacent parcel of land.

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EXHIBIT I

EQUESTRIAN WASTE MANAGEMENT FACILITY
SUMMARY OF AMENDMENTS

f. Accessory Use
Manufacturing and Processing shall be limited to a maximum of 30 percent new material for supplementing recycling horse bedding, or for the production of other useful products comprised of Equestrian Waste.

gf. Storage or Waste Processing Areas
1) Best Management Practices
   All storage areas, including the temporary or overnight parking of loaded trucks or trailers, and any outdoor waste processing areas, shall comply with Art. 5.J.3.A, Storage Related to Storage or Spreading of Livestock Waste.

2) U/S Tier
   Outdoor storage shall be prohibited in the U/S Tier.

3) Outdoor Storage
   Where permitted, the pile height of equestrian waste shall not exceed 12 feet, and bollards shall be provided to delineate pile locations and height, tied to a finished grade location designated on site.

h. Application Requirements – Operation Functions
An application for an Equestrian Waste Management Facility shall include a Justification Statement and supporting documentation demonstrating acceptable industry design, configuration and operational standards, including but not limited to:

1) Site Plan
   The Plan shall illustrate how the operation functions, including circulation routes, and the location and size of loading and processing areas, and storage piles.

2) Waste Volume
   An explanation of the quantity of waste to be received, expressed in cubic yards per day or tons per day.

3) Dust Control Program
   A program to address how dust generated from traffic, storage and processing areas will be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.

4) Odor and Pest Control Program
   A program to address how odors and pests resulting from any vehicles transporting waste, or storage and processing areas will be managed pursuant to Art. 5.E.4.D.4, Objectionable Odors.

i. Equestrian Waste Moratorium
   1) The Board of County Commissioners of Palm Beach County does hereby impose a moratorium beginning on the effective date of this Ordinance, upon the acceptance of zoning applications and all applicable requests for zoning approval for an Equestrian Waste Management Facility, or any Composting use that includes equestrian waste, animal waste or bio-solids, located in the Glades Tier of unincorporated Palm Beach County. While the moratorium is in effect the County shall not accept, process or approve any application relating to the zoning approval of an Equestrian Waste Management Facility, or any Composting use that includes equestrian waste, animal waste or bio-solids. This moratorium does not prohibit accessory uses to Bona Fide Agriculture or composting facilities with County approvals as of June 6, 2017. [Ord. 2017-042]

   2) This Ordinance shall expire upon the earlier of the following: one year from the effective date of this Ordinance, or upon the effective date of ULDC amendments dealing with Equestrian Waste Management Facility or Composting uses that includes equestrian waste, animal waste or bio-solids, in the Glades Tier of unincorporated PBC. [Ord. 2017-042]

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EXHIBIT I
EQUESTRIAN WASTE MANAGEMENT FACILITY
SUMMARY OF AMENDMENTS

1 2) A Composting Facility may be allowed in the AR Zoning District in the RSA with a SA FLU designation, subject to Class A Conditional Use approval.

c. Access
Access shall be limited to Arterial, Collector, or Local Commercial Streets which do not serve residential lots. Entrances shall be gated and setback from the road as required by the County Engineer to prevent access during non-operating hours from unauthorized persons.

d. Lot Size
A minimum of five acres.

e. Separation Distance
The use shall be located a minimum of 500 feet from a parcel of land with a residential FLU designation or uses.

f. Outdoor Storage
1) Outdoor storage shall be set back a minimum of 25 feet from any property line or 50 feet from any property line abutting a parcel with a residential FLU designation, zoning district or use.
2) Outdoor storage of material shall be limited to 45 days
3) The pile height of storage materials shall be limited to 15 feet or less if required by the F.A.C 62-709, as amended.
4) The height of materials shall be tied to a finished grade benchmark delineated on site.
5) Bollards or other acceptable barricade to the Zoning Division shall be provided to delineate pile locations.

2) Hours of Operation
The hours of operation shall be limited to 9:00 a.m. to 5:00 p.m. Monday through Friday if within 1,000 feet of a residential FLU designation or use.

h. Operation Functions
The Zoning or Building application, whichever is submitted first, shall include a Justification Statement and supporting documentation demonstrating acceptable industry design, configuration and operational standards, based on the type of materials processed and stored, including but not limited to the following:
1) Site Plan
The Site Plan shall illustrate how the operation functions including circulation routes; and, the location and size of loading and processing areas and storage piles.
2) Waste Volume
An explanation of the quantity of waste to be received, expressed in cubic yards per day or tons per day.
3) Dust Control
A plan to address how dust generated from traffic, storage and processing areas will be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.

4) SWA Permit
Prior to operation of the facility, the owner or operator shall obtain a SWA Permit.

e. Backyard Composting
This use does not include backyard-composting bins serving individual families.

j. Glades and AGR Tiers Equestrian Waste Moratorium
The composting, storage or disposal of equestrian and other animal waste, and bio solids shall be prohibited in the Glades and AGR Tiers. This provision does not prohibit accessory uses to Bonafide Agriculture or Composting Facilities with County approval in the AGR Tier as of the effective date of this ordinance.
1) The Board of County Commissioners of Palm Beach County does hereby impose a moratorium beginning on the effective date of this Ordinance, upon the acceptance of zoning applications and all applicable requests for zoning approval for an Equestrian Waste Management Facility, or any Composting use that includes equestrian waste, animal waste or bio solids, located in the Glades Tier of unincorporated Palm Beach County. While the moratorium is in effect the County shall not accept, process or approve any application relating to the zoning approval of an Equestrian-Waste Management Facility, or any Composting use that includes equestrian waste, animal waste or bio solids. This moratorium does not prohibit accessory uses to Bonafide Agriculture or composting facilities with County approvals as of June 6, 2017. [Ord, 2014-042]

