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 A, AUTHORITY; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2 - APPLICATION PROCESSES AND PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3 - OVERLAYS & ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); ARTICLE 4 - USE REGULATIONS: CHAPTER A, USER GUIDE AND GENERAL PROVISIONS; CHAPTER B, USE CLASSIFICATION; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER A, GENERAL; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER F, LEGAL DOCUMENTS; CHAPTER G, DENSITY BONUS PROGRAM; ARTICLE 6 - PARKING: CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING: CHAPTER A, APPLICABILITY AND APPROVAL PROCESS; CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS; CHAPTER D, LANDSCAPE STANDARDS; CHAPTER E, EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES; CHAPTER F, INSTALLATION AND MAINTENANCE; CHAPTER G, ENFORCEMENT; ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS: CHAPTER I, COASTAL RESIDENTIAL EXCEPTION; ARTICLE 16 - AIRPORT REGULATIONS: CHAPTER B, AIRPORT PROTECTION ZONING REGULATIONS GOVERNING AIRPORT HAZARDS; CHAPTER C, AIRPORT LAND USE COMPATIBILITY ZONING REGULATIONS; 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.

SUMMARY: The proposed Ordinance will account for consistency with the Comprehensive Plan,
correction of glitches and clarifications, as well as several specific amendments, as follows:

<table>
<thead>
<tr>
<th>Ordinance Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exhibit A    Art. 1 and 12 - Statute Reference and Definition of Project</td>
</tr>
<tr>
<td>Exhibit B    Art. 1, 3 and 4 - Special Permits</td>
</tr>
<tr>
<td>Exhibit C    Art. 1, 3, 4 and 5, Temp Use – Real Estate Sales Model and Management</td>
</tr>
<tr>
<td>Exhibit D    Art. 2 and 3 - Resubmittal and Modifications by the DRO [Housing Type]</td>
</tr>
<tr>
<td>Exhibit E    Art. 2 and 5, Accessory Uses and Structures - Temp Structures</td>
</tr>
<tr>
<td>Exhibit F    Art. 2, 3 and 5, Mechanical Equipment and Legal Documents</td>
</tr>
<tr>
<td>Exhibit G    Art. 3 – Public Civic Landscape Buffer</td>
</tr>
<tr>
<td>Exhibit H    Art. 3, 4 and 7 - Green Market Community Vegetable Garden and Landscaping</td>
</tr>
<tr>
<td>Exhibit I    Art. 4, Use Regulations, Financial Inst., Vet Clinic, Homeless Res Ctr, Place of Worship and Adult Entertainment</td>
</tr>
<tr>
<td>Exhibit J    Art. 6, Parking</td>
</tr>
<tr>
<td>Exhibit K    Art. 7, Landscaping</td>
</tr>
<tr>
<td>Exhibit L    Art. 16, Airport Regulations</td>
</tr>
<tr>
<td>Exhibit M    PO Deviations</td>
</tr>
<tr>
<td>Exhibit N    Congregate Living Residential (CLR) and Codification of ORD 2017-036</td>
</tr>
<tr>
<td>Exhibit O    Residential in MUPD</td>
</tr>
</tbody>
</table>

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 24th day of January, 2019.

EFFECTIVE DATE: Filed with the Department of State on the 29th day of January, 2019.
EXHIBIT A

ARTICLE 1 GENERAL PROVISIONS AND
ARTICLE 12 TRAFFIC PERFORMANCE STANDARDS
[STATUTE REFERENCE AND DEFINITION-PROJECT]

1 Part 1. ULDC Art. 1.A.1.B, Authority (page 5 of 118, Supplement 24), is hereby amended as follows:

2 CHAPTER A AUTHORITY

3 Section 1 General

4 ....

5 B. Authority
6 The Board of County Commissioners (BCC) has the authority to adopt this Code pursuant to Article
7 VIII, Sec. 1(g), Fla. Const., the PBC Charter, F.S.§125.01, F.S. §163.3161, Rule SJ-5, F.A.C. Rule
8 SJ-24, F.A.C., and such other authority and provisions that are established by statutory statute,
9 administrative rule, or common law in the State of Florida.

10 ....

11 Part 2. ULDC Art. 1.1.2, Definitions (page 46 of 118), is hereby amended as follows:

12 CHAPTER I DEFINITIONS & ACRONYMS

13 Section 2 Definitions

14 ....

15 C. Terms defined herein or referenced Article shall have the following meanings:
16 ....

17 69. Concurrency Requirements of the Plan - the provisions in the Plan and the implementing
18 land development regulations requiring that public facilities for traffic circulation, mass transit,
19 sanitary sewer, potable water, recreation/open space, fire-rescue, solid waste, and drainage
20 are available at the minimum LOS concurrent with the impact of the Development; and, as to
21 the applicability of expanded or more stringent traffic performance standards pursuant to State
22 of Florida mandates under F.S. Chapter 163, and Rule SJ-5, F.A.C. such requirements as set
23 forth in the future traffic performance standards ordinance(s).
24 ....

25 Part 3. ULDC Art. 1.1.2, Definitions (page 85 of 118), is hereby amended as follows:

26 CHAPTER I DEFINITIONS & ACRONYMS

27 Section 2 Definitions

28 ....

29 P. Terms defined herein or referenced Article shall have the following meanings:
30 ....

31 81. Project -
32 a. Land use or group of land uses involving the development of a particular parcel of land at
33 a particular intensity or density which was granted a Development Order, or which
34 substantially complies with applicable provisions of the PBC Subdivision Code as
determined by the Director of the Land Development Division of the PBC Engineering
35 Department. [Ord. 2010-022]
36 b. For the purposes of Art. 12, a land use or group of land uses, or land development activity
37 or activities, or amendment thereto, which require the issuance of a Development Order(s).
38 All Public Civic Sites dedicated as part of a PUD or otherwise obtained by a governmental
39 agency for public use shall be considered a Project separate from the PUD for the purposes
40 of reviewing the traffic impacts of the Civic Sites under this Article.
41 c. For the purposes of Art. 12, a land use or group of land uses, or land development activity
42 or activities, or amendment thereto, which require the issuance of a Development Order.
43 [Ord. 2006-036]
44 ....

45 Part 4. ULDC Art. 12.1.4, MUNICIPAL LEVELS OF SERVICE (page 33 of 59), is hereby amended
46 as follows:

Notes:
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EXHIBIT A

ARTICLE 1 GENERAL PROVISIONS AND
ARTICLE 12 TRAFFIC PERFORMANCE STANDARDS
[STATUTE REFERENCE AND DEFINITION-PROJECT]

1 CHAPTER I COASTAL RESIDENTIAL EXCEPTION

2 ...

3 Section 4 Municipal Levels of Service

4 Nothing in this Article shall be construed as derogating the requirement under F.S. Chapter 163, or Rule
5 9J6. P.A.C. that Municipalities set the LOS on PBC and State roads consistent with the PBC and State
6 LOS to the maximum extent feasible.

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EXHIBIT B

ARTICLE 1 – DEFINITIONS
ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 4 SPECIAL PERMITS

1 Part 1. ULDC Art. 1.1.2.R.11. General Provisions, Definitions & Acronyms, Definitions, Recreational Vehicle (page 88 of 118, Supplement 24), is hereby amended as follows:

3 CHAPTER I DEFINITIONS & ACRONYMS

4 Section 2 Definitions

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

11. Recreational Vehicle -

a. For the purposes of Art. 6, a truck, bus, trailer, pickup camper, pop-up camper, fifth wheel or other vehicle with or without motor power which has been converted or equipped with living or sleeping quarters and is designed to travel on public thoroughfares without a special permit in accordance with the provisions of F.S. §316.550 of the Vehicle Code of the State of Florida.

b. For the purposes of Art. 18, a vehicle which is: [Ord. 2004-013] [Ord. 2017-026]

1) Built on a single chassis; [Ord. 2017-026]
2) 400 square feet or less when measured at the largest horizontal projection; [Ord. 2017-026]
3) Designed to be self-propelled or permanently towable by a Light-Duty Truck; and [Ord. 2017-026]
4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use (see F.S. 320.01, as amended or replaced). [Ord. 2017-026]
5) Not occupied for more than six months. [Ord. 2017-026]

12. Sports Vehicle - for the purposes of Art. 6, any wheeled or tracked motorized vehicle designed or adapted to travel on public thoroughfares, public waterways, on unpaved thoroughfares, etc. without a special permit in accordance with the provisions of F.S. §316.550 of the Vehicle Code of the State of Florida.

40 CHAPTER B OVERLAYS

41 Section 2 AZO, Airport Zoning Overlay

42 B. Applicability

43 ....

44 2. Uses on Airport Properties

45 a. Use Regulations

46 ....

47 4) Specific Use Regulations

The following uses are permitted in the AZO on airport properties: [Ord. 2006-036]

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EXHIBIT B

ARTICLE 1 – DEFINITIONS
ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 4 SPECIAL PERMITS

<table>
<thead>
<tr>
<th>Table 3.B.2.B - Airport Use Regulations</th>
</tr>
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<tbody>
<tr>
<td>Auction, Outdoor</td>
</tr>
<tr>
<td>Car Wash</td>
</tr>
<tr>
<td>Catering Service</td>
</tr>
<tr>
<td>Cocktail Lounge</td>
</tr>
<tr>
<td>Convenience Store</td>
</tr>
<tr>
<td>Dispatching Service</td>
</tr>
<tr>
<td>Dog Daycare</td>
</tr>
<tr>
<td>Financial Institution</td>
</tr>
<tr>
<td>Financial Institution with Drive Thru Facilities</td>
</tr>
<tr>
<td>Financial Institution Freestanding ATM</td>
</tr>
</tbody>
</table>


Notes:
(1) For purposes of determining the applicable property development regulations (PDR) for non-airport related uses, the Corresponding Zoning District's PDR identified in Table 3.D.1.A-5, Property Development Regulations shall apply to lot dimension, density, FAR, building coverage and setbacks. (Ord 2018-002)
(2) Reference Art 4, Use Regulations for additional Supplementary Use Standards. (Ord. 2017-007)
(3) Temporary Use through the ZAR Process. (Ord. 2018-002)

Key:
P: Permitted by right
D: Permitted subject to approval by the DRO
A: Permitted only if approved by the Board of County Commission (BCC)
B: Permitted only if approved by the Zoning Commission (ZC)

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ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS (TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

Part 1. ULDC Art. 1.2.T.19, General Provisions, Definitions & Acronyms, Definitions, Temporary (page 104 of 118, Supplement 24), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

19. Temporary

a. For the purposes of Art. 4, Temporary means uses not intended to be permanently fixed or permanent in nature, and are typically approved for a defined period of time. [Ord. 2017-007] [Partially relocated to Art. 4.A.7.C.5, Temporary Use as it related to Use Matrix]

b. For the purposes of Art. 8, Signage, a single period or an accumulation of periods not exceeding 90 days in any 365-day period unless further restricted. [Ord. 2017-007]

c. For the purposes of Art. 15.A, as defined by Rule 64E-6, F.A.C.

20. Temporary Uses — are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, configuration and intensity and density of use, buildings and structures, and may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location. These uses are generally provisional for a specified, fixed period of time. [Ord. 2018-002]

21. [Renumber accordingly.]

Part 2. ULDC Art. 3.E.1.G, Overlays & Zoning Districts, Planned Development Districts, General, Sales Office and Models (page 143-144 of 212, Supplement 24), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 1 General

... 

G. Sales Office and Models

1. General

a. Permits

Building permits for real estate sales offices, sales models, gatehouses, entry features, and utilities may be issued prior to recording a final plat, but not before approval of a site plan/final subdivision plan by the ORO.

b. Permanent

A Real Estate Sales and Management Office is allowed as a Temporary Use in a PDD or TDD pursuant to Art. 4.B.11.C.5, Real Estate Sales and Management Office, PDD or TDD, and Art. 4.B.11.C.6, Real Estate Sales Model, PDD or TDD. A permanent Real Estate Sales Office is permitted in a commercial pod only, except where allowed otherwise within a Recreational Vehicle Park Development (RVPD). [Ord. 2014-025]

c. Definitions — see Art. 1.1, Definitions & Acronyms

1) Real Estate Sales Office, Planned Development

An office for the sale and resale of new and existing residential units. [Partially relocated to Art. 4.B.11.C.5.a, Definitions as it related to Real Estate Sales Office and Management Office, PDD or TDD] or Recreation Vehicle (RV) sites, in a planned development. [Ord. 2014-025]

a) Temporary, Pod

A temporary real estate sales office for the sale of new units only shall be permitted in a residential pod or other temporary location approved by the DRO. Sales shall be limited to only new units in the pod. [Partially relocated to Art. 4.B.11.C.5.h.1), Pod as it related to Real Estate Sales and Management Office, PDD or TDD]

A temporary sales office in a Mobile home shall be subject to Art. 5.B.1.B, Temporary Structures. Sanitary facilities shall be available in the office. A temporary real estate sales office shall be removed from the site prior to the issuance of the CO for the last remaining unit in the pod. Temporary access to the sales office may be permitted, subject to approval by the DRO. The temporary access shall be limited to one year, unless extended by the DRO. [Partially

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EXHIBIT C

ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS,
ARTICLE 4 USE REGULATIONS, AND
ARTICLE 5 SUPPLEMENTARY STANDARDS
(Temporary Uses- Real Estate Sales Model/Offices)

relocated to Art. 4.B.11.C.5.d, Access as it related to Real Estate Sale and
Management Office, PDD or TDD]
b) Temporary Project
A temporary real estate sales office for the sale and resale of units in the entire
project, or phase of a project, shall be permitted in a residential pod, private civic
pod, commercial pod, or recreation pod, subject to approval by the BCC. A
temporary sales office in a Mobile home shall be subject to Art. 5.B.1.B, Temporary
Structures. Sanitary facilities shall be available in the office. A temporary real
estate sales office serving an entire project shall only be permitted within a planned
development and/or phase approved for 300 or more units. Sales and resales shall
be limited to only units within the planned development. A temporary real estate
sales office shall be removed from the site prior to the issuance of the CO for the
last remaining unit in the project or phase, as applicable. Temporary access to the
sales office may be permitted, subject to approval by the BCC. [Partially
relocated to Art. 4.B.11.C.5.h.2), Project as It related to Real Estate Sales and
Management Office, PDD or TDD]
c) RVPD
A temporary real estate sales office for the sale of RV sites shall be permitted
within an RVPD in accordance with the provisions above, and the following: [Ord,
2014-026]
(1) Units shall mean RV sites. [Ord. 2014-026] [Relocated to Art. 4.B.11.C.5.a,
Definition as it related to Real Estate Sales and Management Office, PDD
or TDD]
(2) May be located within the Recreation Pod. [Ord. 2014-026] [Relocated to
Art. 4.B.11.C.5.c, Location as it related to Real Estate Sales and
Management Office, PDD or TDD]
(3) The temporary RVPD real estate sales office shall be removed upon completion
of the project. CO of a permanent RV site real estate sales office, or upon
expiration of the maximum time to commence development for the last phase, in
accordance with Table 2.E.3.B, Time Limitation of Development Order for Each
Phase. The BCC may impose a Condition of Approval with a specific date for
removal as it related to Real Estate Sale and Management Office, PDD
or TDD]
2) Planned Development, Sales Model
A residential unit used for the sale of only new units within a residential pod of a
planned development. [Partially relocated to Art. 4.B.11.C.6.a, Definition as it
related to Real Estate Sale Model, PDD or TDD]
2. Sales Office
a) Resale
Resale of existing units from a temporary real estate sales office for a project shall cease
when the remaining number of units without a CO in the project, or phase, as applicable,
reaches the following:

<table>
<thead>
<tr>
<th>No. Units in Project or Phase</th>
<th>Units Remaining without a CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 or more</td>
<td>20</td>
</tr>
<tr>
<td>500-999</td>
<td>16</td>
</tr>
<tr>
<td>300-499</td>
<td>12</td>
</tr>
</tbody>
</table>

[Relocated to Art. 4.B.11.C.5.i, Resale as it related to Real Estate Sales and Management
Office, PDD and TDD]
3. Sales Models
See Art. 4.B.11.C.6, Real Estate Sales Model.
a) General
A maximum of eight sales models per pod may be constructed prior to platting. [Relocated
to Art. 4.B.11.6.d, Residential Pod as it related to Real Estate Sales Model, PDD and
TDD] Subdivision approval of the sales model lots by the DRO shall be required prior to
issuance of a building permit. Sales models shall comply with all applicable PDRs prior to
issuance of a CO. [Partially relocated to Art. 4.B.11.6.b, Subdivision Process as it
related to Real Estate Sales Model, PDD or TDD] A sales model may be used as a
temporary real estate sales office. [Partially relocated to Art. 4.B.11.2.3.a, Definition as
it related to Real Estate Sales Model, PDD or TDD]

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ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS (TEMPORARY USES - REAL ESTATE SALES MODEL/OFFICES)

1) Parking
A minimum of two parking spaces per mode/ shall be provided. The parking area shall comply with Art. 6.A.1.D, Off-Street Parking. [Relocated to Art. 4.B.11.C.6.g, Parking as it related to Real Estate Sales Model, PDD or TDD]

2) Duration
The use of a residential unit as a sales model shall cease prior to issuance of the CO for the last remaining unit in the pod. [Relocated to Art. 4.B.11.C.6.c, Duration as it related to Real Estate Sales Model, PDD or TDD]

b) Residential Pod
A maximum of eight, or 20 percent of the number of units in the pod, whichever is less, shall be permitted as sales models. [Relocated to Art. 4.B.11.C.6.d, Residential Pod as it related to Real Estate Sales Model, PDD or TDD]

c) Model Rows
Planned developments approved for a total of 300 or more units may construct a model row for the project. [Partially relocated to Art. 4.B.11.C.6.e, Model Rows as it related to Real Estate Sales Model, PDD or TDD]

d) Number
A maximum of 16 sales models shall be permitted in the model row. A maximum of one model row shall be permitted for every three pods under development, consisting of a minimum of 60 units each. [Relocated to Art. 4.B.11.C.6.e.1, Number as it related to Real Estate Sales Model, PDD or TDD]

e) Location
A model row shall be located in a residential pod. The location of the model row shall be designated on the preliminary development plan at the time of BCC approval. Access to the model row shall be from a location approved by the BCC or allowed by the Code. [Partially relocated to Art. 4.B.11.C.6.e.2, Location as it related to Real Estate Sales Model, PDD or TDD]

f) Use
A model row shall be open to the public for the sale of only new units in the project. The sale or resale of units outside the project shall be prohibited. [Relocated to Art. 4.B.11.C.6.e, Model Rows as it related to Real Estate Sales Model, PDD or TDD]

Chapter E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 1 General

H. Accessory Structures

1. Standards
Building permits for gatehouses, entry features, and utilities may be issued prior to recording a final plat, but not before approval of a Final Site or Subdivision Plan by the ORO. The following accessory uses and structures in permanent or temporary structures shall comply with the following standards:

a) Gatehouses
Gatehouses for security of the project may be permitted, subject to approval by the ORO.

b) Utilities
Public or private utilities, accessory buildings/structures, and related infrastructure shall be permitted, subject to compliance with all applicable rules and regulations governing such facilities.

c) Temporary Structures
Temporary structures, such as construction trailers, shall be permitted in accordance with Art. 5.B.1.8.C, Temporary Structures.

d) Permits
Building Permits for temporary and accessory structures may be issued in accordance with Art. 3.E.1.G.1.a, Permits.