2) This Ordinance shall expire upon the earlier of the following: one year from the effective date of this Ordinance, or upon the effective date of ULDC amendments dealing with Equestrian Waste Management-Facility or Composting uses that includes equestrian waste, animal waste or bio solids, in the Glades Tier of unincorporated PBC. [Ord, 2017-042]

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EXHIBIT J

ARTICLE 5 - SUPPLEMENTARY STANDARDS

SUMMARY OF AMENDMENTS

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

2 CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

3 Section 2 Types of Parks

4 G. Public Park Landscape Standards

5 3. Off Street Parking Requirements

6 a. Landscape Islands

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

8...

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

10 CHAPTER E PERFORMANCE STANDARDS

11 Section 4 Nuisances

12 E. Outdoor Lighting

13 2. Applicability

14 ...

15 c. Exemptions

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

17...

18 9) Public Park and Recreation Facilities

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

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EXHIBIT K

ARTICLE 5.E.5 – HOURS OF OPERATION

SUMMARY OF AMENDMENTS

PART 1. ULDC Art. 5.E.5, Hours of Operation, (page 69-70 of 110), is hereby amended as follows:

CHAPTER E PERFORMANCE STANDARDS

Section 5 Hours of Operation

Hours of operation relate to the time during which the use is open to the public for business. For uses not open to the public, hours of operation shall be the time in which the use has employees working. [Ord. 2017-007]

A. Proximity to Residential

Any non-residential use shall be subject to the hours of operations indicated in Table 5.E.5.A, Hours of Operation, when located within 250 feet of a parcel of land with a Residential FLU designation or use, unless stated otherwise. Mixed uses located in the following zoning districts shall not be considered residential uses for the purposes of hours of operation: Neighborhood General (NG), Neighborhood Commercial (NC) and Urban General (UG) Sub-areas of the WCRAO and UC, UI, MXPD, and TMD. [Ord. 2017-007] [Ord. 2017-025]

<table>
<thead>
<tr>
<th>Nonresidential Use Classification</th>
<th>Hours (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>6:00 a.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Recreation</td>
<td>6:00 a.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Institutional, Public and Civic</td>
<td>6:00 a.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Industrial with outdoor activities</td>
<td>7:00 a.m. to 7:00 p.m.</td>
</tr>
<tr>
<td>Industrial without outdoor activities</td>
<td>6:00 a.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Transportation</td>
<td>7:00 a.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Temporary</td>
<td>6:00 a.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Accessory Nonresidential Uses to Residential Uses</td>
<td>7:00 a.m. to 7:00 p.m.</td>
</tr>
</tbody>
</table>

Notes:

1. Stocking activities or deliveries outside the permitted hours of operation are prohibited for nonresidential uses subject to the hours listed above when located within 250 feet of a parcel of land with a residential use or FLU designation. [Ord. 2009-040] [Ord. 2017-007]

B. Measurement

Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the closest point on the exterior wall, structure, or bay, housing the non-residential use. [Ord. 2009-040] [Ord. 2017-007]

C. Existing Uses

Uses existing prior to this amendment may comply with the requirements existing at the time the use was established, unless modified by a subsequent Development Order. [Ord. 2009-040] [Ord. 2017-007]

D. Exemptions

Uses owned or operated by a governmental entity that provide essential services for the public, as determined by the Zoning Director, shall be exempt from these standards. [Ord. 2009-040] [Ord. 2017-007]

E. Type 2 Waiver

Hours of Operation may be altered pursuant to Art. 2.B.7.D, Type 2 Waiver.

PART 2. ULDC Art. 2.B.7.D.2, Applicability [Related to Type 2 Waivers] (page 36 of 105), is hereby amended as follows:

CHAPTER B PUBLIC HEARING PROCESSES

Section 7 Types of Application

D. Type 2 Waiver

1. Purpose

A Type 2 Waiver is to allow flexibility for mixed use or infill redevelopment projects, or architectural design, site design or layout, where alternative solutions can be allowed, subject to performance criteria or limitations. Type 2 Waivers are not intended to relieve specific financial hardship nor circumvent the intent of this Code. A Type 2 Waiver may not be granted if it conflicts with other sections of this Code, or the Florida Building Code. [Ord. 2011-016]

[Ord. 2012-027] [Ord. 2018-002]

2. Applicability

Requests for Type 2 Waivers shall only be permitted where expressly stated within the ULDC or indicated in the following Table. [Ord. 2011-016] [Ord. 2012-027] [Ord. 2018-002]

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## ARTICLE 5.E.5 – HOURS OF OPERATION

### SUMMARY OF AMENDMENTS

#### Table 2.B.7.D - Summary of Type 2 Waivers

<table>
<thead>
<tr>
<th>Hours of Operation</th>
<th>Art. 6.A.1.D.2.c.1)h, Type 2 Waiver for Parking Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Scale Commercial Development - Parking</td>
<td>Art. 6.A.1.D.2.c.1)h, Type 2 Waiver for Parking Location</td>
</tr>
</tbody>
</table>

#### 3. Standards for a Type 2 Waiver

When considering a DO application for a Type 2 Waiver, the BCC shall utilize the Standards indicated below and any other standards specific to a Type 2 Waiver as contained in this Code. For a Unique Structure, refer to the Standards listed in Art. 2.B.7.D.4 below, and for a Commercial Communication Tower, refer to Art. 4.B.9.H.5.d, Criteria for Granting a Type 2 Waiver. A Type 2 Waiver, which fails to meet any of the Standards, shall be deemed adverse to the public interest and shall not be approved.  

- **a.** The Waiver does not create additional conflicts with other requirements of the ULDC, and is consistent with the stated purpose and intent for the zoning district or overlay;  

- **b.** The Waiver will not cause a detrimental effect on the overall design and development standards of the project, and will be in harmony with the general site layout and design details of the development; and,  
  [Ord. 2010-022] [Ord. 2012-027] [Ord. 2018-002]

- **c.** The alternative design option recommended as part of the Waiver approval, if granted, will not adversely impact adjacent properties.  
  [Ord. 2010-022] [Ord. 2012-027] [Ord. 2018-002]

- **d.** For the purpose of Medical Marijuana Dispensing Facility in Art. 4.B.2.C.34.h, the BCC shall make the determination that the location of a medical marijuana dispensing facility promotes the health, safety and welfare of the community.  
  [Ord. 2017-028] [Ord. 2018-002]

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EXHIBIT L

ARTICLE 7.C, LANDSCAPE BUFFERS AND INTERIOR LANDSCAPE REQUIREMENTS

SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 7.B.4, Type 1 Waiver for Landscaping (page 13 of 53), is hereby amended as follows:

CHAPTER B APPLICABILITY AND APPROVAL PROCESS

Section 4 Type 1 Waiver for Landscaping

An Applicant may seek minor modifications to the requirements of this Article that are identified in Table 7.B.4.A, Type 1 Waivers for Landscaping. Any requirements that are not listed herein may be eligible to be modified through other applicable processes pursuant to Art. 2, Application Processes and Procedures.

The Applicant shall demonstrate in the Justification Statement and provide supporting documents that Art. 2.C.5.E.3, Standards for Type 1 Waiver, and the applicable Criteria in the following Table have been met.

Table 7.B.4.A—Type 1 Waivers for Landscaping

<table>
<thead>
<tr>
<th>Article/Table Reference and Title</th>
<th>Maximum Waiver</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscape Islands and Parking Structures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Table 7.C.4.A, Landscape Island and Divider Median - Planting and Dimensional Requirements, Landscape Island Width</td>
<td>Allow the reduction of width of landscape island to 5 feet excluding curbs.</td>
<td>For infill sites with less than 25 parking spaces.</td>
</tr>
<tr>
<td></td>
<td>Allow relocation of shrubs from divider medians to other areas of the site.</td>
<td>For industrial developments that do not have significant public visitation and the nature of the use does not benefit from interior plantings in parking areas.</td>
</tr>
<tr>
<td>Art. 7.C.4.A.1, Landscape Island Maximum Spacing</td>
<td>Allow to increase the number of spaces or distance to provide larger interior islands.</td>
<td>To allow existing vegetation to be preserved or existing vegetation to be relocated within parking areas.</td>
</tr>
<tr>
<td>Art. 7.C.4.F, Parking Structures</td>
<td>Allow perimeter planter requirement to be altered if the planters are in conflict with the architectural design of the parking structure.</td>
<td>The Applicant is required to submit architectural elevations of the parking structure for Staff review and evaluation. The required planting for the planters shall be relocated to other areas of the same property where the parking structure is located.</td>
</tr>
<tr>
<td>Art. 7.C.5.A.1, Underground or Overhead Easement - Relocation of Trees</td>
<td>Allow required trees to be relocated on the same site.</td>
<td>There is no reduction in the total quantity of the required trees; A maximum of ten percent of the required trees within the same buffer may be relocated; and, The Applicant shall identify the Alternative Landscape Plan the new location of the tree(s) and whether root barrier will be utilized for the tree.</td>
</tr>
<tr>
<td>Art. 7.C.5.B, Easements in Off-Street Parking, Existing Utilities</td>
<td>Allow existing easements to overlap the landscape islands.</td>
<td>The Applicant shall provide documentation from the Utility easement holder that the easement(s) are recorded, and are not subject to a change in the location. The Applicant may utilize a small tree or a palm to satisfy the canopy tree requirement. If the minimum separation between the tree and the utilities cannot be met, the required tree in the island may be relocated within the same site. The minimum percentage of Canopy tree pursuant to Table 7.C.4.A, may be reduced to 50 percent and palms may be increased up to 50 percent, and, The Applicant shall identify the Alternative Landscape Plan the new location of the tree(s) and whether root barrier will be utilized for the tree.</td>
</tr>
</tbody>
</table>

Part 2. ULDC Art. 7.C.5, Easements in Landscape Buffers (page 30 of 52), is hereby amended as follows:

CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

Section 5. Easements in Landscape Buffers and Off-Street Parking Areas

Notes:
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ARTICLE 7.C, LANDSCAPE BUFFERS AND INTERIOR LANDSCAPE REQUIREMENTS
SUMMARY OF AMENDMENTS

A. Easements in Landscape Buffers

1. Underground Utilities

Easements may overlap a required landscape buffer by a maximum of five feet, provided there remains a minimum of five clear feet for planting. If a wall with a continuous footer is used, a minimum of ten clear feet for planting is required. The landscape buffer may be traversed by easements or access ways as necessary to comply with the standards of this Article, and Art. 11, Subdivision, Platting, and Required Improvements, and other PBC codes. Easements shall be identified prior to the preparation of on the Zoning Plans prior to the application for Building Permit or subdivision plans and any proposed overlap shall be approved by the DRO or Zoning Division. [Ord. 2018-002]

A2. Overhead Utilities

Trees planted within any easement with overhead utilities shall comply with the placement and maintenance requirements in the latest edition of FP&L's publication "Plant the Right Tree in the Right Place," available from the Zoning Division, and take into consideration the mature height and spread of the species beneath or adjacent to overhead utilities. Where overhead utilities exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from overhead lines.