Part 4. ULDC Art. 3.E.7.G, Planned Development Districts (PDDs), Recreational Vehicle Planned Development, Supplemental Standards, Accessory Structures (page 175 of 212, Supplement 24), is hereby amended as follows:

Notes:
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(Temporary Uses- Real Estate Sales Model/Offices)

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)...

Section 7 Recreational Vehicle Planned Development District (RVPD)

G. Supplemental Standards

3. Temporary Structures

Temporary structures, such as construction trailers, RV site real estate sales office and security quarters, may be allowed, subject to Art. 5.B.1.B.C, Temporary Structures. A mobile home may be used as a caretakers quarters, security quarters, watchman's trailer, or temporary structure.

4. Storage

The site plan shall contain an area for outdoor storage of boats, trailers, RV’s, etc. if required by the DRO.

5. Real Estate RV Site Sales

A permanent real estate sales office for RV sites may be collocated with an accessory management office in a Recreational Pod. [Ord. 2014-025]

Part 5. ULD C Art. 4.A.7.C (page 10 of 208, Supplement 24), is hereby amended as follows:

CHAPTER A USER GUIDE AND GENERAL PROVISIONS

Section 7 Determining Approval Process

C. Use Matrix

There are five processes to obtain a zoning approval for a use, as follows: Permitted by Right; DRO, Class B Conditional Use, or Class A Conditional Use. Each Use Matrix identifies all zoning districts, uses, and approval process, except as indicated otherwise. The Use Matrix consolidates the approvals process for each Use Type in standard Zoning Districts, PDDs, TDDs, URAO, and IRO, PDDs and TDDs. A number in the column under the "Supplementary Use Standard" column of the Use Matrix refers to the Definition and Supplementary Use Standards applicable to each use. [Ord. 2018-002]

1. Permitted by Right

Uses identified with a "P" are allowed in the zoning district, subject to the Supplementary Use Standards and the other applicable requirements of this Code. Uses in this category that do not require a Building Permit or Zoning Division site plan approval are still required to comply with all applicable requirements of the ULDCC.

2. Development Review Officer (DRO)

Uses identified with a "D" or exceeding the thresholds of Table 4.A.9.A, Thresholds for Projects Requiring DRO Approval, are allowed subject to approval by the DRO in accordance with Art. 2.C, Administrative Processes.

3. Class B Conditional Use

Uses identified with a "B" are allowed in the zoning districts only if approved by the ZC in accordance with Art. 2.B, Public Hearing Processes.

4. Class A Conditional Use

Uses identified with an "A" are allowed in the zoning districts with a recommendation by the Zoning Commission, and approved by the BCC in accordance with Art. 2.B, Public Hearing Processes.

5. Temporary Use

Uses identified in Use Matrix 4.B.11 with a "D" are allowed in the zoning districts with an approval by the Development Review Officer subject to the Zoning Agency Review process. Temporary uses are not permanent in nature, not intended to be permanently fixed at a location, and are typically approved for a defined period of time [Ord. 2017-007] [Partially relocated from Art. 1.1.2.T.19, Temporary] 56. Prohibited Uses

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EXHIBIT C

ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS,
ARTICLE 4 USE REGULATIONS, AND
ARTICLE 5 SUPPLEMENTARY STANDARDS
(TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

Uses identified with a dash "-" in a zoning districts column of the Use Matrix, are prohibited in
that zoning district, unless otherwise expressly stated under the Supplementary Use Standards
for the use, or within any applicable Zoning Overlays.

Part 6. ULDC Art. 4.4.A.8, Use Regulations, User Guide and General Provisions, Use Functions,
Flex Space (page 11 of 208, Supplement 24), is hereby amended as follows:

CHAPTER A USER GUIDE AND GENERAL PROVISIONS

Section 8 Use Functions

D. Flex Space
This option allows for limited office or retail opportunities where otherwise prohibited in industrial
Zoning Districts, or inversely allows for a limited type of industrial Uses in the commercial zoning
districts that are consistent with the CH FLU designation. Flex space is only permitted when
approved in accordance with Art. 5.B.1.C(G), Flex Space.

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## EXHIBIT C

**ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS**

(TEMPORARY USES - REAL ESTATE SALES MODEL/OFFICES)

1. **Part 7.** ULDC Art. 4.B.11, Use Regulations, Use Classification, Temporary Uses, Temporary Use Matrix (page 199 of 208, Supplement 24), is hereby amended as follows:

### CHAPTER B USE CLASSIFICATION

#### 3 Section 11 Temporaty Uses

**A. Temporary Use Matrix**

<table>
<thead>
<tr>
<th>Use Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication Cell Sites on Wheels (CON)</td>
</tr>
<tr>
<td>Day Camp</td>
</tr>
<tr>
<td>Mobile Retail Sales</td>
</tr>
<tr>
<td>Real Estate Sales Model and Management Office, New/Temporary</td>
</tr>
<tr>
<td>Real Estate Sales Office and Management, New/Temporary</td>
</tr>
<tr>
<td>Recycling Drop-Off Site</td>
</tr>
<tr>
<td>Special Event</td>
</tr>
<tr>
<td>Temporary Green Market</td>
</tr>
<tr>
<td>Temporary Retail Sales</td>
</tr>
<tr>
<td>Temporary Vehicle Sales</td>
</tr>
</tbody>
</table>

### TABLE 4.B.11.A, TEMPORARY USE MATRIX

<table>
<thead>
<tr>
<th>AGI</th>
<th>RESIDENTIAL</th>
<th>COMMERCIAL</th>
<th>INDUSTRIAL</th>
<th>TIER</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>A</td>
<td>A</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

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### ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS

#### (TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

<table>
<thead>
<tr>
<th>Standard Districts</th>
<th>Planned Development Districts (PDDs)</th>
<th>Traditional Dev. Districts (TDDs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG/ PUD MUPO MNO</td>
<td>PUD</td>
<td>MUPD</td>
</tr>
</tbody>
</table>

**Use Type**
- Subject to DRO Approval
- Subject to Zoning Commission Approval (Class B Conditional Use)
- Subject to BCC Approval (Class A Conditional Use)
- Prohibited use, unless stated otherwise within Supplementary Use Standards

**Use approval process key:**
- F: Repealed by Right
- S: Subject to DRO Approval
- A: Subject to BCC Approval (Class A Conditional Use)
- R: Repealed

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**Ord. 2017-007** [Ord. 2017-025] [Ord. 2015-002]

**Use approval process key:**
- F: Repealed by Right
- S: Subject to DRO Approval
- A: Subject to BCC Approval (Class A Conditional Use)
- R: Repealed

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ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS (TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

1 Part 8. ULDC Art. 4.B.11.C.4, Use Regulations, Use Classification, Temporary Uses, Real Estate Sales Model, Non-PDD (page 203-204 of 208, Supplement 24), is hereby amended as follows:

4 CHAPTER B USE CLASSIFICATION

5 Section 11 Temporary Uses

6 C. Definitions and Supplementary Use Standards for Specific Uses

7 4. Real Estate Sales Model, and Management Office, Non-PDD

8 a. Definition

9 A residential unit used for real estate marketing and sales as a builder’s office, and for other services directly associated with the sale of residential units.

10 b. Duration

11 The DO shall be valid for five years from the date of issuance and may be renewed for an additional five years. [Ord. 2018-002]

12 c. Location

13 Shall be located on the property with access directly from a paved street.

14 1. Exception

15 Sales Model or Office may be located off site for properties that are in Jupiter Farms, The Acreage or Palm Beach Country Estates.

16 d. Parking

17 The driveway and required handicap spaces shall be the only paved parking areas.

18 e. Signage

19 Shall comply with Art. 8.D, Temporary Signs.

20 The following signs shall be permitted:

21 1) Temporary

22 One ground mounted sign not exceeding eight feet in height and 32 square feet of sign face area.

23 2) Directional

24 A maximum of two directional signs not exceeding four feet in height and two square feet in sign face area.

25 3) Flags

26 A maximum of three roadside flags shall be permitted per lot between the hours of 8:00 a.m. and 6:00 p.m.

27 f. Storage

28 Outdoor storage of construction material, supplies, or equipment shall not be permitted.

29 g. Number

30 A builder may construct and operate a maximum of two manned and two unmanned models in a platted residential subdivision which is not in a PUD, or in one of the following residential areas:

31 1) Jupiter Farms.

32 2) The Acreage.

33 3) Palm Beach Country Estates.

34 h. Operation

35 1) A builder’s office may be allowed provided it is limited to the garage area.

36 2) Unmanned models shall not have employee office space.

37 3) Sales shall be limited to new units built by the company operating the sales model.

38 i. Completion Agreement

39 All sales models, including those in existence prior to January 1, 1998, shall execute a completion agreement in a manner and form acceptable to the County Attorney. The completion agreement shall include any modification(s) necessary to convert the model to a residential use.

40 1) Existing Models

41 All sales models existing on January 1, 1998 shall file a completion agreement with PBC by July 1, 1998. This agreement shall specifically identify all improvements, which are not consistent with the provisions of this Section, such as but not limited to additional parking or location on unpaved roads. At the time of executing the completion agreement, all signage shall comply with the requirements of this Section.

42 j. Modifications

43 Non-residential interior modifications shall be prohibited. The following improvements may be permitted only within the garage of the model:

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ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS (TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

5. Real Estate Sales and Management Office, PDD or TDD

a. Definition

An office for the sale and resale of new and existing residential units. [Partially relocated from Art. 3.E.1.G.1.c.1) Definitions as it related to Real Estate Sales Office, Planned Development] For RVPD units shall mean RV sites. [Relocated from Art. 3.E.1.G.1.c.1)c](1), RVPD as it related to Real Estates Sales Office, Planned Development]

b. Submittal Requirement

The Applicant shall submit a Regulating Plan showing the location of the sales office and required parking. Partially relocated from Art. 5.B.1.C.4 Location as it related to Real Estate Sales and Management Office] A notarized removal agreement shall be executed and submitted concurrently with the application. [Partially relocated from Art. 5.B.1.B.3.c.9)b), Removal Agreement as it related to Sales Office and Models]

c. Location

The Sales Office may be allowed in residential, commercial, private civic or recreation pod. Sales of RV Sites may be located within the Recreation Pod of the RVPD. [Ord. 2014-025] [Relocated from Art. 3.E.1.G.1.c.1)c](2), RVPD as it related to Sales Office and Models] A sales office shall comply with the setback requirements in Table 3.D.1.A. Property Development Regulations, and shall be located so as not to interfere with on site construction operations and access. [Relocated from Art. 5.B.1.B.3.c.4), Location as it related to Real Estate Sales And Management Office]

d. Access

Temporary access to the Sales and Management Office may be approved by the DRO, and shall be limited to one year. Extension may be approved by the DRO. [Partially relocated from Art. ]3.E.1.G.1.c.1)a), Temporary, Pod as it related to Sales Office and Models]

e. Parking

A minimum of two parking spaces, plus one for each employee on the shift of greatest employment, shall be provided. All parking areas, with the exception of handicaps spaces and access, shall be provided on a hard surface of pavement, asphalt, shell rock, or mulch, provided the sub-grade is compacted. Handicap spaces and access shall be provided in accordance with F.S. §316.1955, F.S. §316.1956, and F.S. §553.46. [Relocated from Art. 5.B.1.B.3.c.5), Parking as it related to Real Estate Sales And Management Office]

f. Signs

Refer to Art. 8.D. Temporary Signs.

g. Removal

The temporary office shall be removed from the site no later than 30 days after the final CO has been issued for the last residential unit. [Ord. 2006-037] [Partially relocated from Art. 5.B.1.B.3.c.8), Removal as it related to Real Estate and Management Office]

i. RVPD

The temporary use shall be removed upon completion of the project, CO of a permanent RV site real estate sales office, or upon expiration of the maximum time to commence development for the last phase. The BCC may impose a Condition of Approval with a specific date for compliance. [Ord. 2014-025] [Partially relocated from Art. 3.E.1.G.1.c.1)c](3), RVPD as it related to Sales Office and Models]

h. Sale

1) Pod

A temporary real estate sales office for the sale of new units shall be permitted only in a residential pod or other temporary location approved by the DRO. Sales shall be limited to only new units in the pod. [Relocated from Art. 3.E.1.G.1.c.1)a], Temporary, Pod as it related to Real Estate Sales Office, Planned Development]

2) Project

Notes:

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ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS (TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

1. A temporary real estate sales office for the sale and resale of units in the entire project, or phase of a project, shall be permitted in a residential pod, private civic pod, commercial pod, or recreation pod, subject to approval by the DRO. A temporary real estate sales office serving an entire project shall only be permitted within a planned development and/or phase approved for 300 or more units. Sales and resales shall be limited to only units within the planned development. [Partially relocated from Art. 3.E.1.G.1.c.(1)(b), Temporary, Project as it related to Real Estate Sales Office, Planned Development]

i. Resale

Resale of existing units from a temporary real estate sales office shall cease when the number of units without a CO in the project, or phase, as applicable, reaches the following:

<table>
<thead>
<tr>
<th>No. Units in Project or Phase</th>
<th>Units Remaining w/out a CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 or more</td>
<td>20</td>
</tr>
<tr>
<td>500-999</td>
<td>16</td>
</tr>
<tr>
<td>300-499</td>
<td>12</td>
</tr>
</tbody>
</table>

[Relocated from Art. 3.E.1.G.2, Resale related to Sales Office]

6. Real Estate Sales Model, PDD or TDD

a. Definition

A residential unit for the sale of only new units within a residential pod of a PDD or TDD. [Partially relocated from Art. 3.E.1.G.1.c.2, Planned Development Sales Model] A Sales Model may be used as a temporary Real Estate Sales and Management Office. [Partially relocated from Art. 3.E.1.G.3.a, General as it related to Sales Model].

b. Approval Process

Subdivision approval of the Sales Model lots by the Land Development Division shall be required prior to the issuance of a Building Permit. The Land Development Division may approve the lots prior to final platting. Sales Models shall comply with all applicable PDRs prior to the issuance of a CO. [Partially relocated from Art. 3.E.1.G.3.a, General as it related to Sales Model].

c. Duration

The use of a residential unit as a sales model shall cease prior to issuance of the CO for the last remaining unit in the pod. [Relocated from Art. 3.E.1.G.3.a.2], Duration as it related to General, Sales Model]

d. Residential Pod

A maximum of eight, or 20 percent of the number of units in the pod, whichever is less, shall be permitted as sales models. [Relocated from Art. 3.E.1.G.3.b, Residential Pod as it related to General, Sales Model]. A maximum of eight sales models per pod may be constructed prior to platting. [Relocated from Art. 3.E.1.G.3.a, General as it related to Sales Model].

e. Model Row

Developments that are approved for a total of 300 or more units may construct a model row. [Partially relocated from Art. 3.E.1.G.3.c, Model Rows as it related to Sales Model]. A model row shall be open to the public for the sale of only new units in the project. The sale or resale of units outside the project shall be prohibited. [Relocated from Art. 3.E.1.G.3.c.3], Use as it related to Model Rows of Sales Model]

1) Number

A maximum of 16 sales models shall be permitted in the model row. A maximum of one model row shall be permitted for every three pods under development, consisting of a minimum of 60 units each. [Relocated from Art. 3.E.1.G.3.c.1], Number as it related to Model Rows]

2) Location

A model row shall be located in a Residential Pod. Access to the model row shall be from a location approved by the DRO or allowed by this Code. [Partially relocated from Art. 3.E.1.G.3.c.2], Location as it related to Real Estate Sales Model, PDD or TDD]

f. Access

Temporary access to the Sales Model(s) may be permitted by the DRO, and shall be limited to one year. Extension may be approved by the DRO.

g. Parking

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EXHIBIT C

ARTICLE 1 DEFINITIONS, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 4 USE REGULATIONS, AND ARTICLE 5 SUPPLEMENTARY STANDARDS (TEMPORARY USES- REAL ESTATE SALES MODEL/OFFICES)

A minimum of two parking spaces per model shall be provided. The parking area shall comply with Art.6.A.1.D, Off-Street Parking. [Relocated from Art. 3.E.1.G.3.a.1) Parking as it related to Sales Model]

h. Signs
  Refer to Art. B.D, Temporary Signs.

i. Removal
  The Sales Model shall cease no later than 30 days after the final CO has been issued for the last remaining residential unit in the pod.

...[Renumber accordingly]

Part 10. ULDC Art. 4.B.3.C, Use Regulations, Use Classification, Recreation Uses, Outdoor Entertainment (page 67 of 208, Supplement 24), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 3 Recreation Uses

4. Entertainment, Outdoor

c. Approval Process – PIPD Regional Recreation Pod Exception
  An Outdoor Entertainment use that serves to promote economic benefits, such as enhanced tourism, job creation, and an amenity for business recruitment, and which provides for national recognition as a unique recreational facility, may be allowed within the Regional Recreation Pod of a PIPD subject to Class A Conditional Use approval, and the following: [Ord. 2017-032]
  1) Notification to Business Development Board
     The applicant shall include documentation confirming that the Business Development Board (BDB) has been notified of the application for Class A Conditional Use approval, including tentative BCC Public Hearing dates, prior to certification for Public Hearing.
  2) Residential Separation
     Shall be located a minimum of 1,000 feet from a residential use or vacant parcel with a residential FLU designation. [Ord. 2017-032]
  3) Collocated Special Event
     A Special Event may be collocated with an Outdoor Entertainment use subject to ORO approval, in accordance with the provisions of Art. 4.B.11.C.86, Special Event. [Ord. 2017-032]

Part 11. ULDC Art. 4.B.6.C, Use Regulations, Use Classification, Agricultural Uses, Produce Stand (page 106 of 208, Supplement 24), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 6 Agricultural Uses

16. Produce Stand

b. Permanent

3) Sale of Products
   a) General
      Includes sales of agricultural food products such as jelly, jam, honey and juice. No ZAR process shall be permitted in conjunction with the stand except for seasonal sales. Seasonal sales that require additional storage area may be permitted in

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acccordance with Art. 4.B.11.C.810. Temporary Retail Sales. No vending machines or other similar equipment shall be permitted on site. [Ord. 2018-002]

Part 12. ULDC Art. 5.B.1.B.3, Temporary Structures and Uses During Development Activity (page 41 of 110, Supplement 23), is hereby amended as follows:

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

3. Temporary Structures and Uses During Development Activity

Temporary structures and uses may be allowed as follows: [Ord. 2008-003]

3a. - Real Estate Sales And Management Office

1) Use
A temporary structure for real estate sales and management purposes may be allowed on the site of an active construction project which has been authorized by a building permit. Use of the structure shall be limited to on-site real estate sales and related activities only. A temporary structure used for real estate sales may not be used as a dwelling, as defined in Article 3.E.1.G. Sales Office and Models.