3. Type 1 Waiver for Landscaping

Plants required in the easement area may be planted elsewhere on the same site, in the vicinity of the required location subject to a Type 1 Waiver for Landscaping. In order to maintain tree and plant spacing when a landscape buffer is traversed by a utility easement, a larger overlap may be allowed with the written approval of the relevant utility service company. Where a utility easement crosses a R-C-W Buffer, plant material spacing may be adjusted, provided there is no reduction in the amount of required plant material. [Ord. 2018-002]

B. Easements in Off-Street Parking Areas

1. Underground Utilities

Utility easements may encroach landscape islands provided there is a sufficient area for the growth of the required tree within the same island. The width and length of the island may be increased by the minimum amount necessary to meet the separation requirements of the utility providers, indicated below.

a. PBC Water Utilities Separation

A minimum of ten feet shall be provided, by measuring from the outer edge of the pipes to the edge of the pit where the tree is to be planted. The Department of Water Utilities (WUD) may allow the separation distance be reduced to seven feet if tree root barriers are installed. See Figure 7.C.5, Water Utility Separation.

b. Fire Rescue Utility Separation

A minimum of five feet shall be provided, measuring from the outer edge of the fire hydrant to the pit where the tree is to be planted.

c. Existing Utilities

For sites where existing underground utilities are encroaching into landscape islands, and there is not a sufficient area for the growth of the required tree within the same island, the relocation of the required tree may be requested subject to a Type 1 Waiver for Landscaping.

d. Other Utility Authorities - Root Barrier and Separation Requirement

Proposed landscaping near non-PBC Utilities shall be subject to that Utility's separation requirements.

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EXHIBIT L

ARTICLE 7.C, LANDSCAPE BUFFERS AND INTERIOR LANDSCAPE REQUIREMENTS
SUMMARY OF AMENDMENTS

Figure 7.C.5.B – Easements in Off-Street Parking Areas

10' Min. without Root Barrier
7' Min. with Root Barrier
6" Curb
5' Fire Hydrant

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BC - Detention or Retention Areas, Swales, and Drainage Easements
Detention or retention areas, drainage easements, and sloped, directional swales greater than one foot below finished grade, may overlap required landscape buffers provided a minimum of five feet remains for planting. [Ord. 2006-004] [Ord. 2016-042] [Ord. 2018-002]
EXHIBIT M

ARTICLE 9 - ARCHAEOLOGICAL AND HISTORIC PRESERVATION

SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 9.A, Archaeological Resources Protection (page 3-7 of 16), is hereby amended as follows:

CHAPTER A ARCHAEOLOGICAL RESOURCES PROTECTION

Section 3 Procedures

B. Map of Known Archaeological Sites

A Map of Known Archaeological Sites and Archaeological Conservation Areas shall be adopted by the BCC maintained by the County Archaeologist and Planning Director. The above referenced map may be amended by resolution or ordinance adopted by the BCC pursuant to F.S. § 125.66 shall consist of Florida Master Site File (FMSF) data provided by the Florida Department of State, Division of Historical Resources. The map shall be amended upon determination revised by PBC that additional sites of significant archaeological value have been discovered or in some instances, destroyed whenever updated information is provided by the FMSF. At a minimum, the map and the Florida Master Site File (FMSF), shall be reviewed annually by department staff and the County Archaeologist for possible map amendment to ensure the map is consistent with FMSF data. [Ord. 2005 – 002] [Ord. 2008-037]


e. Single Family Homeowner Certificate to Dig

1. Application

A Single-Family Homeowner Certificate To Dig (SFHCTD) will be issued to individuals whose properties are located within an archaeological conservation zone as depicted in the Map of Known Archaeological Sites and Archaeological Conservation Zones Areas or when previously unknown archaeological or historic resources are encountered during construction or other means of exposure. There is no fee associated with this certificate and the County Archaeologist will perform the initial investigation at no charge upon receiving the permit for review.

2. Single-Family Homeowner Certificate To Dig Report Requirements

Regardless if significant historic resources are recovered or not the Map of Known Archaeological Resources Sites and Archaeological Conservation Areas will be modified to reflect the actual status of the property. [Ord. 2008-037]

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ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

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

3 CHAPTER A GENERAL REQUIREMENTS
4 Section 1 General Provisions
5 A. Applicability
6 The regulations set forth in this Article shall be applicable to all subdivision of land in unincorporated PBC, Florida, or as hereafter established. Pursuant to Art. 2.G.4, Staff Officials, the Director of Land Development shall be responsible for review and rendering interpretations on behalf of the County Engineer. Deviations from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to approval by the County Engineer utilizing the following standards: [Ord. 2007-013]

7 Section 5 Previously Approved or Platted Subdivisions
8 A. Active Subdivision Development
9 All active subdivision developments and all modifications to previously platted subdivisions shall be subject to the requirements of this Article in accordance with the provisions of Article 1.E, PRIOR APPROVALS.

10 2. Modifications to an Active Subdivision Plan or Preliminary Plat
11 Modifications to an active subdivision plan or preliminary plat shall subject the development to the requirements of this Article when:
12 a. The modification of an active subdivision plan for a planned development cannot be approved by the DRO in accordance with the authority granted to it under Article 2.D.1, Development-Review Officer, if it exceeds threshold of Art. 2.C.5.B. Administrative Modifications to Prior DOs;
13 b. The modification of an active subdivision plan or preliminary plat constitutes more than a minor deviation such that, in the opinion of the County Engineer, the construction plans for the required improvements require a new submittal and review.

14 B. Review of the Technical Compliance Submittal
15 1. Agency Comments
16 The County Engineer shall forward copies of appropriate submittal documents to the following agencies for written comments regarding conformance with requirements of their respective regulations and program responsibilities: [Ord. 2014-025]
17 a. Director, Land Development Division of DEPW: construction plans and preliminary plat;
18 b. Director, Traffic Division of DEPW: construction plans and preliminary plat;
19 c. Director, Survey Section of DEPW: preliminary plat;
20 d. Director, Zoning Division of PZB: preliminary plat;
21 e. Addressing Section, Administration Division of PZB: preliminary plat;
22 f. Director, Parks and Recreation Department: preliminary plat;
23 g. Director, Roadway Production Division of DEPW: construction plans and preliminary plat; for thoroughfare plan streets;

28 ....

31 CHAPTER B SUBDIVISION REQUIREMENTS
32 Section 1 Technical Compliance
33 C. Review of the Technical Compliance Submittal
34 1. Agency Comments
35 The County Engineer shall forward copies of appropriate submittal documents to the following agencies for written comments regarding conformance with requirements of their respective regulations and program responsibilities: [Ord. 2014-025]
36 a. Director, Land Development Division of DEPW: construction plans and preliminary plat;
37 b. Director, Traffic Division of DEPW: construction plans and preliminary plat;
38 c. Director, Survey Section of DEPW: preliminary plat;
39 d. Director, Zoning Division of PZB: preliminary plat;
40 e. Addressing Section, Administration Division of PZB: preliminary plat;
41 f. Director, Parks and Recreation Department: preliminary plat;
42 g. Director, Roadway Production Division of DEPW: construction plans and preliminary plat; for thoroughfare plan streets;

46 ....

47 Section 5 Construction of Required Improvements
48 F. Administration of Construction
49 4. Engineer's Certificate of Completion
50 The required improvements shall not be considered complete until a certificate of completion, certifying to construction in conformance with the approved plans, and the final project records have been submitted to, reviewed, and approved by the County Engineer. The certificate shall be signed and sealed by the developer's engineer and shall be in a form established by the County Engineer, as prescribed in the Land Development Forms Manual. Said certificate shall

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EXHIBIT N

ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

make specific reference to, and be accompanied by copies of measurements, tests and reports
made on the work and materials during the progress of construction, along with a Record
showing the original design in comparison to the actual finished work with all material
deviations noted thereon.

Section 6 Supplemental Procedures

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

5. Structures or Plantings

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

a. No structure or above grade construction, except that which may be easily removed, shall be permitted in lake maintenance easements. Examples of impermissible structures are houses, garages, screened enclosures, concrete block walls, concrete decks, affixed permanent sheds, and pools. Examples of permissible structures are thatch sheds, wood decks, and non concrete fences, contingent on said structures not being structurally affixed to the ground;

b. Trees or shrubs shall not be planted, nor structures placed, in the lake maintenance easement where the planting or placement of such would obstruct access by equipment to outfalls or water control structures;

c. A removal declaration in a form acceptable to the County Attorney shall be recorded, at the expense of the property owner;

d. The POA consent to the specific structure(s), tree(s), or shrub(s) shall be required where a POA has responsibility for lake maintenance. If any other entity has a beneficiary interest in the easement or a responsibility for lake maintenance, that entity's consent shall be required; and

e. Trees or shrubs planted pursuant to this Subsection shall be limited to those species permitted pursuant to Article 7.D., Landscape Standards under Art. 7.C., Landscape Buffer and Interior Landscaping Requirements.

CHAPTER E REQUIRED IMPROVEMENTS

Section 2 Access and Circulation Systems

A. Vehicular Circulation Systems

4. Double Frontage Lots and Corner Lots

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

a. Residential Lots

Where a lot abuts both a street of non-plan collector or higher classification and a local street, access to said lot shall be by the local street. [Ord. 2014-026]

b. Non-Residential Lots

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

13. Pavement Widths

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

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EXHIBIT N

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS

SUMMARY OF AMENDMENTS

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

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>MINIMUM WIDTH (FT.) STREET (b) PAVEMENT (c)</th>
<th>MAXIMUM ALLOWABLE ADT</th>
<th>ALLOWED AS LEGAL ACCESS FOR (a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Plan Collector</td>
<td>80</td>
<td>24</td>
<td>13,100</td>
</tr>
<tr>
<td>Marginal Access</td>
<td>50</td>
<td>24</td>
<td>N/A</td>
</tr>
<tr>
<td>Local Residential (d)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gutters</td>
<td>50</td>
<td>20</td>
<td>1,500</td>
</tr>
<tr>
<td>Swales</td>
<td>60</td>
<td>20</td>
<td>1,500</td>
</tr>
<tr>
<td>Local Commercial</td>
<td>80</td>
<td>24</td>
<td>13,100</td>
</tr>
<tr>
<td>Residential Access (e)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Sidewalk</td>
<td>40</td>
<td>20</td>
<td>800</td>
</tr>
<tr>
<td>No Sidewalk</td>
<td>32</td>
<td>20</td>
<td>40</td>
</tr>
</tbody>
</table>

[Ord. 2014-025]