2) PDD
Real estate sales offices in PDDs shall be in accordance with Article 3.E.1.G., Sales Office and Models.

3) Number
A maximum of one sales office per construction project shall be allowed.

4) Location
The sales office, and required parking, shall be shown on the master plan, site plan, or subdivision plan approved by the DRO. [Partially relocated to Art. 4.B.11.C.5.b, Submittal Requirement as it related to Real Estate Sales and Management Office, PDD or TDD] - A sales office shall comply with the setback requirements in Table 3.D.1.A., Property Development Regulations, and shall be located so as not to interfere with on-site construction operations and access. [Relocated to Art. 4.B.11.C.5.c., Location as it related to Real Estate Sales and Management Office, PDD or TDD]

5) Parking
A minimum of six parking spaces, plus one for each employee on the shift of greatest employment, shall be provided. All parking areas, with the exception of handicap spaces and access, shall be provided on a hard surface of pavement, asphalt, shell rock, or mulch, provided the sub-grade is compacted. Handicap spaces and access shall be provided in accordance with F.S. §316.1955, F.S. §316.1956, and F.S. §553.48. [Relocated to Art. 4.B.11.C.5.e, Parking as it related to Real Estate Sales and Management Office, PDD or TDD]

6) Banners, Streamers, and Pennants
A maximum of two of any one of the following: banners, streamers or pennants may be permitted for every 200 feet of frontage along a public R.O.W. They shall be setback a minimum of five feet from the property line, not to exceed eight feet in height and 20 square feet in size, and may be clustered or dispersed along the R.O.W. [Ord. 2008-037]

7) Duration
A sales office shall remain on-site only for the length of time necessary to construct a building or structure which has been issued a permit.

8) Removal
A sales office, and all accessory signs, banners, streamers and pennants shall be removed from the site no later than 30 days after the final CO has been issued for the last residential unit. The office shall be removed if construction ceases for more than 180 days. An abandoned office shall be considered an unsafe structure and abated pursuant to the Building Code Enforcement Administrative Code of PBC. [Ord. 2008-037] [Partially relocated to Art. 4.B.11.C.5.g, Removal as it related to Real Estate Sales and Management Office, PDD or TDD]

9) Mobile Home
A mobile home used as a sales office shall be subject to the following additional requirements:

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1. a) Special Permit
   A special permit shall be required. The special permit shall be renewed annually, for a maximum of two years; and

2. b) Removal Agreement
   A notarized removal agreement shall be executed and submitted with the application for a special permit. [Partially relocated to Art. 4.B.11.C.5.b, Submittal Requirement as it related to Real Estate Sales and Management Office, PDD or TDD]

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EXHIBIT D
ARTICLE 2 ADMINISTRATIVE PROCESSES
ARTICLE 3 OVERLAYS & ZONING DISTRICTS
[RESUBMITTAL AND HOUSING TYPES]

Part 1.
ULDC Art. 2.C.4, Review, Submittal and Final Decision [Related to Administrative Process] (page 43 of 105, Supplement 24), is hereby amended as follows:

Chapter C ADMINISTRATIVE PROCESSES

Section 4 Review, Resubmittal and Final Decision

A 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>
<thead>
<tr>
<th>Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Submittal by Applicant</td>
</tr>
<tr>
<td>Sufficiency Review by Staff</td>
</tr>
<tr>
<td>Insufficiency to be addressed by Applicant</td>
</tr>
<tr>
<td>Initiate Review and Staff Comments</td>
</tr>
<tr>
<td>Resubmittal by Applicant</td>
</tr>
<tr>
<td>Staff Review and Comments on Resubmittal</td>
</tr>
<tr>
<td>Certification or Approval</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Processes</th>
<th>Full DRO</th>
<th>ZAR</th>
<th>Type 1 Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Submittal by Applicant</td>
<td>Refer to Annual Zoning Calendar.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sufficiency Review by Staff</td>
<td>10 days from the date of Application Submittal.</td>
<td></td>
<td></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>
<td></td>
<td></td>
</tr>
<tr>
<td>Initiate Review and Staff Comments</td>
<td>10 days from the date of Sufficiency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resubmittal by Applicant</td>
<td>The Applicant shall address all issues and comments by the next Submittal date. Refer to Annual Zoning Calendar.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff Review and Comments on Resubmittal</td>
<td>Refer to Annual Zoning Calendar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Certification or Approval</td>
<td>Refer to Annual Zoning Calendar</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part 2.
ULDC Table 2.C.5.B - Administrative Modifications to Prior DOs, (page 45-47 of 105), is hereby amended as follows:

Chapter C ADMINISTRATIVE PROCESSES

Section 5 Types of Application

B. Administrative Modifications to Prior DOs

2. Standards

When considering a DO request for Administrative Modifications, the DRO shall utilize the same Standards a through c pursuant to the Administrative Approval of a new use, the DRO shall also consider the limitations and criteria stated in the following Table: [Ord. 2018-002]

<table>
<thead>
<tr>
<th>Request</th>
<th>Allowable Modification</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in Housing Classification for PDD or TDD</td>
<td>Refer to Table 3.E.1.E - Housing Classification Type</td>
<td>No height increase from the original BCC DO, and, If there is a density transfer along with this request, comply with criteria listed below.</td>
</tr>
<tr>
<td>Density Transfer [Relocated from Art. 3.E.1.E.1.h, Density Transfer] A maximum of 30 percent from Art. 3.E.1.E.1.h, Density Transfer</td>
<td>Units must be from one Residential pod to another Residential pod in the same PDD, and [Relocated from Art. 3.E.1.E.1.h, Density Transfer] The maximum number of units transferred to a Residential pod or TDD Neighborhood shall not exceed 30 percent above the number of units approved by the BCC for that pod or TDD Neighborhood [Relocated from Art. 3.E.1.E.1.h, Density Transfer]</td>
<td>The reduction in the number of units shall negatively impact the layout and design of the approved plan; and, Amendment to the approved Adequate Public Facilities to indicate a reduction in the number of units.</td>
</tr>
<tr>
<td>Density Decrease [Relocated from Art. 3.E.1.E.1.i, Density Decrease] Allow reduction in the number of units</td>
<td>The reduction in the number of units shall negatively impact the layout and design of the approved plan; and, Amendment to the approved Adequate Public Facilities to indicate a reduction in the number of units.</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
(1) This shall not apply to accessory structures which are not subject to Concurrency review in accordance with PPM-ZO-049, Permits Not Subject to Concurrency Review.
(2) Clubhouse located in the Recreation pod of a PDD shall be exempt from the relocation thresholds. [Ord. 2016-016]
(3) Applicable to the Project Boundary instead of the individual property lines.

Notes:
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ARTICLE 2 ADMINISTRATIVE PROCESSES
ARTICLE 3 OVERLAYS & ZONING DISTRICTS
[RESUBMITTAL AND HOUSING TYPES]

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

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attached</td>
<td>Attached (1) - Townhouse, Zero Lot Line, or Single Family</td>
</tr>
<tr>
<td>Attached</td>
<td>Detached (2) - Detached, Zero Lot Line, or Single Family</td>
</tr>
<tr>
<td>Detached (2)</td>
<td>Attached (1)</td>
</tr>
</tbody>
</table>

Notes:
1. Provided there is no height increase from the original housing type.
2. Housing Classification Attached are Multifamily or Townhouse Housing Types.
3. Housing Classification Detached are Cottage Home, Zero Lot Line, or Single Family Housing Types

[ Ord. 2018-002 ]

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 ]
a. Consistency
Modifications shall be consistent with the representations regarding the original approval, the conditions of approval, and the development order. Modifications which change the original goals or intent of the project, such as reduce internal trip capture, reduce non-vehicular circulation or cross access, reduce the amount of affordable housing without a corresponding decrease in density, or reduce the amount of land allocated to the preservation of agriculture, farmland, or wetlands, shall require approval by the BCC.
b. Pods
The re-designation of a pod from one pod type to another shall require approval by the BCC. The reconfiguration of pods may be approved by the DRO only if determined to be an improvement to the project and no adverse impact on adjacent properties.
c. Housing Classification and Type
The Housing type classification(s) approved by the BCC for each Residential pod may only be changed through the ZAR process pursuant to Table 2.C.5.B, Administrative Modifications to Prior DOs or Full DRO, whichever is applicable, and subject to the limitations listed below as follows; [ Ord. 2018-002 ]

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attached</td>
<td>Attached (1) - Townhouse, Zero Lot Line, or Single Family</td>
</tr>
<tr>
<td>Attached</td>
<td>Detached (2) - Detached, Zero Lot Line, or Single Family</td>
</tr>
<tr>
<td>Detached (2)</td>
<td>Attached (1)</td>
</tr>
</tbody>
</table>

Notes:
1. Provided there is no height increase from the originally approved housing type.
2. Housing Classification Attached are Multifamily or Townhouse Housing Types.
3. Housing Classification Detached are Cottage Home, Zero Lot Line, or Single Family Housing Types

[ Ord. 2018-002 ]
d. Density Transfer
The Applicant may request a density transfer or a density decrease pursuant to the Criteria listed in Table 2.C.5.B, Administrative Modifications to Prior DOs. A density transfer may be processed in conjunction with a change in housing classification.

df. Recreation
The amount of recreation and useable open space shown on a plan approved by the BCC shall not be reduced. Alternative locations may be approved by the DRO only if determined to be an improvement to the project and no adverse impact on adjacent properties.
ef. Traffic
There shall be no substantial increase in traffic impact above that approved by the BCC, as determined by the County Engineer.
fg. 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

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and 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
Art. 11, Subdivision, Platting, and Required Improvements. [Ord. 2015-006]

g. Non-Vehicular Circulation
Pathways, sidewalks and bike lanes may be relocated, however, the resulting design shall
maintain a continuous non-vehicular circulation system within the project.

h. Density Transfer
The DRO may transfer a maximum of 30 percent of the un-built units from one pod to
another pod in the same PDD. The maximum number of units transferred to a pod shall
not exceed 30 percent above the number of units approved by the BCC for that pod.
[Partially Relocated to Table 2.C.5.B - Administrative Modifications to Prior DOs]

i. Density Decrease
The DRO may decrease the number of un-built units in a PDD, provided the resulting gross
density of the project is consistent with the Plan.
EXHIBIT E

ARTICLE 2 APPLICATION PROCESSES AND PROCEDURES
ARTICLE 5 SUPPLEMENTARY STANDARDS
ACCESSORY USES AND STRUCTURES - TEMPORARY STRUCTURES

1. ULDC Art. 5.B.1.B, Emergency or Temporary Government or Utility Structures (page 40 of 110), is hereby amended as follows:

3. CHAPTER B  ACCESSORY USES AND STRUCTURES

4. Section 1  Supplementary Regulations

5. ....

6. B. Government or Utility Emergency or Temporary Government or Utility Structures

This Section is intended to facilitate the placement or construction of structures or facilities that are temporary. These structures or facilities are utilized to ensure the health, safety and welfare of the public from natural or pending disasters; or construction staging activities for infrastructure improvements. Typical uses may include: fire stations, hurricane shelters, utility facilities; or construction staging areas. [Ord. 2011-001] [Ord. 2018-002]

1. Review and Approval Process

Emergency or temporary structures shall be subject to the approval by the Zoning Director through a ZAR process. The ZAR process may be waived by the Executive Director of PZB or designee as stated below: [Ord. 2018-002]

a. Emergency Structures

The Executive Director of PZB may waive the ZAR process, and authorize the issuance of a building permit for a temporary structure upon determination that a public emergency, pending natural disaster, or actual natural disaster, exists. [Ord. 2011-001] [Ord. 2018-002]

b. Temporary Structures

The Zoning Director may require a PAC with the ORO in order to seek input from the various County Agencies on the temporary structure or staging area, or may seek direction from the BCC through an AI pursuant to Art. 2.C.5.J, Administrative Inquiry. The Zoning Director shall consider documentation from the Applicant and any other input from County Agencies before issuance of a DO. [Ord. 2011-001] [Ord. 2011-016] [Ord. 2017-007] [Ord. 2018-002]

1) Duration

The DO shall be valid for up to a period of six months from date of issuance, with one three month extension by the Zoning Director. The BCC may extend the timeframe through an AI by the Zoning Director. [Ord. 2011-001] [Ord. 2018-002]

2) Construction Staging Areas for Right of Ways (R-O-W)

In addition to the requirements listed above, the following shall apply to those construction staging areas located on or adjacent to residentially zoned parcels. [Ord. 2008-003] [Ord. 2018-002]

a) Hours of Operation

Activity on the site shall not commence prior to 7:00 a.m. and must be completed prior to 10:00 p.m. A Type 1 Variance may be applied for to request modification from this provision. [Ord. 2008-003] [Ord. 2018-002]

b) Setbacks or Separations

Stored materials shall not be located within the required minimum district setback. [Ord. 2008-003] [Ord. 2018-002]

c) Screening

Temporary screening material, a minimum of five feet in height and 85 percent opacity shall be provided around the perimeter of the staging area, adjacent to residential uses, to mitigate visual impact. [Ord. 2008-003] [Ord. 2018-002]

d) Dust Control

Appropriate measures shall be taken, pursuant to Health Department requirements, to control dust or other airborne particulate matter. [Ord. 2008-003] [Ord. 2018-002]

e) Exceptions

Projects with a duration of 30 days or less shall be exempt from the requirements of this section. [Ord. 2008-003] [Ord. 2018-002]

Part 2. ULDC Art. 5.B.1.B.2, 3, 4, and 5 Tents, Temporary Structures and Uses During Development Activity, Portable Storage Container, and Shipping Containers (page 40 - 44 of 110), is hereby amended as follows:

2. Tents

A tent may be used as a temporary structure subject to approval as a special permit and the standards of this Section. Tents used for retail purposes are also subject to Article 4.B.1.A.115, Retail Sales, Mobile or Temporary.

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EXHIBIT E

ARTICLE 2 APPLICATION PROCESSES AND PROCEDURES
ARTICLE 5 SUPPLEMENTARY STANDARDS
ACCESSORY USES AND STRUCTURES- TEMPORARY STRUCTURES

1. Frequency
   a. Three times per lot per year.

2. Maximum Duration
   The tent may be used for a maximum period of 90 days, provided that an additional 30-day administrative extension may be approved subject to a finding by the Zoning Division that the tent and use continue to meet all the applicable requirements of this Code and the Building Code.

3. Setbacks
   All principal use setback requirements of the underlying district shall be met.

4. Location
   The tent shall be located on the lot so as not to adversely interfere with on-site circulation and shall not be located in any required parking space.

5. Access
   Access shall be from an arterial street.

6. Lighting
   Lighting shall be extinguished no later than 12:00 midnight.

7. Parking
   Parking shall be provided in accordance with Article 4, PARKING.

3. Temporary Structures and Uses During Development Activity

Temporary structures and uses may be allowed as follows: [Ord. 2008-003]

a. Construction Trailer
   1) Use
      A construction trailer shall be limited to an office used by the businesses of professions actively involved in the construction of a building or structure, authorized by a valid building permit issued for the site on which the trailers are located. Use of the trailer shall be limited to on-site activities only. A construction trailer shall not be used as a dwelling.

   2) Number
      A maximum of one trailer per construction business or profession shall be allowed.

   3) Duration
      The construction trailer shall remain on-site only for the length of time necessary to construct a building or structure which has been issued a building permit. [Partially relocated to Art. 5.B.1.C.3.b, Duration]

   4) Location
      The construction trailer and related parking shall be located on-site so as not to interfere with access to developed areas or areas under construction. [Partially relocated to Art. 5.B.1.C.3.c, Location]

   5) Removal
      A construction trailer shall be removed from the site no later than 30 days after the final CO has been issued. An abandoned trailer shall be considered an unsafe structure and abated pursuant to the Building Code Enforcement Administrative Code of PBC. [Partially relocated to Art. 5.B.1.C.3.g, Removal]

b. Watchman Trailer
   1) Use
      A watchman trailer may be allowed on the site of an active construction project which has been authorized by a building permit. Use of the trailer shall be limited to on-site security purposes only. A watchman trailer may be used as a dwelling.

   2) Number
      A maximum of one watchman trailer per construction project shall be allowed.

   3) Location
      A watchman trailer, and required parking, shall be located in areas under construction only. [Partially relocated to Art. 5.B.1.C.3.c, Location]

   4) Parking
      A minimum of two parking spaces shall be provided.

   5) Duration
      A watchman trailer shall remain on-site only for the length of time necessary to construct a building or structure which has been issued a building permit.

   6) Removal
      A watchman trailer shall be removed from the site no later than 30 days after the final CO has been issued. The trailer shall be removed if construction ceases for more than 180 consecutive days. An abandoned trailer shall be considered an unsafe structure and abated pursuant to the Building Code Enforcement Administrative Code of PBC.

7) Mobile Home

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A Mobile home used as a watchman quarters shall be subject to the following additional requirements:

- **a) Special Permit**
  - A special permit shall be required. The special permit shall be renewed annually, for a maximum of two years; and

- **b) Removal Agreement**
  - A notarized removal agreement shall be executed and submitted with the application for a special permit.