Notes:
(a) An 'X' under the commercial or residential column indicates the corresponding street classification is allowed as legal access.
(b) Street width refers to standard R-O-W or private street tract width.
(c) Pavement width represents two travel lanes of equal width and does not include the additional width of paved shoulder where required.
(d) Allowed as legal access for any type of residential provided that the maximum allowable ADT is not exceeded. Also, Streets streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface.
(e) Use is restricted to private streets providing access to townhouse and zero-lot-line units within a Planned Development district.
(f) Use is restricted to private streets providing access to up to four lots. [Ord. 2014-025]

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

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>MINIMUM WIDTH (FT.) STREET (c)</th>
<th>MAXIMUM ALLOWABLE ADT (d)</th>
<th>ALLOWED AS LEGAL ACCESS FOR (a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan Collector-Urban/Suburban</td>
<td>62</td>
<td>22</td>
<td>13,100</td>
</tr>
<tr>
<td>Variation</td>
<td>64</td>
<td>22</td>
<td>13,100</td>
</tr>
<tr>
<td>Plan Collector-Rural/Ag Reserve</td>
<td>104</td>
<td>24</td>
<td>1,600</td>
</tr>
<tr>
<td>Non-Plan Collector-Urban/Suburban</td>
<td>110</td>
<td>24</td>
<td>13,100</td>
</tr>
<tr>
<td>Non-Plan Collector-Rural/Ag Reserve</td>
<td>142</td>
<td>24</td>
<td>13,100</td>
</tr>
<tr>
<td>Local-Commercial-All Tiers (d)</td>
<td>46</td>
<td>22</td>
<td>10,000</td>
</tr>
<tr>
<td>Local-Residential-All Tiers (d)</td>
<td>62</td>
<td>20</td>
<td>1,500</td>
</tr>
<tr>
<td>Variation</td>
<td>63</td>
<td>20</td>
<td>1,500</td>
</tr>
</tbody>
</table>

[Ord. 2014-025]

Notes:
(a) An 'X' under the commercial or resident column indicates the corresponding street classification is allowed as.
(b) Street width refers to standard R-O-W or private street tract width.
(c) Pavement width and does not include the additional width of paved shoulder, where required, or parking.
(d) Streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface.
(e) Required for all-TDD’s.

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B. Pedestrian Circulation System

1. Requirement for Sidewalks
   Except as provided in this Section, sidewalks shall be constructed on both sides of all streets. For frontage roads and streets with a width of less than 50 feet and greater than 32 feet, a sidewalk on one side at a minimum dimension of six-five feet is required. No sidewalk is required in streets with a width of 32 feet or less. Required sidewalks shall be constructed by the Developer except as provided in Article 11.E.1.A.1, Access and Circulation Systems. [Ord. 2014-025]

Section 4 Stormwater Management

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

F. Secondary Stormwater System Design and Performance
   5. Dry detention/retention facilities designed for storage in open impoundments shall have side slopes no steeper than four(H): one(V), except where bulkheading is approved.

Section 9 Subdivision Design and Survey Requirements

A. Maximum length of Blocks
   Block lengths shall not exceed 1320 feet between intersecting streets. Provided, however, that greater lengths may be approved by the County Engineer on an individual basis after considering such factors such as but not limited to, lot size, the ADT, number of through streets, street layout, emergency vehicle accommodations and other engineering considerations, in accordance with acceptable engineering practices. [Ord. 2014-025]

2. Lots Abutting Major Streets
   a. Residential - When lots are platted abutting a major street or non-plan collector street, access shall be provided by and limited to local streets or residential access streets. No access from individual lots shall be permitted directly to a major street.
   b. Non-Residential - When lots are subdivided abutting a major street, no access from individual lots shall be permitted directly to a major street. This does not apply to lots in the Planned Development zoning district that have multiple uses sharing common access drives to major streets.

3. Through Lots, with Street Frontage on Two or More Sides
   Double Multiple frontage lots or through lots shall be abided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation. Where double frontage lots are developed they shall be buffered as required by this Code.

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ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
[RELATED TO PROPORTIONATE SHARE PROGRAM]
SUMMARY OF AMENDMENTS

Part 1. ULDC, Art. 12, Traffic Performance Standards, Chapter Q, Proportionate Fair - Share

CHAPTER Q PROPORTIONATE FAIR-SHARE PROGRAM

Section 1 Purpose and Intent

The purpose of this Chapter ordinance is to establish a program that meets the requirements of section 163.3180(6)(h), F.S., as may be amended, by allowing an applicant to satisfy the traffic concurrency requirements of ULDC and the Plan by entering into a binding agreement to pay for or construct its proportionate share of required improvements, method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate Fair Share Program, as required by and in a manner consistent with §163.3180(16), F.S. [Ord. 2006-043]

Section 2 Applicability

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

Section 3 General Requirements

A. An applicant may choose to satisfy the transportation concurrency requirements of Palm Beach County by making a proportionate fair-share contribution, pursuant to the following requirements: [Ord. 2006-043]

1. The proposed development is consistent with the comprehensive plan and applicable land development regulations. [Ord. 2006-043]

2. The road improvement necessary to maintain the adopted LOS is specifically identified for construction in the five-year schedule of capital improvements in the CIE of the Plan and identified for construction in the adopted Five-Year County Road Program. [Ord. 2006-043]

B. Any improvement project proposed to meet the developer’s fair-share obligation must meet Palm Beach County’s design standards for locally maintained roadways and those of the FDOT for the state highway system. [Ord. 2006-043]

3. The proportionate share contribution is applied toward one or more mobility improvements that will benefit a regionally significant transportation facility.