---

**d. Mobile Home While Constructing Single Family-Dwelling**

1. **Definition**
   - A Mobile-home used as a temporary residence during the construction of a Single Family structure. [Ord. 2017-007]

2. **Zoning District—AR (RSA)**
   - A temporary Mobile home may be allowed only in the AR-Zoning District of the Rural Service Area (RSA). [Ord. 2017-007] [Partially relocated to Art. 5.B.1.C.1.a, Residential as it related to Types of Temporary Structures]

3. **Agency Approval**
   - Sanitary sewage facilities and potable water well shall be approved by all governmental agencies having appropriate jurisdiction, permits, and inspections for the installation which must be obtained from the PZB Department and Health Department. [Ord. 2017-007] [Partially relocated to Art. 5.B.1.C.2.c, Agency Approval as it related to Approval Process]

4. **Building Permit**
   - **a) A valid building permit for a Single Family dwelling unit on the land shall have been issued by the Building Division prior or concurrent to issuance of the tie-down permit for the Mobile home.** [Ord. 2017-007]
   - **b) The approval for the Mobile home shall be valid for two years or up to 30 days after the issuance of the Certificate of Occupancy for the Single Family dwelling, whichever occurs first. A removal agreement shall be notarized and executed between the Building Division and property owner and recorded on the property in the official records of the PBC Clerk prior to issuance of any building permit. No time extensions shall be granted. No more than one MH approval shall be granted per Property Control Number.** [Ord. 2007-001] [Ord. 2017-007]

5. **Additions**
   - No additions shall be allowed to the Mobile home, except awnings and demountable screen panels, stairs, deck and trellises. [Ord. 2017-007] [Partially relocated to Art. 5.B.1.C.1.a, Residential as it related to Types of Temporary Structures]

6. **Proof of Ownership**
   - A current recorded warranty deed for the subject property shall be submitted.

7. **e. Modular and Manufactured Structures**
   - **Use**

---

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EXHIBIT E

ARTICLE 2 APPLICATION PROCESSES AND PROCEDURES
ARTICLE 5 SUPPLEMENTARY STANDARDS
ACCESSORY USES AND STRUCTURES- TEMPORARY STRUCTURES

4. Portable Storage Container

Portable storage containers are weather-resistant receptacles used for temporary storage of goods for residential uses which may be Permitted by Right as follows: [Ord. 2017-025]

A) A maximum of one container 16 feet in length, 8 feet in width, and 7 feet in height may be allowed, for no more than 2 times a year for a maximum of 15 days each time. [Ord. 2017-025]

B) Shall be located on driveways not to overlap easements, sidewalks or R-O-W. [Ord. 2017-025]

C) Containers shall not be placed in required parking spaces, driveways, setback areas, or on the property lines. [Ord. 2017-025]

D) Container location shall comply with all applicable sections of the ULDC and existing conditions of approval. [Ord. 2008-003]

E) The temporary structure shall be removed within fourteen working days of the issuance the CO. [Ord. 2008-003]

5. Shipping Container

a) Located on a property to facilitate the construction or development of an approved project, or for a temporary use.

b) May be located in a single family residence where there is a conflict between this Section and the provisions of the Florida Building Code, as amended, the latter shall apply. Temporary structures may be temporarily located on a property to facilitate the construction or development of an approved project, or for a temporary use.

1. Types of Temporary Structures

Temporary structures may include, but are not limited to the following: trailer, shipping container, or construction fence. Temporary structures may be utilized for Residential and Non-Residential related activities, except for tents. Tents may be utilized for non-residential activities only. All temporary structures shall be subject to the following, except stated otherwise:

a) Residential

Temporary structures may be utilized for on-site security, or as a temporary dwelling while a single family residence is under construction, and may be allowed only in the AR District of the Rural Service Area (AR/rsa). [Partially relocated from Art. 5.B.1.B.3.d.3.1]

No additions shall be allowed to except for awnings and demountable screen panels, decks and trellises. [Ord. 2017-007] [Partially relocated from Art. 5.B.1.B.3.d.3.5]

Construction fence shall be exempt from the above limitations.
ARTICLE 2 APPLICATION PROCESSES AND PROCEDURES

ACCESSORY USES AND STRUCTURES- TEMPORARY STRUCTURES

2. Approval Process

All temporary structures or construction fence that are listed in this Section may be subject to Building Permit approval process or applicable State Law. The Building Division shall determine which permits would apply at the application submission. The application may be submitted concurrently with other permit applications for permanent or temporary structures. The applications may be forwarded to the Zoning Division or other County Agencies for review.

a. Concurrent Applications

A permit for the temporary structure shall be submitted concurrent with the permit application for the permanent structure.

b. Plans or Survey

The Applicant may utilize a plan or the most current Survey of the property to indicate the location of the proposed temporary structures to demonstrate compliance of the requirements in this Chapter or any other applicable codes or Conditions of Approval.

c. Agency Approval

Sanitary sewage facilities and potable water well may be required for certain temporary structures by the governmental agencies having appropriate jurisdiction, permits, and inspections for the installation, if applicable, the approval must be obtained from the PZB Department and Health Department. [Ord. 2017-007] [Partially relocated from Art. 5.B.1.B.3.d, Agency Approval as it related to Mobile Home While Constructing Single Family Dwelling]

3. Additional Requirements for Temporary Structures

Temporary structures shall be subject to the following additional requirements, where applicable:

a. Placement or Erection of Temporary Structure

Temporary structure may only be placed or erected on the site after or concurrent with the issuance of a demolition permit or a building permit for land development activities, subject to the approval of the Building Division.

b. Duration

The temporary structure shall remain on the property only for the length of time necessary to construct a permanent structure. [Partially relocated from Art. 5.B.1.B.3.a.3] Duration as it related to Construction Trailer

c. Location

The structure and related parking shall be located on the site so as not to interfere with access to developed areas or areas under construction. [Partially relocated from Art. 5.B.1.B.3.a.4, Location - Construction Trailer] A Watchman Trailer and required parking shall be allowed to be located in areas under construction. [Partially relocated from Art. 5.B.1.B.3.b.3, Location - Watchman Trailer]

d. Setbacks

Setbacks shall be in accordance with Table 3.D.1.A, Property Development Regulations, and the applicable zoning district in which the property is located.

e. Construction Fence

All construction sites shall be enclosed and secured by a continuous fence at least six feet in height and shall be installed in accordance with the Florida Building Code. All fences installed pursuant to this Section shall be subject to the visibility at intersections requirements of Article 11.E.9.C, Minimum Safe Sight Distance and Corner Clips at Intersection of this Code.

f. Parking

Parking to serve the temporary structure shall be within the construction site.

g. Removal

The temporary structure shall be removed from the site after issuance of the Final Certificate of Occupancy (CO) or a Certificate of Completion (CC) of the permanent structure, unless a time extension is granted by the Building Official. Construction fences may be required to remain or be installed for safety purposes after the construction ceases. [Partially relocated from Art. 5.B.1.B.3.a.5] Removal – Construction Trailer

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EXHIBIT E

ULDC Art. 5.B.1.C.4, Portable Storage Container (page 44 of 110), is hereby amended as follows:

4. Portable Storage Container
Portable storage containers may be used for the temporary storage of goods for residential uses subject to the following requirements, and shall be exempt from the Zoning Division and Building Permit review: [Ord. 2017-025] [Relocated from Art. 5.B.1.B.4, Portable Storage Containers]

a) A maximum of one container 16 feet in length, 8 feet in width and 8 feet in height may be allowed, for no more than 2 times a year for a maximum of 15 days each time.

b) Shall be located on driveways not to overlap easements, sidewalks or R-O-W.

c) Shall be setback a minimum of 7.5 feet from the side property lines, except where no other driveway areas are available, the setback may be reduced subject to the dimensions in Art. 6.C.1.A.T.a. Local or Residential Access Streets; and [Ord. 2017-025] [Relocated from Art. 5.B.1.B.4, Portable Storage Containers]

d) Code Enforcement Division shall utilize the above requirements for any citation of violations.

Accessory Uses and Structures - Temporary Structures

### Table 5.B.1.CD - Uses Allowed as Flex Space Component

<table>
<thead>
<tr>
<th>Commercial Use</th>
<th>Industrial Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail Sales (1)</td>
<td>Contractor Storage Yard (3)</td>
</tr>
<tr>
<td>Warehouse (2)</td>
<td>Manufacturing and Processing (2)</td>
</tr>
<tr>
<td>Wholesaling (2)</td>
<td>Warehouse (2)</td>
</tr>
</tbody>
</table>

(1) Flex space use to be allowed in IND or EDC FLU designation subject to ORO Approval.
(2) Flex space use to be allowed in CH FLU designation subject to Class A Conditional Use approval.

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ARTICLE 2 PROCESSES AND PROCEDURES, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 5 SUPPLEMENTARY STANDARDS (MECHANICAL EQUIPMENT AND LEGAL DOCUMENTS/EASEMENTS)

Part 1. ULD Art. 2.C.5.E. Application Process and Procedures, Administrative Process, Types of Application, Type I Waiver, Table 2.C5.E Summary of Type I Waivers (page 51 of 105, Supplement 24), is hereby amended as follows:

CHAPTER C ADMINISTRATIVE PROCESSES

Section 5. Types of Application

E. Type I Waiver

1. Purpose
To establish procedures and evaluation standards for a Type I Waiver. A Type I Waiver is to allow flexibility and minor adjustments to the property development-regulations; site design; preservation or incorporation of existing native vegetation; or for an improved site design where alternative solutions can be permitted subject to the criteria. Waivers are not intended to relieve specific financial hardship nor circumvent the intent of this Code. A Waiver may not be granted if it conflicts with other sections of this Code, or the Florida Building Code. [Ord. 2011-016]

2. Applicability
Requests for Type I Waivers shall only be permitted where expressly stated within the ULD:

<table>
<thead>
<tr>
<th>Requests</th>
<th>ULD Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glades Area Overlay (GAO)</td>
<td>Table 3.B.4.F, Type I Waivers for Industrial Pods</td>
</tr>
<tr>
<td>NED, Native Ecosystem Overlay</td>
<td>Art. 3.B.7.D, Property Development Regulations (PDF)</td>
</tr>
<tr>
<td>Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines</td>
<td>Table 3.B.8.E, Type I Waivers for NBOZ Design Guidelines</td>
</tr>
<tr>
<td>Int'l Redevelopment Overlay (IRO)</td>
<td>Table 3.B.15.G, Type I Waivers</td>
</tr>
<tr>
<td>Urban Redevelopment Overlay (UARO)</td>
<td>Table 3.B.16.G, Type 1 and 2 UARO Waivers</td>
</tr>
<tr>
<td>Structural Setback – Reduction not to exceed five percent less than the minimum requirement</td>
<td>Table. 3.D.1.A – Property Development Regulations</td>
</tr>
<tr>
<td>Required Parking in Type I Restaurant with Drive Through</td>
<td>Art. 4.B.2.C.33.F.3a)(2), Location Criteria – Exceptions, Design Criteria</td>
</tr>
<tr>
<td>Commercial Greenhouse Loading</td>
<td>Art. 4.B.6.C.17.c)(b), Loading</td>
</tr>
<tr>
<td>Solid Waste Transfer Station</td>
<td>Art. 4.B.7.C.16.d, Buffer</td>
</tr>
<tr>
<td>Mechanical Equipment</td>
<td>Art. 4.B.9.A.3a.(a)(2) – Screening Requirements for Roof Mounted Mechanical Equipment</td>
</tr>
<tr>
<td>Green Architecture</td>
<td>Art. 5.C.1.E.3, Type I Waiver – Green Architecture</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>Art. 6.B.1.D.2, Type I Waiver – Reduction of Minimum Number of Required Loading Spaces</td>
</tr>
<tr>
<td>Loading Space Width or Length</td>
<td>Art. 6.B.1.H.7, Type I Waiver – Reduction of Loading Space Width or Length</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Table 7.B.4.A, Type I Waiver for Landscaping</td>
</tr>
<tr>
<td>Billboard Location</td>
<td>Art. 8.H.2.D.4, Replacement</td>
</tr>
<tr>
<td>PUD Informational Signs</td>
<td>Art. 8.G.3.B.5.b, Standards for Type 3 Electronic Message Signs</td>
</tr>
</tbody>
</table>

Notes:
1. This Waiver shall only be utilized for detached housing types on individual lots, and shall not be utilized for multiple lots under one application, i.e. "blanket" application.

Part 2. ULD Art. 3.B.4.F.2 Overlays and Zoning Districts, Overlays, Glades Area Overlay, Planned Industrial Park Development Type I Waiver for Industrial Development (page 27-29 of 212, Supplement 24), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 4. GAO, Glades Area Overlay

F. Planned Industrial Park Development (PIPD)
ARTICLE 2 PROCESSES AND PROCEDURES, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 5 SUPPLEMENTARY STANDARDS (MECHANICAL EQUIPMENT AND LEGAL DOCUMENTS/EASEMENTS)

2. Type 1 Waivers for Industrial Pods

An applicant may apply for waivers for development standards within an Industrial Pod in accordance with Art. 2.C.S.E, Type 1 Waiver. Applications for Type 1 Waivers shall be expressly limited to the requirements listed below: [Ord. 2014-025]

<table>
<thead>
<tr>
<th>Article/Table Reference and Title</th>
<th>Maximum Waiver</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 5.B.1.A.2.e, Dangerous Materials</td>
<td>Barbed wire on the top of fences or walls may be allowed.</td>
<td>• When the applicant demonstrates that an increased level of security is necessary.</td>
</tr>
<tr>
<td>Art. 5.B.1.A.3.b Outdoor Storage - Location</td>
<td>Outdoor storage may be allowed within required building setbacks.</td>
<td>• When all parcels adjacent to the outdoor storage are within an Industrial pod of the PIPD.</td>
</tr>
<tr>
<td>Art. 5.B.1.A.19 Permanent Generators</td>
<td>Permanent generators may be allowed within required side or rear building setbacks.</td>
<td>• When all parcels adjacent to the generator location are within an Industrial pod of the PIPD.</td>
</tr>
<tr>
<td>Art. 5.B.1.A.20.a.a(1) Screening Requirements</td>
<td>Screening for ground mounted mechanical equipment is not required.</td>
<td>• If the equipment cannot be viewed from a ROW or any Commercial, Civic, Recreation or Residential parcels.</td>
</tr>
<tr>
<td>Art. 5.B.1.A.20.a.a(2a), Type 1 Waiver - Roof Mounted Mechanical Equipment</td>
<td>Screening for roof mounted mechanical equipment is not required.</td>
<td>• If all adjacent parcels having a view of the equipment are within the Industrial pods of the PIPD.</td>
</tr>
<tr>
<td>Table 5.E.4.D, Illumination Levels</td>
<td>Increased illumination levels in outdoor work areas of up to 25 percent may be allowed when all adjacent parcels are within an Industrial pod, as follows:</td>
<td>• Demonstration in writing and with supporting documentation that increased illumination levels will not adversely impact other uses within or abutting the PIPD;</td>
</tr>
<tr>
<td>Table 5.E.4.D, Maximum Permitted Luminaire Height</td>
<td>Luminaire heights may be increased by 25 percent.</td>
<td>• When all adjacent parcels are within an Industrial pod.</td>
</tr>
<tr>
<td>Art. 6.A.1.D.(a), Pedestrian Circulation</td>
<td>Canopy trees, benches and accented walkways are not required.</td>
<td>• Demonstration that these amenities conflict with site security;</td>
</tr>
<tr>
<td>Table 8.G.2.A, Freestanding Sign Standards</td>
<td>Maximum sign area for freestanding signs may be increased by 25 percent to accommodate additional address information for multiple tenant buildings.</td>
<td>• With uses that generate heavy truck traffic, as documented within the traffic study for the project.</td>
</tr>
<tr>
<td>Table 8.G.2.B, Outparcel Identification Signs</td>
<td>Maximum sign area for freestanding outparcel identification signs may be increased by up to 50 percent to accommodate additional address information for multiple tenant buildings.</td>
<td>• With uses that generate heavy truck traffic, as documented within the traffic study for the project.</td>
</tr>
</tbody>
</table>

[Ord. 2014-025]

Part 3. ULDC Art. 5.B.1.A.20, Supplementary Standards, Accessory Uses and Structures, Mechanical Equipment (page 37 of 110, Supplement 24), is hereby amended as follows:

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

20. Mechanical Equipment

a. Applicability

This section shall apply to the installation of improvements associated with mechanical equipment.

Notes:
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EXHIBIT F

ARTICLE 2 PROCESSES AND PROCEDURES, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 5 SUPPLEMENTARY STANDARDS (MECHANICAL EQUIPMENT AND LEGAL DOCUMENTS/EASEMENTS)

2) Screening Requirements
   a) New and replacement equipment, shall be screened on all sides by an opaque barrier constructed of materials, and color compatible with the building or structure, or equivalent landscaping for ground mounted equipment, to a minimum height equal to the highest point of the equipment. [Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-016]
   b) Type 1 Waiver – Roof Mounted Mechanical Equipment Exemption
      (1) Screening shall not be required for roof mounted mechanical equipment for the following: [Ord. 2006-004] [Ord. 2011-016]
         a) if the equipment is less than one foot in height, measured from the roof deck, and is painted to match the color of the structure it is attached to or servicing; [Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-016]
         b) for any industrial use with an industrial FLU designation if adjacent to a parcel with an industrial use and industrial FLU designation; [Ord. 2011-016]
         c) if an existing roof cannot structurally support additional weight associated with required screening materials. A certified letter, from a structural engineer or architect registered in the State of Florida, shall be submitted with the applicable permit substantiating that the roof cannot support the additional weight; or [Ord. 2008-037] [Ord. 2011-016]
      (2) Subject to approval of a Type 1 Waiver, the screening may not be required for any industrial use with an industrial FLU designation if the equipment cannot be viewed from an adjacent R-O-W. A line of sight plan prepared in accordance with Art. 5.C.1.G.2, Line of Sight Analysis, shall be submitted with the applicable permit demonstrating that the roof cannot support the additional weight.

Part 4. ULDC Art. 5.F.2.A.2, Major Encroachments (page 74 of 110, Supplement 24), is hereby amended as follows:

CHAPTER F LEGAL DOCUMENTS

Section 2 Easements

A. Easement Encroachment
   1. Minor Encroachments
      Minor encroachments of buildings and structures may be allowed within an easement in accordance with this Chapter.
   2. Major Encroachments
      Buildings or structures designed for human occupancy, screen enclosures, pools, or spas shall not be permitted prohibited within any easement unless otherwise provided for in this Section. [Ord. 2010-005]
   3. Incompatible Uses
      No construction shall be permitted within any easement where such construction is incompatible with the use for which the easement was established. If the terms of the easement, statute, law, ordinance, rule, regulation, or approval pursuant to which the easement was established prohibits or excludes the use, such use shall be considered incompatible. The burden shall be on the applicant to demonstrate that the proposed construction is or will not become incompatible with the purpose for which the easement was established, or impair the rights of the easement holders and beneficiaries. The determination of whether a use is incompatible with the purpose for which an easement was established shall be made by the appropriate regulating agency(s) in accordance with this Chapter.
   4. Application Process
      Buildings and structures, which are not prohibited pursuant to Art. 5.F.2.A.2, Major Encroachments, shall be subject to the following:
         a. If an application for a building permit includes construction in an easement, the application shall include consent from all easement holders and beneficiaries. The consent shall be specific to the proposed construction and in a form acceptable to PZB; and
         b. Prior to the issuance of the building permit, the applicant shall record an executed removal and indemnification declaration. The removal and indemnification declaration shall inure to the benefit of the easement holders and beneficiaries.

5. All Other Approvals Required

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EXHIBIT F

ARTICLE 2 PROCESSES AND PROCEDURES, ARTICLE 3 OVERLAYS AND ZONING DISTRICTS, ARTICLE 5 SUPPLEMENTARY STANDARDS (MECHANICAL EQUIPMENT AND LEGAL DOCUMENTS/EASEMENTS)

1. All other government permits, approvals, or consents necessary for the construction shall be obtained prior to commencement of the construction.
2. Compliance with this Chapter shall not be construed to relieve the applicant from obtaining any required approvals, if applicable, for encroaching into the affected easement.
3. Nothing herein shall be construed as affecting any right to construct except to the limited and strict extent of any approval granted hereunder. An approval granted in accordance with this Chapter is for the limited purpose of complying with this Chapter only.

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EXHIBIT G

ARTICLE 3 - OVERLAYS & ZONING DISTRICTS
(PUBLIC CIVIC LANDSCAPE BUFFER)

1 Part 1. ULDC Art. 3.E.2.E.4.c.1), Overlays & Zoning Districts, Planned Development Districts
(PDDs), Planned Unit Development (page 150-151 of 212, Supplement 24), is hereby
amended as follows:

4 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2 Planned Unit Development (PUD)

E. Pods

4. Civic Pod

A civic pod is intended to promote a coordinated land planning approach for providing and
encouraging publicly and privately owned civic, institutional, educational, and additional
recreational uses for the community.

a. Applicability

1) Public Civic

Where two percent of a PUD is less than 1.5 acres, public civic pods may not be
required subject to FDO&O approval. [Ord. 2011-001]

2) Private Civic

If a public civic pod is not required in a CCRT area, a private civic pod shall be provided
unless waived by the BCC. For any other PUD, private civic pods shall be optional.
[Ord. 2011-001]

b. AGR PUD Calculation

A PUD in AGR-FLU areas shall use two percent of the developable portion of the PUD.
[Ord. 2011-001]

c. Public and Private Civic

All civic pods so designated shall be identified as public or private. PBC may require all or
a portion of a civic pod to be dedicated to PBC for public purposes. [Ord. 2011-001] [Ord.
2011-001]

1) Public Civic

a) Public civic pods shall be located adjacent to publicly owned, or anticipated to be
owned, lands. In the event of co-location with property outside the boundary of the
PUD, the required landscape buffer along the common boundary may be waived
by the DRO. A minimum 5-foot setback shall be required for all permanent
structures, measured from the common interior boundary. The remaining setbacks
shall be applied pursuant to Table 3.E.2.D – PUD Property Development
Regulations. [Partially relocated below to E.4.c.1.a.1] The location of, and
access to, a public civic pod shall be acceptable to FDO prior to certification of the
master plan by the DRO.

1) Where a public civic pod is located adjacent to publicly owned, or anticipated
to be owned, lands outside the boundary of the PUD, the required landscape
buffer along the common boundary may be reduced or eliminated on both
properties subject to the following:

a) A minimum 5-foot setback shall be required for all permanent structures,
measured from the common interior boundary; and,

b) The remaining setbacks for the public civic pod shall be applied pursuant
002] [Ord. 2008-037]

[Renumber Accordingly]
EXHIBIT H

ARTICLE 3 – OVERLAYS & ZONING DISTRICTS, ARTICLE 4 – USE REGULATIONS AND ARTICLE 7 – LANDSCAPING
(Greenmarkets/Community Vegetable Gardens)

1. Part 1. ULDC Art. 3.B.14, WCRAO, Westgate Community Redevelopment Area Overlay (pages 47, 48, and 53 of 212), is hereby amended as follows:

CHAPTER B OVERLAYS

4. Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

7. F. Property Development Regulations (PDRs)

1. Sub-area PDRs

In order to implement the form based code build to lines outlined in the WCRA Plan, additional PDRs are established for the seven Sub-areas. Development in the WCRAO shall be in compliance with all standard, PDD or TDD PDRs, unless specified otherwise in Table 3.B.14.F, WCRAO Sub-area PDRs, and Figure 3.B.14.F.3, WCRAO Sub-area Building Configuration and Lot Placement. Single-family dwellings shall only be required to comply with the Minimum Lot Depth and Accessory Quarters requirements of Sub-area PDRs. Accessory Structures shall comply with the requirements of Art. 3.B.14.G, Supplementary Standards and Art. 5.B, Accessory uses and Structures. [Ord. 2006-004] [Ord. 2008-003] [Ord. 2017-007]

7. Table 3.B.14.F - WCRAO Sub-area PDRs

<table>
<thead>
<tr>
<th>Sub-areas</th>
<th>NR</th>
<th>NM</th>
<th>NC</th>
<th>UG</th>
<th>UH</th>
<th>UI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Dimensions:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>90'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Coverage</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
</tr>
<tr>
<td>Build to Line/Setbacks:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front or Side Street Build to Line</td>
<td>Build to Line:</td>
<td>Build to Line:</td>
<td>Build to Line:</td>
<td>Build to Line:</td>
<td>Build to Line:</td>
<td>Build to Line:</td>
</tr>
<tr>
<td>(1,3) (8)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Side (1)</td>
<td>10' (4)</td>
<td>10' (4)</td>
<td>10' (4)</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>Minimum Rear (1,4)</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Minimum Building Frontage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Frontage (1,98)</td>
<td>-</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
</tr>
<tr>
<td>Typical Phases and Square</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Build to Line Exception (1)</td>
<td>Maximum 50% of Building Frontage, minimum width: 20' and maximum depth of 25'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Maximum Height (7)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Stories (1)</td>
<td>3</td>
<td>4</td>
<td>6</td>
<td>15</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Maximum Height (1, 7)</td>
<td>70</td>
<td>72</td>
<td>240</td>
<td>120</td>
<td>180</td>
<td>-</td>
</tr>
<tr>
<td>Accessory Quarters Max. Height/Stories</td>
<td>2 stories and 25'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Length (1, 6)</td>
<td>-</td>
<td>300'</td>
<td>300'</td>
<td>300'</td>
<td>300'</td>
<td>-</td>
</tr>
</tbody>
</table>

Key:
- PDRs not specified in this table shall be subject to the PDRs of the lot’s zoning district.
- For Commercial Uses

Notes:
1. Single-family dwellings shall not be required to comply with identified Sub-area PDRs. [Ord. 2006-004]
2. Building coverage may be increased to 60% if all parking is provided offsite or in a parking structure. [Ord. 2006-004]
4. Sidewalks may be reduced to zero in accordance with Art. 3.B.14.F.1.a, NRM, NC Side Setback Reduction. [Ord. 2006-004]
5. Mid-block separation a minimum of 20 feet in width is required at the first floor level for building length in exceeding 200 feet, and must be 50 feet or more from either end of the building. [Ord. 2006-004]
6. Minor increases in maximum height may be permitted subject to all of the standards of Art. 5.C.1.E.4.a – c as and excepted by Art. 3.D.1.E.4, and as defined by Art. 1. [Ord. 2010-022]
7. Buildings shall be articulated so that the longest side faces the front build to line. Where a parcel is located at the intersection of two or more streets, at least one building shall be placed at a corner in accordance with Art. 3.B.14.F.2.b.2), and comply with the build to line for both streets. [Ord. 2015-031]
8. Minimum frontage shall only apply to the front build to line, and may be reduced in accordance with Art.3.B.14.F.2.b.1.(a) Exception. [Ord. 2015-031] [Ord. 2017-025]

G. Supplementary Standards

In addition to the requirements of Art. 5, Supplementary Standards, and Table 3.B.14.G, WCRAO Supplementary Standards by Sub-Area, the following shall apply: [Ord. 2006-004]

Table 3.B.14.G - WCRAO Supplementary Standards by Sub-Area

<table>
<thead>
<tr>
<th>Sub-areas</th>
<th>NR</th>
<th>NM</th>
<th>NC</th>
<th>UG</th>
<th>UH</th>
<th>UI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Enclosed Living Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling Unit</td>
<td>1,000 s.f.</td>
<td>1,000 s.f.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Accessory Quarters</td>
<td>300 s.f.</td>
<td>300 s.f.</td>
<td>300 s.f.</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

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EXHIBIT H

ARTICLE 3 – OVERLAYS & ZONING DISTRICTS, ARTICLE 4 – USE REGULATIONS AND ARTICLE 7 – LANDSCAPING
(Greenmarkets/Community Vegetable Gardens)

Table 3.B.14.G - WCRAO Supplementary Standards by Sub-Area

<table>
<thead>
<tr>
<th>Architectural Features</th>
<th>Detached Location</th>
<th>Attached Location</th>
<th>Key</th>
</tr>
</thead>
</table>
| Arcades and Galleries (1) | - | - | Subject to the supplementary standards of the lot's zoning district [
| Minimum Number of Floors | 12' | 12' | |
| Minimum Glazing of Frontage (3) | - | - | Notes: |
| Front Setback Maximum Encroachment (8) | 6' | 6' | 1. Accessory and Prohibited Uses |
| Min Max Porch Depth (4) | 6'/10' | 6'/10' | a. Accessory and Prohibited Uses |
| Min Max Balcony Depth | 3'/10' | 3'/10' | 1) Except as otherwise stated within Art. 3.B.14, accessory structures shall meet the setbacks of the underlying zoning district and Supplementary Regulations as stated within Art. 5.B.1.A.1, General. |
| Min Max Balcony Length | 6'/50% total of building facade | 6'/50% total of building facade | 2) Accessory structures shall be architecturally compatible with the principal building, with exception to accessory structures such as small sheds associated with single-family residences (excluding garages), when less than 150 square feet in size and ten feet in height, and completely screened from all public right-of-ways. [Ord. 2006-004] [Ord. 2009-040) |
| Location of Accessory Quarters and Garages: | - | - | 11) Lots with 100 feet or less of frontage may be exempt from this requirement. [Ord. 2017-002] |

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EXHIBIT H

ARTICLE 3 – OVERLAYS & ZONING DISTRICTS, ARTICLE 4 – USE REGULATIONS AND ARTICLE 7 – LANDSCAPING
(Greenmarkets/Community Vegetable Gardens)

In the NR, NRM, NG Sub-areas, the following uses are prohibited in front yards or building facades: [Ord. 2006-004]

1) Parking on unpaved surfaces. [Ord. 2006-004]
2) Clotheslines and other clothes drying apparatus. [Ord. 2006-004]
3) Electrical meters. [Ord. 2006-004]
4) Air conditioning equipment, including window units on the building facade. [Ord. 2006-004]
5) Antennas and satellite dishes. [Ord. 2006-004]

PART 2. ULDC Art. 4.B.2, Commercial Uses (page 26 of 204), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

SECTION 2 Commercial Uses

C. Definitions and Supplementary Use Standards for Specific Uses

16. Green Market

d. Accessory Uses - Green Market

A Green Market may be allowed as an accessory use to a Community Vegetable Garden in the WCRD and CCRT areas subject to DRO approval and the following:

1) The use shall be located in CCRT areas or the WCRD;
2) The use shall be operated by a CCRT neighborhood organization or the Westgate CRA;
3) Items for sale shall be limited to those grown, or prepared by neighborhood residents.
4) The accessory use and structure shall be limited to 30% of the total growing area for the Community Vegetable Garden.
5) Shall be limited to weekends and holidays between the hours of 7:00 a.m. and 7:00 p.m.
6) A Community Vegetable Garden that complies with the above accessory use standards for Green Market, may be considered a Public and Civic Use for the purposes of determining compliance with Art. 7.C. Landscape Buffer and Interior Landscape Requirements. Where a Green Market is allowed as an accessory use to a Community Vegetable Garden, a six-foot high landscape barrier, which includes but not limited to: a hedge, a vinyl-coated chain link fence with hedge, or an opaque fence shall be provided along any property line that abuts a parcel with a residential FLU designation or residential use. An accessory Green Market to an existing Community Garden, approved prior to the effective date of this amendment, that has complied with the buffer requirements of Article 7, is not required to provide a six-foot high landscape barrier.

PART 3. ULDC Art. 4.B.6, Agricultural Uses (page 93 of 204), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

SECTION 6 Agricultural Uses

C. Definitions and Supplementary Use Standards for Specific Uses

10. Community Vegetable Garden

a. Definition
A plot of land used primarily as a vegetable garden which is cultivated and harvested by a group of residents from the surrounding area.

b. Setbacks
Accessory activities shall maintain a setback of five feet from all property lines adjacent to residential zoning districts. Accessory structures shall meet the setbacks of the district.

c. Accessory Structures
1) Accessory structures shall be limited to 400 square feet.
2) Accessory structures shall meet the setbacks of the zoning district in which the parcel is located.

d. Parking
Overnight parking shall be prohibited.

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EXHIBIT H

ARTICLE 3 - OVERLAYS & ZONING DISTRICTS, ARTICLE 4 - USE REGULATIONS AND ARTICLE 7 - LANDSCAPING
(Greenmarkets/Community Vegetable Gardens)

f. Landscaping
    Shall be exempt from Article 7, Landscaping, when located in the WCRAO or CCRT Areas.

g. Storage
    Outdoor storage shall be prohibited. Storage of all accessory equipment or products shall be contained within an accessory structure.

h. Spraying
    Aerial application of fertilizer or pesticides shall be prohibited.

Part 4. ULDC Art. 7.B.1, Applicability (page 9 of 53), is hereby amended as follows:

CHAPTER B APPLICABILITY AND APPROVAL PROCESS

Section 1 Applicability

The provisions of this Article shall be considered minimum standards and shall apply to all new development unless stated otherwise herein. [Ord. 2018-002]


Landscape requirements shall also be consistent with the standards of Art. 14.C, Vegetation Preservation and Protection, nothing in this Article shall be applied to contradict these requirements. [Ord. 2018-002]

B. Exemptions

The following developments are exempt from the standards and requirements of this Article:

1. Enlargement or repair of a single-family dwelling unit, two-unit townhouse, or two-unit multi-family structure on a single lot.

2. Parking areas located within an enclosed parking structure.

3. Bona fide agriculture uses, unless stated otherwise in Art. 4.8.6, Agricultural Uses. Where the property has a use that is classified as Agriculture, bona fide, with agricultural activities or accessory agricultural uses, the property owner shall provide a six-foot high hedge along the frontage of the property where it abuts a public street R-O-W. [Ord. 2018-002]

4. Uses such as airports, major utilities, and stockades which have planting requirements regulated by Federal or State law. Off-site planting of required landscaping may be approved in areas where there is a direct public benefit, such as in schools, parks, libraries, streets, and medians.

5. Projects in the Glades Area Economic Development Overlay (GAO) that have provided in-lieu funds to the Glades Thoroughfare Beautification Fund.

6. Community Vegetable Gardens located in the WCRAO or CCRT Areas, unless stated otherwise in Article 4.B.6.C, Definitions and Supplementary Use Standards for Specific Uses. [Relocated from: ]

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EXHIBIT I
ARTICLE 4 - USE REGULATIONS
(FINANCIAL INSTITUTION, VETERINARY CLINIC, HOMELESS RESOURCE CENTER, ADULT ENTERTAINMENT, AND PLACE OF WORSHIP)

Part 1. ULDC Art. 4.6.2, Use Regulations, Use Classification, Commercial Uses, Financial Institutions (page 27 and 39 of 208, Supplement 24), is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 2 Commercial Uses

A. Commercial Use Matrix

<table>
<thead>
<tr>
<th>TABLE 4.6.2.A, COMMERCIAL USE MATRIX</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARD DISTRICTS</strong></td>
</tr>
<tr>
<td>AQ/ CON</td>
</tr>
</tbody>
</table>

Use Type

- Financial Institution
- Financial Institution with Drive Through Facilities
- Financial Institution Freestanding ATM
- Financial Institution

<table>
<thead>
<tr>
<th>Use Type</th>
<th>PUD</th>
<th>MUPD</th>
<th>MYPD</th>
<th>PIOD</th>
<th>POID</th>
<th>M</th>
<th>R</th>
<th>TND</th>
<th>TMD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Institution</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Financial Institution with Drive Through Facilities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Financial Institution Freestanding ATM</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Financial Institution</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

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Use approval process key:

- Financial Institution
- Financial Institution with Drive Through Facilities
- Financial Institution Freestanding ATM
- Financial Institution

...
## EXHIBIT I
### ARTICLE 4- USE REGULATIONS
(FINANCIAL INSTITUTION, VETERINARY CLINIC, HOMELESS RESOURCE CENTER, ADULT ENTERTAINMENT, AND PLACE OF WORSHIP)

<table>
<thead>
<tr>
<th>STANDARD DISTRICTS</th>
<th>PLANNED DEVELOPMENT DISTRICTS (PDDs)</th>
<th>TRADITIONAL DEV. DISTRICTS (TDDs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG/CON RESIDENTIAL</td>
<td>Use Type</td>
<td>PUD FLU PODS TIER</td>
</tr>
<tr>
<td>COMMERCIAL IND INST</td>
<td></td>
<td>MUPD FLU PODS TIER</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MUPD PODS H V</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TRADITIONAL DEV.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>DISTRICTS (TDDs)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>P Permitted by Right</td>
<td>B Subject to Zoning Commission Approval (Class B Conditional Use)</td>
<td>A Subject to BCC Approval (Class A Conditional Use)</td>
</tr>
<tr>
<td></td>
<td>A Prohibited use, unless stated otherwise within Supplementary Use Standards</td>
<td></td>
</tr>
</tbody>
</table>

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

11. Financial Institution
   a. Definition
      An establishment engaged in deposit banking.
   b. Typical Uses
      A Financial Institution may include but is not limited to commercial banks, savings institutions, and credit unions.
   c. Approval Process - CC District, CLO PDD with CL or CLO FLU, and Commercial Pod of PUD
      A Financial Institution 5,000 square feet or less in the CC Zoning District, CLO-PDD with CL or CLO FLU designation, or Commercial Pod of a PUD, may be Permitted by Right.
   d. Zoning Districts – CN and CLO Districts, and Neighborhood Center of TND
      A Financial Institution in the CN and CLO Zoning Districts, and Neighborhood Center of a TND, shall be limited to a maximum of 5,000 square feet.