4. For Projects located within a municipality, any Proportionate Share Agreement required by an applicant in order to meet traffic concurrency must be entered into by the applicant and PBC prior to receiving a DO from the municipality. The County Engineer may rescind a traffic concurrency approval in the event the Project receives a DO prior to entering into a Proportionate Share Agreement with PBC.

Section 4 Intergovernmental Coordination

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

Section 5 Application Process

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

B. Eligible applicants shall submit an application to the County Engineer on a form provided for by the County Engineer. The County may establish an application fee that does not exceed the cost to the County of reviewing the application. [Ord. 2006-043]

C. The County Engineer shall review and evaluate the application as part of the Traffic Impact Study as set forth in Article 12.D, Procedure and certify that the application is sufficient and complete within 15 business days. If an application is determined to be insufficient, incomplete or inconsistent with the general requirements of the Proportionate Fair Share Program as indicated in Section 3, then the applicant will be notified in writing of the reasons for such deficiencies within

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EXHIBIT O

ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS [RELATED TO PROPORTIONATE SHARE PROGRAM]

SUMMARY OF AMENDMENTS

1. Within 20 business days of submittal of the application, if such deficiencies are not remedied by the applicant within 30 days of receipt of the written notification, then the application will be deemed abandoned. [Ord. 2006-043]

2. Pursuant to §163.3180(16)(a), F.S., proposed proportionate fair-share mitigation for development impacts to facilities on the SIS requires the concurrence of the FDOT. The applicant shall submit evidence of an agreement between the applicant and the FDOT for inclusion in the proportionate fair-share agreement. [Ord. 2006-043]

3. When an application is deemed sufficient, complete, and eligible, and approved pursuant to ULDCC Art. 12. B. Standards, the applicant shall be advised in writing and a proposed proportionate fair-share obligation and binding agreement will be prepared by the County Engineer or the applicant and delivered to the appropriate parties for review, including a copy to the FDOT for any proposed proportionate fair-share mitigation on a SIS facility, no later than 60 days from the date at which the applicant received the notification of an eligible application. [Ord. 2006-043]

4. No proportionate fair-share agreement will be effective until approved by the County. [Ord. 2006-043]

Section 6 Determining Proportionate Fair-Share Obligation

A. Proportionate fair-share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities. [Ord. 2006-043]

B. A Project eligible for participation under the Proportionate Fair-Share Program shall not be required to pay more than its proportionate fair-share. The fair market value of the proportionate fair-share mitigation for the impacted facilities shall not differ regardless of the method of mitigation. [Ord. 2006-043]

C. The methodology used to calculate a Project’s proportionate fair-share obligation shall be as provided for in §163.3180(5)(h)(12), F.S., as follows:

\[
\text{Proportionate Fair-Share} = \frac{\text{Development Trips}}{\text{Service Volume Increase}} \times \text{Cost}
\]

Where:

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

D. For the purposes of determining proportionate fair-share obligations, the County Engineer shall determine improvement costs based upon the actual and/or anticipated costs of the improvement in the year that construction will occur at the time of application, but shall be subject to an adjustment calculation to account for changes in road development costs that may occur between the date of Proportionate Share Agreement and the date each Proportionate Share Payment is due. The method of calculating said adjustment and appropriate Producer Price Index for Commodities shall be included in the Proportionate Share Agreement. [Ord. 2006-043]

E. If the County has accepted an improvement proposed by the applicant, then the value of the improvement shall be based on an engineer’s certified cost estimate provided by the applicant and approved by the County Engineer or other method approved by the County Engineer. [Ord. 2006-043]

F. If the County has accepted right-of-way dedication for the proportionate fair-share payment, credit for the dedication of the right-of-way shall be valued on the date of the dedication at 120 percent of the most recent assessed value by the Property Appraiser, or at the option of the applicant, by fair market value established by an independent appraisal approved by the County at no expense to the County. The appraisal shall assume no approved development plan for the site. All right-of-way dedicated must be part of a roadway segment that triggered the deficiency per TPS, and must

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Section 7 Impact Fee Credit for Proportionate Fair-Share Mitigation

A. Proportionate fair-share contributions shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by Article 13, Impact Fees. [Ord. 2006-043]

B. Impact fee credits for the proportionate fair-share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. Impact fees owed by the applicant will be reduced per the Proportionate Fair-Share Agreement as they become due pursuant to Article 13, Impact Fees. Once the credit has been exhausted, payment of road impact fees shall be required for each permit issued. The impact fee credit shall be established when the proportionate fair-share contribution is received by the County, or when the fair-share amount is secured by Performance Security. [Ord. 2006-043]

C. The proportionate fair-share obligation is intended to mitigate the transportation impacts of a proposed pProject. As a result, any road impact fee credit based upon proportionate fair-share contributions for a proposed pProject cannot be transferred to any other pProject. [Ord. 2006-043]

Section 8 Proportionate Fair-Share Agreements

A. Upon execution of a pProject, a proportionate fair-share agreement ("Agreement"), the applicant shall receive a certificate of concurrency approval. Should the applicant fail to apply for a development permit within 12 months, then the Agreement shall be considered null and void, and the applicant shall be required to reapply. [Ord. 2006-043]

B. Payment of the proportionate fair-share contribution is due in full no later than issuance of the first building permit, and shall be non-refundable. If the payment is submitted more than six months from the date of execution of the Agreement, then the proportionate fair-share cost shall be recalculated at the time of payment based on the best estimate of the construction cost of the required improvement at the time of payment, pursuant to Section 6 and adjusted accordingly. [Ord. 2006-043]