12. Financial Institution with Drive Through Facilities
   a. Definition
      A Financial Institution that includes drive through teller facilities.
   b. Approval Process
      1) CC District, Commercial Pod of PUD, CLO-PDD with CL and CLO FLU, and TMD
      A Financial Institution 5,000 square feet or less, and with three drive through lanes or less, may be allowed subject to DRO Approval, in the following zoning districts:
         a) CC;
         b) PDD with CL or CLO future land use FLU designation; and,
         c) TMD in the Rural Tier, Exurban Tier and the development area of the AGR Tiers.
      2) CG Zoning District, PDD with CH and CHO FLU, Commercial Pod of PIPD and TDD
      A Financial Institution 5,000 square feet or less in size with three or less drive through lanes, may be Permitted by Right, in the following Zoning districts:
         a) CG district;
         b) PDD with CH or CHO FLU designation;
         c) Commercial Pod of a PIPD; and,
         d) the development area of an AGR TMD.
      3) Single Drive Through ATM Exception
      A maximum of one drive through ATM lane shall not be considered a drive through lane for purposes of determining the threshold above.

42. Veterinary Clinic
   a. Definition
      An establishment engaged in providing medical care, treatment and temporary boarding for animals.
   b. Approval Process – AGR, AR, CLO Zoning Districts and MUPD with CL, CLO FLU Designation
      1) A Veterinary Clinic may be Permitted by Right in the AGR, AR, CLO Zoning Districts, and MUPD with CL or CLO FLU designation, subject to the following limitations:
         a. GFA shall not exceed 5,000 square feet; and,
         b. shall not include outdoor runs.
      2) A Veterinary Clinic may be Permitted by Right in the AGR Zoning District. The GFA shall not exceed 5,000 square feet.
ARTICLE 4- USE REGULATIONS

(FINANCIAL INSTITUTION, VETERINARY CLINIC, HOMELESS RESOURCE CENTER, ADULT ENTERTAINMENT, AND PLACE OF WORSHIP)

1. Lot Size – AR and AGR Districts
   c. Shall be located on a minimum of five acres.

2. Zoning District
   d. A Veterinary Clinic shall not have outdoor runs and limited to the following:
      1) CC and CN Zoning Districts
         Shall not occupy more than 3,000 square feet of GFA.
      2) MUDP with CL FLU Designation and TDD Districts
         Shall not occupy more than 5,000 square feet of GFA.
      3) Infill Redevelopment Overlay
         Boarding facilities shall comply with the standards for a Type 3 Commercial Kennel.

3. Outdoor Runs
   e. A Veterinary Clinic with outdoor runs shall comply with the following standards:
      1) Lot Size
         A minimum of one acre.
      2) Setbacks
         Outdoor runs shall not be located within 50 feet of any property line adjacent to a parcel
         of land with a residential FLU designation or use; or 25 feet from any property line
         adjacent to a non-residential zoning district, use, or FLU.
      3) WCRAO
         Outdoor runs shall not be located within 25 feet of any property line.
      4) Standards
         A six-foot high fence shall be required around the runs. If the fence is not opaque or
         screened from view of adjacent properties or R-O-W, a continuous opaque hedge, a
         minimum of four feet at installation, shall be provided around the run.
      5) Waste Disposal
         A Veterinary Clinic shall meet the ECR I and ECR II standards and be subject to
         all applicable rules and regulations of the FDEP, PBCHD and SWA.

4. Facility without Outdoor Runs
   g. A Veterinary Clinic without outdoor runs shall be required to make accommodations to
      ensure animal waste is properly disposed of within the facility.

5. Collocated Use
   h. 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. [Ord.
      2018-018]
      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. [Ord. 2018-018]

Part 3. ULDC Art. 4.B.4.C Use Regulations, Use Classification, Institutional, Public and Civic Uses, Definitions and Supplementary Use Standards for Specific Uses, Homeless Resource Center (page 77 of 208, Supplement 24), 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

10. Homeless Resource Center

   c. Approval Process
      A Homeless Resource Center owned or operated by a governmental entity may be allowed
      where Government Services uses are allowed by Table 4.B.4.A., Institutional, Public and
      Civic Use Matrix, subject to Class A Conditional Use Approval; or, may be Permitted by
      Right where Government Services uses are allowed in non-residential districts, provided
      that prior to development, or any modification to a previously approved development,
      program or operation, an eligible government entity complies with the following:
      1) Schedule and make a presentation to the BCC at a duly noticed Public Meeting(s);
      2) Prepare a report documenting compliance with Palm Beach County Facilities,
         Development and Operations, FDO PPM FDO-S-004-474, Public Outreach and
         Community Involvement for Homeless Resource Centers;

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BCC Adoption Hearing     January 24, 2019
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3) Provide notice of intent to the Zoning Director a minimum of 30 days prior to requesting placement on a BCC Public Meeting agenda, to include the aforementioned report;
4) The BCC shall make a finding that the governmental entity has complied with FDO PPM FDO-S-004-0747, which may include Conditions of Approval; and,
5) A BCC finding of compliance, or compliance subject to conditions, may remain valid for three years, or as otherwise provided by Condition of Approval.

Part 4. ULDC Art. 4.B.2.C.1.e, Review and Approval Process [Related to Adult Entertainment] (page 31 of 208, Supplement 24), is hereby amended as follows:

C. Definitions and Supplementary Use Standards for Specific Uses
   1. Adult Entertainment
      a. Establishment
      Any adult arcade, adult theater, adult bookstore/adult video store, adult motel, or adult dancing establishment; or any establishment or business operated for commercial gain where any employee, operator or owner exposes his/her specified anatomical area for viewing by patrons, including but not limited to: massage establishments whether or not licensed pursuant to F.S. 480, tanning salon, modeling studio, or lingerie studio. The following definitions and Supplementary Use Standards shall apply to all Adult Entertainment establishments:
      b. Definitions
      c. Exclusions
      Excluded from this definition are any educational institutions where the exposure of the specified anatomical area is associated with a curriculum or program.
      d. License per Palm Beach County Adult Entertainment Code
      1) An establishment that possesses an Adult Entertainment license as indicated in Art. 4.B.2.C.1.n.1.c), is presumed to be an Adult Entertainment establishment.
      2) An Adult Entertainment use approved by the ORO, after March 2, 2017, shall hold a valid Adult Entertainment License pursuant to the "Adult Entertainment Code", Chapter 17, Article V of the Palm Beach County Code, as may be amended, prior to issuance of a Business Tax Receipt.
      e. Review and Approval Process
      1) Applications for new Adult Entertainment establishment or legal nonconforming establishments exceeding the thresholds in Art. 1.F, Nonconformities, shall be subject to ORO approval.
      2) An Adult Entertainment establishment shall be exempt from the requirements under Development Thresholds in Art. 4, Use Regulations or any thresholds in this Code that require the use to be subject to a Conditional Use approval.
      3) The Zoning Director shall determine what ORO agencies shall review the application, including but not limited to the Building Division, Fire Department and Zoning Division.
      ORO shall approve, approve with conditions, or deny the application within 21 days of a determination of application sufficiency as contained in Art. 2.B.2, Sufficiency Review.
      f. Conditions
      The Zoning Director shall take into consideration ORO Agency recommended conditions that clearly implement their specific Agency Code provisions.
      g. Relief from a Decision
      A Person seeking a ORO approval or a Person holding a previously approved Special Permit or an Adult Entertainment Establishment License, has the right to immediately seek relief from a denial of application sufficiency for a DRO, denial of a DRO approval, or revocation or suspension of a Special Permit or DRO approval, as applicable, to the Circuit Court in the Fifteenth Judicial Circuit of the State of Florida.

Part 5. ULDC Art. 4.B.4.C.13.d, Development Thresholds, [Related to Place of Worship] (page 79 of 208, Supplement 24), is hereby amended as follows:

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CHAPTER B USE CLASSIFICATION

Section 4 Institutional, Public and Civic Uses

C. Definitions and Supplementary Use Standards for Specific Uses

13. Place of Worship

a. Definition

An establishment which may include a retreat, convent or other similar use, owned or
operated by a tax-exempt religious group that is used periodically, primarily or exclusively
for religious worship, activities or related services.

b. Existing Approvals

Applicants may seek abandonment of the existing Place of Worship approval and apply for
DRO Approval at any time. Prior approvals may be continued to be utilized or modified
subject to the limitations in Art. 2.C.5.B, Administrative Modifications to Prior DOs. A DO
exceeding the above thresholds shall be subject to a Development Order Abandonment
(ABN) and a concurrent request for a DRO Approval.

c. Location

A Place of Worship shall be prohibited unless in compliance with one of the following:

1) A Place of Worship greater than or equal to 15,000 square feet, including accessory
uses, shall have frontage on and access from an Arterial or Collector Street.

2) A Place of Worship greater than or equal to 5,000 square feet and less than 15,000
square feet including accessory uses, shall have frontage on and access from an
Arterial, Collector or Local Commercial Street.

3) A Place of Worship less than 5,000 square feet, including accessory uses, may have
frontage on and access from a Local Residential Street.

d. Development Thresholds

A Place of Worship shall be exempt from the requirements under Development Thresholds
in Art. 4, Use Regulations or any thresholds in this Code that require the use to be subject
to a Conditional Use approval.

e. Limited Temporary Sales

Temporary sales, such as rummage, or bake sales, shall be Permitted by Right as an
accessory use to a Place of Worship for a period of up to three consecutive days, limited
to four times a year.
EXHIBIT J

ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 6 – PARKING

1 Part 1. ULDC Art. 3.E, Planned Development Districts (page 139 of 212 of Supplement 24), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

C. Objectives and Standards

2. Performance Standards

Planned developments shall comply with the following standards:

1. Parking

1) Residential Uses

Parking for residential uses shall comply with Art. 6, Parking. The DRO may require a covenant to be recorded limiting the affected area to a specific use or uses.

2) Nonresidential Uses

Nonresidential uses located within a PDD may apply the parking standards indicated in Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements, based on the use or the minimum/maximum parking standards below or a combination of both. The site plan shall clearly indicate which parking standards are being utilized for the entire site. (Ord. 2009-040)

a) Minimum/Maximum Parking Standards

(1) Minimum: one space per 250 square feet of GFA (4/1000).

(2) Maximum: one space per 166.66 square feet of GFA (6/1000)

b) Exceptions MLU/EDC

Parking for large scale and regional facilities in excess of 500,000 gross square feet may be reduced to one space per 333.33 square feet of GFA (3/1000).

Part 2. ULDC Art. 6, Parking (pages 4-12 of 40 of Supplement 24), is hereby amended as follows:

CHAPTER A PARKING

Section 1 General

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, Type 1, Type 2, Type 3</td>
<td>4.0 ± 0.6 spaces per unit or 0.25 per resident/bed, whichever is greater plus 1 space per 900 sq. ft. of office area</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, Zero Lot Line Homes, Townhouse, Farm Residence, or Mobile Home Dwelling</td>
<td>2 spaces per unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Accessory Quarters, Caretaker Quarters, Grooms Quarters, Guest Cottage</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. of cage or kennel area</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Loading Key:

Standard "A" One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA

Standard "B" One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA

Standard "C" One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA

Standard "D" One space for each 50 beds for all facilities containing 20 or more beds.

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EXHIBIT J

ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)

ARTICLE 6 – PARKING

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

<table>
<thead>
<tr>
<th>Use Classification: Commercial</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Entertainment</td>
<td>1 space per 200 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Auction, Indoor</td>
<td>1 space per 200 sq. ft.</td>
<td>C</td>
</tr>
<tr>
<td>Auction, Outdoor</td>
<td>1 space per 250 ft. of enclosed or indoor space</td>
<td>N/A</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>1 additional space for each guest room</td>
<td>N/A</td>
</tr>
<tr>
<td>Car Wash Automatic self service</td>
<td>1 space per 200 sq. ft. of office, retail, or indoor seating area</td>
<td>N/A</td>
</tr>
<tr>
<td>Catering Service</td>
<td>1 space per 200 sq. ft.</td>
<td>E</td>
</tr>
<tr>
<td>Cocktail Lounge</td>
<td>1 space per 3 seats</td>
<td>C</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>1 space per 200 sq. ft.</td>
<td>C</td>
</tr>
<tr>
<td>Dispatching Service</td>
<td>1 space per 250 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Dog Daycare</td>
<td>3 - 12' x 20' transient spaces for 50 dogs; 1 space per 500 sq. ft. of cage and retail area</td>
<td>E</td>
</tr>
<tr>
<td>Financial institution</td>
<td>1 space per 200 sq. ft.</td>
<td>E</td>
</tr>
<tr>
<td>Financial Institution with Drive Thru Facilities</td>
<td>2 spaces (8)</td>
<td>N/A</td>
</tr>
<tr>
<td>Financial Institution Freestanding ATM</td>
<td>1 space per 250 sq. ft.</td>
<td>C</td>
</tr>
<tr>
<td>Flea Market, Indoor</td>
<td>2 spaces per 200 sq. ft.</td>
<td>C</td>
</tr>
<tr>
<td>Flea Market, Outdoor</td>
<td>1 space per 250 sq. ft. of affected land area</td>
<td>N/A</td>
</tr>
<tr>
<td>Gas and Fuel Sales, Retail and Electric Vehicle Charging Station</td>
<td>1 space per 200 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Green Market Permanent</td>
<td>1 space per 250 sq. ft.</td>
<td>A</td>
</tr>
<tr>
<td>Hotel or Motel</td>
<td>1.25 spaces per room (convention areas, restaurants, etc. over 2,000 sq. ft. to be calculated separately)</td>
<td>C</td>
</tr>
<tr>
<td>Kennel, Type 2 (Commercial)</td>
<td>1 space per employee, and 1 space per 500 sq. ft. of cage and retail area for each 200 sq. ft. of enclosed or office area</td>
<td>E (8)</td>
</tr>
<tr>
<td>Landscape Service</td>
<td>1 space per 500 sq. ft.; plus 1 space per 2,500 sq. ft. of outdoor storage area</td>
<td>A</td>
</tr>
</tbody>
</table>

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Underlined indicates new text.
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.... A series of four bolded ellipses indicates language omitted to save space.
### Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont’d

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Personal Services</th>
<th>Repair and Maintenance, Heavy</th>
<th>Repair and Maintenance, Light</th>
<th>Repair Services, Limited</th>
<th>Restaurant, Type 1</th>
<th>Retail Sales</th>
<th>Rooming and Boarding House</th>
<th>Self -Service Storage, Limited Access</th>
<th>Self -Service Storage, Multi - Access</th>
<th>Shopping-Centers</th>
<th>Single Room Occupancy (SRO)</th>
<th>Theater or Performance Venue in - line</th>
<th>Theater or Performance Venue Stand alone</th>
<th>Unmanned Retail Structure</th>
<th>Vehicle Equipment Sales and Rental, Heavy</th>
<th>Vehicle Sales and Rental, Light</th>
<th>Veterinary Clinic</th>
<th>Vocational School</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 space per 200 sq. ft.</td>
<td>1 space per 250 sq. ft.</td>
<td>1 space per 250 sq. ft.</td>
<td>1 space per 250 sq. ft.</td>
<td>1 space per 3 seats including outdoor seating area</td>
<td>1 space per 200 sq. ft.</td>
<td>1 space for each guest room</td>
<td>1 space per 200 storage bays; minimum of 5 customer spaces; security quarters calculated separately</td>
<td>1 space per 200 storage bays; minimum of 5 customer spaces; security quarters calculated separately</td>
<td>6 spaces per 1,000 sq. ft. GFA (centers up to 600,000 sq. ft.); 6 spaces per 1,000 sq. ft. of GFA (centers over 600,000 sq. ft.)</td>
<td>1.25 spaces per room</td>
<td>1 space per 3 seats; plus 1 space per employee</td>
<td>1 space per 4 seats; plus 1 space per employee</td>
<td>2 spaces (11)</td>
<td>1 space per 250 sq. ft. of enclosed area; plus 1 space per 5,000 sq. ft. of outdoor sales, rental and display area</td>
<td>1 space per 250 sq. ft. of enclosed area; plus 1 space per 5,000 sq. ft. of outdoor sales, rental and display area</td>
<td>1 space per target area</td>
<td></td>
</tr>
</tbody>
</table>

### Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont’d

<table>
<thead>
<tr>
<th>Use Classification: Recreation</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arena or Stadium or Amphitheater</td>
<td>1 space per 3 seats</td>
<td>B</td>
</tr>
<tr>
<td>Bowling alley</td>
<td>3 spaces per lane</td>
<td>N/A</td>
</tr>
<tr>
<td>Campground</td>
<td>1 space per campsite</td>
<td>N/A</td>
</tr>
<tr>
<td>Clubhouse (Recreational Pod) (7)</td>
<td>1 space per 300 sq. ft. of air conditioned area (includes all interior uses); and 1 bicycle parking rack shall be provided</td>
<td>N/A</td>
</tr>
<tr>
<td>Entertainment, Indoor (except bowling alley)</td>
<td>1 space per 200 sq. ft. or 1/3 seats, whichever is greater</td>
<td>N/A</td>
</tr>
<tr>
<td>Entertainment, Outdoor</td>
<td>1 space per 3 seats; or 10 spaces per acre occupied by amusements, whichever is greater</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center</td>
<td>1 space per 200 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Golf Course (7)</td>
<td>4 spaces per hole; plus 1 space per 250 sq. ft. of clubhouse</td>
<td>N/A</td>
</tr>
<tr>
<td>Park, Passive and Park, Public</td>
<td>2 spaces for the first acre; plus 1 space for each additional 2 acres; additional parking shall be provided for each additional facility or land use constructed in the park as herein provided</td>
<td>N/A</td>
</tr>
<tr>
<td>Shooting Range, Indoor and Shooting Range, Outdoor</td>
<td>1 space per target area</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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EXHIBIT J

ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)

ARTICLE 6 – PARKING

Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont'd

<table>
<thead>
<tr>
<th>Use Classification: Institutional, Public and Civic</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Shelter</td>
<td>A</td>
<td>E</td>
</tr>
<tr>
<td>Assembly Institutional Nonprofit Assembly Membership Nonprofit (6)</td>
<td>A</td>
<td>E</td>
</tr>
<tr>
<td>Cemetery</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>College or University</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Day Care, General</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Day Care, Limited</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Funeral Home</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Government Services (2)</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Homeless Resource Center</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Nursing Home or Convalescent Facility</td>
<td>(12)</td>
<td></td>
</tr>
<tr>
<td>Place of Worship</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Prison, Jail or Correctional Facility</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>School, Private</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>School, Public and Charter</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Towing-Service and Storage</td>
<td>A</td>
<td></td>
</tr>
</tbody>
</table>

Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont'd

<table>
<thead>
<tr>
<th>Use Classification: Institutional, Public and Civic</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swimming pool (7)</td>
<td>1 space per 200 sq. ft. of pool area; and 1 bicycle parking rack shall be provided</td>
<td>N/A</td>
</tr>
<tr>
<td>Tennis Courts (6)7 and Basketball Courts (7)</td>
<td>1.5 spaces per court; and 1 bicycle parking rack shall be provided</td>
<td>N/A</td>
</tr>
<tr>
<td>Zoo</td>
<td>1 space per 2,000 sq. ft. of land area</td>
<td>N/A</td>
</tr>
</tbody>
</table>


Loading Key:

Standard "A" One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.

Standard "B" One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.

Standard "C" One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.

Standard "D" One space for each 50 beds for all facilities containing 20 or more beds.

Standard "E" One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA.

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**EXHIBIT J**

**ARTICLE 3 – PLANNED DEVELOPMENT Districts (PDDS)**

**ARTICLE 5 – PARKING**

### Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont’d

The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.

<table>
<thead>
<tr>
<th>Use Classification: Agricultural</th>
<th>Parking</th>
<th>Loading Standard (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, bona fide</td>
<td>1 space per 1,000 sq. ft.</td>
<td>B</td>
</tr>
<tr>
<td>Accessory Agricultural Uses (U-Pick Em Operations)</td>
<td>1 space per 200 sq. ft, including outdoor display area</td>
<td>A</td>
</tr>
<tr>
<td>Agriculture Marketplace</td>
<td>1 space per 1,000 sq. ft.</td>
<td>B</td>
</tr>
<tr>
<td>Agriculture, light manufacturing</td>
<td>1 space per 1,000 sq. ft.</td>
<td>B</td>
</tr>
<tr>
<td>Agriculture, Packing Plant</td>
<td>1 space per 2,000 sq. ft</td>
<td>A</td>
</tr>
<tr>
<td>Agriculture, Renewable Fuels Production</td>
<td>1 space per 1,000 sq. ft.</td>
<td>B</td>
</tr>
<tr>
<td>Agriculture, research/development</td>
<td>1 space per 1,000 sq. ft.</td>
<td>B</td>
</tr>
<tr>
<td>Agriculture, sales and service</td>
<td>1 space per 250 sq. ft.</td>
<td>A</td>
</tr>
<tr>
<td>Agriculture, storage</td>
<td>1 space per 1,000 sq. ft.</td>
<td>A</td>
</tr>
<tr>
<td>Agriculture-use-accessory</td>
<td>8 spaces or 1 space per employee, whichever is greater</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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Page 49 of 107
## EXHIBIT J

### ARTICLE 3 - PLANNED DEVELOPMENT DISTRICTS (PDDS)

### ARTICLE 6 - PARKING

<table>
<thead>
<tr>
<th>Use Classification: Transportation Uses</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport, Heliport or Landing Strip</td>
<td>1 space per tie-down and hangar space, minimum of 5 spaces</td>
<td>C</td>
</tr>
<tr>
<td>Seaplane Facility</td>
<td>1 space per tie-down and hangar space, minimum of 5 spaces</td>
<td>C</td>
</tr>
<tr>
<td>Transportation Facility</td>
<td>1 space per 200 sq. ft. of office space</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use Classification: Commercial Communication Towers</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Classification: Transportation Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use Classification: Commercial Communication Towers</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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---

<table>
<thead>
<tr>
<th>Use Classification: Utilities</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air-curtain-incinerator</td>
<td>2 spaces per acre, minimum of 5 spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>Chipping and mulching</td>
<td>2 spaces per acre, minimum of 5 spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>Composting facility</td>
<td>2 spaces per acre, minimum of 5 spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>Electric Distribution Substation</td>
<td>1 space</td>
<td>N/A</td>
</tr>
<tr>
<td>Electric Power Plant</td>
<td>1 space per 200 sq. ft. of office space; plus 1 space per 10,000 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Incinerator</td>
<td>1 space per 200 sq. ft. of office space; plus 1 space per 10,000 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Minor Utility</td>
<td>1 space per Minor Utility</td>
<td>N/A</td>
</tr>
<tr>
<td>Renewable Energy Solar Facility</td>
<td>1 space per site; and 1 space per 200 sq. ft. of office space</td>
<td>N/A</td>
</tr>
<tr>
<td>Renewable Energy Wind Facility</td>
<td>Exempt from parking requirements for unmanned Wind Turbines or MET Towers, unless otherwise required by the Zoning Director</td>
<td>N/A</td>
</tr>
<tr>
<td>Landfill or Incinerator</td>
<td>1 space per 200 sq. ft. of office space; plus 1 space per employee</td>
<td>N/A</td>
</tr>
<tr>
<td>Solid waste transfer station</td>
<td>1 space per 1,000 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Water or Wastewater Treatment Plant</td>
<td>1 space per 200 sq. ft. of office space; plus 1 space per employee</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont’d

- **A** - 1 space per 2,000 sq. ft.
- **B** - 1 space per 500 sq. ft. of indoor or covered retail and office areas plus 1 space per 4 acres if the nursery is 20 acres or less, or 1 space per 5 acres if the nursery is greater than 20 acres.
- **C** - 1 space per acre of greenhouse
- **D** - 1 space for each 50 beds for all facilities containing 20 or more beds.
- **E** - N/A
- **F** - 1 space per 250 sq. ft.
EXHIBIT J

ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)

ARTICLE 6 – PARKING

Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont’d

<table>
<thead>
<tr>
<th>Use Classification: Excavation</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Communication Towers and Government Owned Towers</td>
<td>Exempt from parking regulations unless otherwise required by Zoning Director.</td>
<td>N/A</td>
</tr>
<tr>
<td>Panel Antennas</td>
<td>Exempt from parking regulations unless otherwise required by Zoning Director.</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Use Classification: Excavation

<table>
<thead>
<tr>
<th>Use Classification: Excavation</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excavation</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Loading Standard Key:

Standard “A” One space for the first 5,000 square feet of GFA, plus one space for each additional 30,000 square feet of GFA.

Standard “B” One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000 square feet of GFA.

Standard “C” One space for the first 10,000 square feet of GFA, plus one space for each additional 100,000 square feet of GFA.

Standard “D” One space for each 50 beds for all facilities containing 20 or more beds.

Standard “E” One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA.

The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.

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

<table>
<thead>
<tr>
<th>Use Classification: Temporary</th>
<th>Parking</th>
<th>Loading (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication Cell Site on Wheels (COW)</td>
<td>Exempt from parking regulations unless otherwise required by Zoning Director.</td>
<td>N/A</td>
</tr>
<tr>
<td>Day Camp</td>
<td>&lt;100 licensed capacity: One space per five persons; plus one drop off stall per 20 persons.</td>
<td>E</td>
</tr>
<tr>
<td>Mobile Retail Sales</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Real Estate Sales Model and Management Office, Non-PDD, Real Estate Sales Model and Management Office, PDD and TOD and Real Estate Sales Model, PDD and TOD</td>
<td>2 spaces per sales model.</td>
<td>N/A</td>
</tr>
<tr>
<td>Recycling Drop-Off Bin</td>
<td>1 space per bin.</td>
<td>N/A</td>
</tr>
<tr>
<td>Special Event</td>
<td>N/A (1)</td>
<td>N/A</td>
</tr>
<tr>
<td>Temporary Green Market</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Temporary Retail Sales</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Temporary Vehicle Sales</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Loading Standard Key:

Standard “A” One space for the first 5,000 square feet of GFA, plus one space for each additional 30,000 square feet of GFA.

Standard “B” One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000 square feet of GFA.

Standard “C” One space for the first 10,000 square feet of GFA, plus one space for each additional 100,000 square feet of GFA.

Standard “D” One space for each 50 beds for all facilities containing 20 or more beds.

Standard “E” One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA.

The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.

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ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 6 – PARKING

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

<table>
<thead>
<tr>
<th></th>
<th>Use (1)</th>
<th>B</th>
<th>C</th>
<th>D (X4)</th>
<th>E</th>
<th>F</th>
</tr>
</thead>
</table>

Part 3. ULDCC Art. 6, Parking (page 13 of 40 of Supplement 24), is hereby amended as follows:

CHAPTER A PARKING
Section 1 General

D. Off-Street Parking

1. Computing Parking Standards

h. Government Services and Government Facilities

Government services may request alternative calculations based on evidence of actual parking demand for similar uses or reliable traffic engineering and planning information.

Table 6.A.1.D - Minimum Parking Dimensions
For Nonresidential Uses and Residential Uses with Shared Parking Lots

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### Table 6.A.1.D - Minimum Parking Dimensions

<table>
<thead>
<tr>
<th>Angle</th>
<th>General</th>
<th>Accessible</th>
<th>General</th>
<th>Accessible</th>
<th>General</th>
<th>Accessible</th>
<th>General</th>
<th>Accessible</th>
<th>General</th>
<th>Accessible</th>
<th>General</th>
<th>Accessible</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Space Width (feet)</td>
<td>Space Depth (feet)</td>
<td>Aisle Width (feet)</td>
<td>Curb Length (feet)</td>
<td>Module Width (feet)</td>
<td>Space Width (feet)</td>
<td>Space Depth (feet)</td>
<td>Aisle Width (feet)</td>
<td>Curb Length (feet)</td>
<td>Module Width (feet)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>9.0</td>
<td>17.0</td>
<td>12.0</td>
<td>12.5</td>
<td>47.0</td>
<td>12.0</td>
<td>17.0</td>
<td>12.0</td>
<td>12.5</td>
<td>47.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>9.0</td>
<td>19.0</td>
<td>16.0</td>
<td>10.5</td>
<td>54.0</td>
<td>9.5</td>
<td>19.0</td>
<td>15.0</td>
<td>10.5</td>
<td>53.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>9.0</td>
<td>19.5</td>
<td>19.0</td>
<td>9.5</td>
<td>58.0</td>
<td>9.5</td>
<td>19.5</td>
<td>18.0</td>
<td>9.5</td>
<td>57.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>9.0</td>
<td>19.5</td>
<td>23.0</td>
<td>9.5</td>
<td>62.0</td>
<td>9.5</td>
<td>19.5</td>
<td>22.0</td>
<td>9.5</td>
<td>61.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>9.0</td>
<td>19.5</td>
<td>21.0</td>
<td>12.5</td>
<td>60.0</td>
<td>9.5</td>
<td>19.5</td>
<td>20.0</td>
<td>12.5</td>
<td>60.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>9.0</td>
<td>18.5</td>
<td>26.0</td>
<td>9.0</td>
<td>63.0</td>
<td>9.5</td>
<td>18.5</td>
<td>25.0</td>
<td>9.0</td>
<td>62.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12.0</td>
<td>18.5</td>
<td>24.0</td>
<td>12.0</td>
<td>61.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90 Low Speed Electric Vehicle (LSEV)</td>
<td>Min. 6.0</td>
<td>Min. 12.0</td>
<td>Min. 15.0</td>
<td>Max. 17.0 (2)</td>
<td>Min. 6.0</td>
<td>Min. 15.0</td>
<td>Max. 17.0 (2)</td>
<td>Min. 6.0</td>
<td>Min. 15.0</td>
<td>Max. 17.0 (2)</td>
<td>Min. 6.0</td>
<td>Min. 15.0</td>
</tr>
</tbody>
</table>

**Notes:**

1. Accessible applies to parking for persons who have disabilities.
3. Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.
4. Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking stalls, or unless stated otherwise herein. [Ord. 2012-027]

For a Retail Gas and Fuel Sales use, the drive aisles perpendicular to the fueling positions under the canopy shall have a minimum aisle width of 30 feet (see Figure 6.A.1.D - Gas Canopy).

---

**Figure 6.A.1.D – Retail Gas and Fuel Canopy**

---

**Notes:**

- * indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
- ** indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
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- All series of four bolded ellipses indicates language omitted to save space.
EXHIBIT J

ARTICLE 3 - PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 6 – PARKING

<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Space Width</th>
<th>Aisle Width (1)</th>
<th>Curb Length</th>
<th>Wall to Wall Width</th>
</tr>
</thead>
</table>

**Key:**

A. Parking Angle
B. Space Width
C. Space Depth
D. Aisle Width (1)
E. Curb Length
F. Wall to Wall Width

**Notes:**

1. All angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking spaces, or unless stated otherwise herein.

2. Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.

Part 5. ULDC Art. 6.A.1.D. Parking (page 29 of 40 of Supplement 24), is hereby amended as follows:

**CHAPTER A PARKING**

16. **Point of Service and Queuing Standards**

In addition to meeting the minimum off-street parking and loading standards of this Article, all drive thru establishments shall meet the following standards.

**Notes:**

- Underlined indicates new text.
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- Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
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ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 6 – PARKING

Figure 6.A.1.D-12 - Queuing and By-Pass Standards

a. A point of service space shall be provided for all drive-thru establishments. The dimensions for the point of service space shall be a minimum of nine by 20 feet.

b. Queuing shall be provided for all drive-thru establishments described in Table 6.A.1.D – Minimum Queuing Standards. Each queuing space shall be a minimum of ten feet by 20 feet, clearly defined and designed so as not to conflict or interfere with other traffic using the site. The dimensions for the point of service space may be reduced to nine by 20 feet.

Unless otherwise indicated below, queuing shall be measured from the front of the stopped vehicle located at the point of service to the rear of the queuing lane. One additional queuing space shall also be provided after the point of service for all uses. [Ord. 2005-041]

bc. A by pass lane a minimum of ten feet wide shall be provided before or around the point of service. Subject to the Zoning Director’s approval, a by-pass lane may not be required if the queuing lane is adjacent to a vehicular use area which functions as a by-pass lane. The by-pass lane shall be clearly designated and distinct from the queuing area.

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Spaces</th>
<th>Required By-pass</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive-Thru Financial Institution</td>
<td>5</td>
<td>Y</td>
</tr>
<tr>
<td>Teller Lanes</td>
<td>3</td>
<td>N</td>
</tr>
<tr>
<td>Automatic Teller Lanes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drive-Thru Restaurant</td>
<td>7</td>
<td>Y</td>
</tr>
<tr>
<td>Minimum before Menu Board</td>
<td>4</td>
<td>N</td>
</tr>
</tbody>
</table>

Notes:
- Underlined indicates new text.
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EXHIBIT J

ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)
ARTICLE 6 – PARKING

Table 6.A.1.D - Minimum Queuing Standards

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Queuing Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive-Thru Car Wash</td>
<td>5</td>
</tr>
<tr>
<td>Automatic</td>
<td>N</td>
</tr>
<tr>
<td>Self-Service</td>
<td>Y</td>
</tr>
<tr>
<td>Drive-Thru Oil Change</td>
<td>4</td>
</tr>
<tr>
<td>Gasoline-Pump-Island</td>
<td>20 feet of queuing at each end of pump-island</td>
</tr>
<tr>
<td>Drive-Thru Dry Cleaning or Laundry</td>
<td>3</td>
</tr>
<tr>
<td>Drive-Thru General Retail</td>
<td>4</td>
</tr>
<tr>
<td>Commercial Parking Lot</td>
<td>3</td>
</tr>
</tbody>
</table>

Notes:
1. All Uses: a by-pass lane shall be required if more than 5 queuing spaces are provided.

A maximum of 20 percent of the required queuing spaces, pursuant to Table 6.A.1.D – Minimum Queuing Standards, may count toward the off-street parking requirements pursuant to Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements. This provision shall only apply to uses that require a minimum of 25 parking spaces. [Ord. 2010-005]

Part 6. ULDC Art. 6.A.1.D, Parking (page 32-33 of 40 of Supplement 24), is hereby amended as follows:

19. Parking of Equipment, Vehicles, Boats or Marine Vessels and Trailers in Residential Districts

The following standards shall apply to the parking of equipment, (including construction equipment), vehicles, recreational vehicles, sports vehicles, boats or marine vessels and trailers on residential parcels or adjacent streets in residential districts. For the purposes of this Section, legally established, nonresidential uses in the AR district in lands designated Rural Residential in the Plan shall not be considered a residential district. [Ord. 2007-013]

a. General Prohibition

1) On-Street

No person shall park, store, or keep equipment a commercial vehicle, recreational vehicle, boat, marine vessel, trailer, sports vehicle such as dune buggy, jet ski, racing vehicle, off-road vehicle, air boat, canoe or paddleboat, on any public street, or other thoroughfare or any R-O-W within a residential district for a period exceeding one hour in any 24 hour period, each such period commencing at the time of first stopping or parking. [Ord. 2007-013]

2) Off-Street

It shall be unlawful for any owner of land in any residential district to park on, cause to be parked on, or allow to be parked on residentially zoned land any unlicensed or unregistered vehicle, or equipment commercial vehicle, sports vehicle, recreational vehicle, boat marine vessel or trailer for a period exceeding one hour in any 24 hour period, each such period commencing at the time of first stopping or parking. [Ord. 2007-013]

b. Exemptions

The following exemptions shall apply to parcels in residential districts, unless the parcel is vacant. [Ord. 2007-013]

1) Commercial Vehicle

One commercial vehicle of not over one ton rated capacity may be parked per dwelling unit, providing all of the following conditions are met: vehicle is registered or licensed; used by a resident of the premises; gross vehicle weight rating (gvwr) does not exceed 12,500 pounds; height does not exceed nine feet, including any load, bed, or box; and total vehicle length does not exceed 26 feet. [Ord. 2005-041]

2) Construction Vehicles

The general prohibitions above shall not apply to the temporary parking of construction vehicles or equipment engaged in work on private land in residential districts where construction is underway, for which a current and valid building permit has been issued by the Building Director and the building permit is displayed on the premises. [Ord. 2007-013]

Notes:
Underlined indicates new text.
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Page 56 of 107
ARTICLE 3 – PLANNED DEVELOPMENT DISTRICTS (PDDS)

ARTICLE 6 – PARKING

3) Delivery and Service Vehicles
   The general prohibitions above shall not apply to routine deliveries by tradesmen, or
   the use of trucks in making service calls, provided that time in excess of one hour is
   due to business deliveries or servicing. [Ord. 2007-013]

4) Emergency Repairs
   The general prohibitions above shall not apply to a situation where a motor vehicle
   becomes disabled and, as a result of such emergency, is required to be parked in a
   residential district longer than two hours. Any prohibited motor vehicle shall be
   removed from the residential district within 24 hours, regardless of the nature of the
   emergency.

5) Outdoor Storage
   A maximum of one recreational vehicle and any two of the following, or a maximum of
   three of any of the following, may be parked outdoors on a residential parcel with a
   residential unit:
   - sports vehicle, boat or marine vessel with accompanying trailers, and trailers may be
     parked outdoors in a residential district provided that the vehicles are: [Ord. 2007-
     013]
     a) owned and used by a resident of the premises;
     b) not parked in a required front setback or other area between the structure and the
        street, or on street except for the purpose of loading or unloading during a period
        not to exceed two hours in any 24 hour period; [Ord. 2007-013]
     c) located in the side or rear yard and are screened from surrounding property and
        streets with an opaque wall, fence or hedge a minimum of six feet in height;
     d) not used for living, sleeping or housekeeping purposes; and
     e) vehicles, boats or marine vessels on navigable waterways are exempt; and [Ord.
        2007-013]
     f) one vehicle which does not meet the requirements above may be approved
        through ZAR process upon demonstration that: [Ord. 2018-002]
     (1) The property owner, family member or legal tenant has a physical disability
        which requires a vehicle which cannot meet these requirements.

6) Indoor Storage
   Vehicles, boats, marine vessels and related trailers used for non-commercial
   purposes, whether licensed and operational or not, located in a fully enclosed garage
   or permitted roofed structure. [Ord. 2007-013]

7) Unregistered or Unlicensed Vehicles
   In addition to the indoor storage exception above, one vehicle which is unregistered or
   unlicensed may be kept on site provided the vehicle is completely screened from view
   from adjacent roads and lots. [Ord. 2007-013]

20. Parking Limitations for Residential Lots
   a. Parking for Seven Vehicles
      A maximum of seven vehicles may be parked outdoors on a lot supporting a single-family
      residential use. [Ord. 2008-037]

21. CRALLS Reductions
   A ten percent reduction in the minimum number of required parking spaces may be approved
   by the DRO if required to comply with Art. 12-1.1, D.C. Strategy I: Parking Management. The
   reduction may only be implemented if the mitigation strategy is approved by the County
   Engineer. [Ord. 2008-036]
EXHIBIT K

ARTICLE 7, LANDSCAPING

1 Part 1. ULDC Art. 7.B.4, Landscaping, Applicability and Approval Process, Type I Waiver for Landscaping (pages 12-13 of 53, Supplement 24), is hereby amended as follows:

2 CHAPTER B  APPLICABILITY AND APPROVAL PROCESS

3 4

5 Section 4  Type I Waiver for Landscaping

6 An Applicant may seek minor modifications to the requirements of this Article that are identified in Table 7.B.4.A, Type I 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.

8 2.C.5.E.3, Standards for Type I Waiver, and the applicable Criteria in the following Table have been met.

9 [Ord. 2007-001] [Ord. 2016-042] [Ord. 2018-002]

10 A. Applicability

11 Type I Waiver for Landscaping shall not be combined with other Variance requests for the same requirements. [Ord. 2018-002]

12

Table 7.B.4.A – Type I Waivers for Landscaping - Continued

<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 - Continued</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Art. 7.C.4.F, Parking Structures</th>
<th>Allow perimeter planter requirement be altered if the planters are in conflict with the architectural design of the parking structure.</th>
<th>The Applicant is required to submit architectural elevations of the parking structure for Staff review and evaluation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 7.C.5.A.1, Underground or Overhead Easement - Relocation of Trees [Ord. 2018-018]</td>
<td>Allow required trees to be relocated on the same site. [Ord. 2018-018]</td>
<td>There is no reduction in the total quantity of the required trees; [Ord. 2018-018] A maximum of ten percent of the required trees within the same buffer may be relocated; and, [Ord. 2018-018] The Applicant shall identify on the Alternative Landscape Plan the new location of the tree(s) and whether root barrier will be utilized for the tree. [Ord. 2018-018]</td>
</tr>
<tr>
<td>Art. 7.C.5.B, Easements Off-Street Parking - Existing Utilities [Ord. 2018-018]</td>
<td>Allow existing easements to overlap the landscape islands [Ord. 2018-018]</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; [Ord. 2018-018] 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; [Ord. 2018-018] 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, [Ord. 2018-018] The Applicant shall identify on the Alternative Landscape Plan the new location of the tree(s) and whether root barrier will be utilized for the tree. [Ord. 2018-018]</td>
</tr>
</tbody>
</table>


16 17 18 19

Part 2.  ULDC Art. 7.B.5, Landscaping, Applicability and Approval Process, Tree Removal and Replacement (pages 13 of 53, Supplement 24), is hereby amended as follows:

20 21 22

CHAPTER B  APPLICABILITY AND APPROVAL PROCESS

23 24

Section 5  Tree Removal and Replacement

25 Trees, palms or pines that are required to be planted on a property per Code requirements or through a Condition(s) of Approval shall not be removed without first applying for and being issued a Tree Removal and Replacement Permit. Removal of trees, palms or pines without a valid permit shall be considered a violation of the Code or the DO. For the purpose of this Section, the term tree(s) shall include trees, palm(s) or pine(s).

26 Notes:

27  • Underlined indicates new text.

28  • Strikethrough indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].

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

30  • .... A series of four bolded ellipses indicates language omitted to save space.
ARTICLE 7, LANDSCAPING

A. Approval Process

An Applicant may request the removal of existing trees by submitting an application to the Zoning Division, and subject to the following procedures:

1. Pre-Application Site Meeting

Prior to the submittal of an application, the Applicant shall schedule an on-site meeting with staff of the Permit/Landscape Review Section of the Zoning Division to discuss and inspect the trees that are proposed to be removed. Staff shall determine whether the trees are eligible for removal based on the standards listed below. If the trees are eligible for removal, the Applicant shall be provided with Staff a Tree Removal and Replacement Application to be completed for submittal.

2. Application Submittal Requirements

The Applicant shall submit the application to the Permit/Landscape Review Section. The application shall include a Justification Statement providing the reason for the proposed removal of the vegetation. The Applicant shall also submit either a Final Site, Subdivision or Regulating Plan or a Survey of the subject property. The Applicant shall identify the following:

- species, size and location of the trees to be removed, and the required replacement of the trees and their proposed species, size and location.

3. Application Review and Final Decision

Staff shall review the application utilizing the Standards for Removal, that are listed below to consider whether to approve or deny the request. A Tree Removal and Replacement Permit shall be issued upon the approval of the application. The DRO may approve, approve with a Condition of Approval, or deny the request.

4. Standards for Removal and Replacement

In reviewing an application for Tree Removal and Replacement, staff shall consider the following standards to determine whether the removal permit is granted:

a. The Applicant’s justification for the removal;

b. The site condition of the area where the existing tree is located, and whether the location has easement overlap or proximity of the tree to the overhead electric utilities;

c. The health condition of the tree; or,

d. Any valid safety concerns that may arise if the removal of the tree is not allowed.

B. Replacement

All replacement of trees, shrubs, landscape barrier and ground treatment shall be in compliance with Art. 7.E.3.B, Replacement.

C. Timeline

Staff shall indicate the timeline of removal and replacement of the tree on the Permit to ensure the replacement of the tree is done in accordance with the approval. The Permit is valid for six months from the date of issuance. Failure to comply with the Permit requirements which include the established dates or any imposed Conditions of Approval shall result in enforcement action by PZB.

D. Inspection

The Applicant shall contact staff when the trees are removed, and staff shall schedule a site inspection to confirm that the trees have been removed, and that any required replacement of trees have been installed in conformance with the Permit.

Part 3. ULDC Art. 7.C.5, Landscaping, Landscape Buffer and Interior Landscaping Requirements, Easements in Landscape Buffers and Off-Street Parking Areas (page 31 of 53, Supplément), is hereby amended as follows:

CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS

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

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 on the Zoning Plans prior to the application for Building Permit. [Ord. 2018-002]

[Ord. 2018-016]

2. Overhead Utilities

Trees-Vegetation that is planted within or abutting any easement with overhead utilities shall comply with the placement-planting 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 The Applicant shall take into consideration the mature height and spread of the Notes:

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EXHIBIT K

ARTICLE 7, LANDSCAPING

species beneath or adjacent to overhead utilities. For the purpose of this Section, the term vegetation shall include trees, palm or pines. Where overhead utilities exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from overhead lines.

a. Planting near Overhead Electric Utilities

The setbacks shall be measured from the centerline of the trunk to the outer edge of the overhead utility lines. The following minimum setbacks shall apply:

1. Vegetation that at a mature height may grow to 50 feet or greater shall be planted at least 50 feet away from overhead electric utility lines;
2. Vegetation that at a mature height may grow to between 14 to 49 feet shall be planted at least 30 feet away from overhead electric utility lines;
3. Palms shall be planted at least 20 feet plus the maximum palm frond length away from overhead electric utility lines; and,
4. Only vegetation that at a mature height grow to less than 14 feet shall be permitted to be planted underneath or adjacent to overhead electric utility line.

b. Transformer Cabinet in the Overhead Electric Utilities Easement

Planting around transformer cabinet shall be setback from the cabinet a minimum of eight feet on the front and three feet on the sides and rear.

3. Type 1 Waiver for Landscaping

Plants required in the easement area may be planted elsewhere on the same site subject to a Type 1 Waiver for Landscaping. [Ord. 2018-002] [Ord. 2018-018]

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. [Ord. 2018-018]

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. [Ord. 2018-018]

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. [Ord. 2018-018]

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ARTICLE 7, LANDSCAPING

Chapter D Landscape Standards

Section 2 Trees, Palms and Pines

A. Trees

The size of a Canopy tree shall include the height and caliper pursuant to the Shade Trees, Types One through Five Matrices of the Grades and Standards for Nursery Plant. The minimum size of a Canopy tree shall be 12 feet in height with a two and one half inch caliper at installation, unless stated otherwise below [Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002].

1. Average Height

Required Canopy tree size may be achieved by utilizing the average height calculation.

a. Average height of total quantity of trees shall have a minimum of 12 feet. A maximum of 25 percent of the required trees shall be at a minimum height of eight feet [Ord. 2018-002].

2. Overhead Utilities with or without an easement

a. May be exempt from the Average Height;

b. Shall be a minimum of 6 feet in height at installation and comply with Article 7.C.5.A.2, Overhead Utilities; and,

c. Shall comply with FP&L's publication "Right Tree, Right Place."

B. Palms

The size of a palm shall be measured by the height of the clear trunk or the grey wood pursuant to Figure 7.D.2.B - Palm Measurement Standards. The minimum overall height of a palm shall be 12 feet, and the minimum height for different species of palms shall be in accordance with Table 7.D.2.B - Palm Height Standards.

Table 7.D.2.B - Palm Height Standards (1)

<table>
<thead>
<tr>
<th>Minimum Height</th>
<th>Clear Trunk for Sabals and similar species</th>
<th>Clear Trunk for Royals and similar species</th>
<th>Grey Wood for Phoenixes, Canary, Bismarck and similar species</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 feet</td>
<td>6 feet</td>
<td>4 feet</td>
<td></td>
</tr>
</tbody>
</table>


May be exempt from the minimum overall height, where there is an adjacent Overhead Utilities with or without an easement, and shall comply with FP&L's publication "Right Tree, Right Place."

1. Canopy Tree Substitute

Palms planted in groups of three or more may be counted as one required canopy tree, up to a maximum of 25 percent of all trees required in each buffer, subject to the Standards in Table 7.D.2.B, Palm Height Standards. In the case of palm species, Paurotis or similar palm species, that characteristically grow in clumps, each clump may be counted as one canopy tree. [Ord. 2018-002]

a. Exception

Royal, Bismarck, Phoenix, Canary, Date or similar palm species determined to be acceptable by the Zoning Director may be counted as one required canopy tree. These palms shall be spaced a maximum of 20 feet on center, and the clear trunk or grey wood shall be increased by 40 percent of the minimum requirements [Ord. 2018-002].

Section 4 Landscape Barriers

Landscape barriers consist of hedges, walls, or fences. They are utilized to provide continuous opaque screening, and are required for an Incompatibility buffer. Landscape barriers may be installed in other types of landscape buffers; the requirement may be modified based on the site situations [Ord. 2018-002].

D. Location of Wall or Fence in a Landscape Buffer

Walls or fences that are utilized in a Landscape Buffer should have be located in the center of the buffer, and run parallel to the length of the buffer. Sufficient area with minimum easement encumbrances shall be provided to allow for planting on both sides of the wall or fence. [Ord. 2018-002]

Table 7.D.4.D - Requirements for a Wall or Fence in a Landscape Buffer

<table>
<thead>
<tr>
<th>Minimum Requirements</th>
<th>R-O-W</th>
<th>Incompatibility</th>
<th>Compatibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setback for the Wall or Fence</td>
<td>10 feet from the edge of the ultimate R-O-W or Base Building Line, whichever is applicable. (1)</td>
<td>10 feet from the edge of the property line.</td>
<td>No setback required. Allow to be located along the property line or inner edge of the Buffer.</td>
</tr>
<tr>
<td>Planting Width</td>
<td>7.5 feet on both sides of the wall or fence, or 10 feet if a wall with continuous footer is used. (2) (3)</td>
<td>7.5 feet on both sides of the wall or fence, or 10 feet if a wall with continuous footer is used. (2) (3)</td>
<td>7.5 feet on one side of the fence. If a wall is installed, 10 feet on one side of the wall. (2) (3)</td>
</tr>
</tbody>
</table>

Notes:
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### EXHIBIT K

**ARTICLE 7, LANDSCAPING**

**Table 7.D.4.D - Requirements for a Wall or Fence in a Landscape Buffer**

<table>
<thead>
<tr>
<th>Berm</th>
<th>If a continuous berm is proposed, the wall may be located on top of the berm.</th>
<th>If a continuous berm is proposed, the wall may be located on top of the berm.</th>
<th>No requirement.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canopy Tree Planting</td>
<td>75 percent of required trees shall be located along the exterior side of the wall or fence.</td>
<td>75 percent of required trees shall be located along the exterior side of the wall or fence.</td>
<td>No percentage requirement.</td>
</tr>
<tr>
<td>Shrub Planting</td>
<td>Shrub shall be planted on both sides of the wall or fence.</td>
<td>Shrub shall be planted on both sides of the wall or fence.</td>
<td>No percentage requirement.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Unless waived or reduced by the County Engineer, provided there remains a minimum of seven and one half feet for planting. [Ord. 2018-002]</td>
</tr>
<tr>
<td>(2) No easement encumbrances. [Ord. 2018-002]</td>
</tr>
<tr>
<td>(3) If a wall is installed, the minimum width of the landscape buffer shall be increased to have sufficient area for the required planting. [Ord. 2018-002]</td>
</tr>
<tr>
<td>(4) Percentage of required trees to be located on the exterior side of the wall or fence may be reduced subject to a Type 1 Waiver for Landscaping. [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

Part 5. ULDC Art. 7.E.3, Landscaping, Existing Native Vegetation, Prohibited and Controlled Plant Species, Tree Credit and Replacement (pages 45-46 of 53, Supplement 24), is hereby amended as follows:

**CHAPTER E EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES**

#### Section 3 

**Tree Credit and Replacement**

This Section clarifies when existing vegetation can be utilized to satisfy Art. 7.C, Landscape Buffer and Interior Landscaping Requirements and Art. 7.D, Landscape Standards. In addition, this Section also establishes requirements for quantity and size for replacement. Replacement of vegetation may be required due to injury, damage or removal, which includes: improper pruning, hatracking, or other actions that render existing vegetation unable to achieve its natural and intended form. The quantity and the size of the replaced vegetation is based on the size of the individual vegetation at the time when the vegetation was injured, damaged or removed. For the purpose of this Section, the term Vegetation shall include trees, palms or pines. A preserved upland or drought tolerant tree or palm meeting the standards in this Article may be substituted for required trees, subject to the following: [Ord. 2018-002]

**A. Vegetation Survey**

Credit to satisfy Art. 7.C, Landscape Buffer and Interior Landscaping Requirements, and Art. 7.D, Landscape Standards, shall be granted for on-site preservation of existing vegetation when accompanied by an approved Vegetation survey. [Ord. 2018-002]

**B. Trees Excluded from Credit**

Credits shall not be permitted for vegetation that are:[Ord. 2018-002]

1. Required for preservation by Art. 14.C, Vegetation Preservation and Protection (i.e. located in required preservation areas, heritage or champion trees); [Ord. 2018-002]
4. Dead, dying, diseased, or infested with harmful insects; or [Ord. 2018-002]
5. Located on a subarea of a planned development that is not intended to be developed for residential, commercial, or industrial use, such as a golf course on an adjacent open space parcel. [Ord. 2018-002]

**C. Vegetation Tree Credit and Replacement Formula**

All existing vegetation that are to be preserved, mitigated on or off-site, replaced on or off-site shall be credited pursuant to Table 7.E.3.C, Tree Credit and Replacement. Pines with a caliper of two inch or more shall be subject to preservation, mitigation or replacement. [Ord. 2016-042] [Ord. 2018-002] [Partially relocated to Table 7.E.3.C, Vegetation Credit and Replacement][Ord. 2018-002]

**Existing vegetation that is given credit towards required vegetation, or for the purpose of a replacement shall be subject to the following Table.** In addition, the size of the credited or replaced vegetation shall be in compliance with the size requirements pursuant to Art. 7.D.2, Trees, Palms and Pines.

**Table 7.E.3.C - Tree Credit and Replacement**

<table>
<thead>
<tr>
<th>Diameter at 4.5 Feet Above Grade (1.2.3)</th>
<th>=</th>
<th>Quantity for Credits or for Replacements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2 in.</td>
<td>=</td>
<td>0</td>
</tr>
<tr>
<td>2-6 in.</td>
<td>=</td>
<td>1</td>
</tr>
</tbody>
</table>

**Notes:**
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- *Strikethrough* indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to:] or [Partially relocated to:]
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- *...* A series of four bolded ellipses indicates language omitted to save space.
ARTICLE 7