C. In the event an Agreement requires the applicant to build one or more road improvements, all such improvements must be commenced prior to issuance of a development permit and assured by a binding agreement that is accompanied by a Performance Security sufficient to ensure the completion of all required improvements. It is the intent of this Section that any required improvements be completed before issuance of certificates of occupancy. [Ord. 2006-043]

D. Dedication of necessary R.O.W. for facility improvements pursuant to a proportionate fair-share agreement must be completed prior to issuance of the first building permit, and shall not include a building permit issued for a dry model. [Ord. 2006-043]

E. Any requested change to a development pProject subsequent to a development order may be subject to additional proportionate fair-share contributions to the extent the change would generate additional traffic that would require mitigation. [Ord. 2006-043]

F. Applicants may submit a letter to withdraw from the proportionate fair-share agreement at any time prior to the execution of the agreement. The application fee and any associated advertising costs paid to Palm Beach County will be non-refundable. [Ord. 2006-043]

G. Palm Beach County may enter into proportionate fair-share agreements for selected corridor improvements to facilitate collaboration among multiple applicants on improvements to a shared transportation facility. [Ord. 2006-043]

Section 9 Appropriation of Fair-Share Revenues

A. Proportionate fair-share revenues shall be placed in the appropriate project account for funding of scheduled improvements in the CIE, or as otherwise established in the terms of the proportionate fair-share agreement. Proportionate fair-share revenues may be used as the 50 percent local match for funding under the FDOT TRIP, or any other matching requirement for State and Federal grant programs as may be allowed by law. [Ord. 2006-043]

B. In the event a scheduled facility improvement is removed from the CIE, then the revenues collected for its construction may be applied toward the construction of another improvement within that same transportation facility.
EXHIBIT O

ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS [RELATED TO PROPORTIONATE SHARE PROGRAM] SUMMARY OF AMENDMENTS

1. corridor or Impact Fee Benefit Zone that would mitigate the impacts of development pursuant to the requirements of Section 3. [Ord. 2006-043] [Ord. 2011-046]

Notes:
Underlined indicates new text.
Stricken indicates text to be deleted. Stricken and italicized means text to be totally or partially relocated.
If being relocated destination is noted in bolded brackets [Relocated to: ].
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 P

ARTICLE 14 - ENVIRONMENTAL STANDARDS

SUMMARY OF AMENDMENTS


2. Part 1. Chapter C, Vegetation Preservation and Protection, is hereby amended as follows:

3. Section 7, Application, Process, and General Standards

A. Single Family Dwellings

4. All newly constructed single family dwellings in a residential subdivision will automatically receive a Building Division Residential & Family Checklist with standard native and non-native vegetation removal conditions as part of the building permit process. For the purposes of this Chapter, a single family residential parcel also includes single two unit (duplex) residences and associated accessory structures, and shall comply with the following standards:

5. 1. Removal of native vegetation shall be limited to the minimum necessary to accomplish the purpose of the site plan. A site plan that eliminates or nearly eliminates native vegetation will not be approved under this Article. The Building Division Checklist shall include requirements that ensure the intent of this provision is implemented.

6. 2. Complete removal or eradication of prohibited invasive non-native vegetation, as identified in Appendix 5, Prohibited Invasive Non-Native Vegetation, and Appendix 6, Invasive Non-Native Vegetation, shall be completed for the entire parcel or parcels of the Development Order prior to receipt of the CO. Planting or installation of vegetation identified in Appendix 5, Prohibited Invasive Non-Native Vegetation, and Appendix 6, Invasive Non-Native Vegetation, is prohibited. The parcel owner shall maintain the parcel free of prohibited vegetation. No additional permit for such maintenance of vegetation shall be required.

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


9. 2. Standards of Approval

10. No approval shall be issued unless the application demonstrates that the project:

11. a. Will not result in a net loss of wetland functions and values;


13. c. Will not adversely affect the conservation of fish or wildlife or their habitats, or adversely affect recreational fisheries or their habitats;

14. d. Will not adversely impact endangered or threatened species, and species of special concern, or their habitat;

15. e. Incorporates into the design alternatives and modifications to avoid or minimize impacts to native vegetation. Existing native vegetation shall be incorporated into the site plan and protected during construction. Parcel improvement features shall be configured to minimize removal of existing native vegetation and maximize the use of areas dominated by prohibited and invasive non-native vegetation. Existing native vegetation that cannot be preserved in place shall be relocated to appropriate buffer and open space areas on the parcel. Relocatable native vegetation that cannot be incorporated into the parcel may be considered surplus. There is no requirement to provide vegetation for surplus. Non-reloctatable native vegetation with trunk diameters equal to or greater than 6 inches that cannot be maintained on the parcel shall be mitigated in accordance with Table 7.E.3.C.

Notes:

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Tree Credit and Replacement or through planting equivalent native vegetation, accepted by ERM prior to the receipt of the Certificate of Occupancy for single unit projects or 75 percent completion of construction of multi-unit projects, based on either total square footage or number of units to be constructed. Native palms with gray wood equal to or greater than 8 feet that cannot be relocated must be replaced with native palms of like size.

A planting plan that clearly delineates proposed mitigation plantings from any required landscape plantings must be approved by ERM prior to the issuance of the first building permit for the project. [Ord. 2008-037] [Ord. 2008-040] [Ord. 2009-040]

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

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

Q. Removal of native vegetation on a single family residential parcel or a single two-unit duplex residential parcel without a recorded Conservation Easement.
August 29, 2018

Honorable Sharon R. Bock
Clerk and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida  33401

Attention: Mr. Timothy Montiglio

Dear Ms. Bock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2018-018, which was filed in this office on August 29, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb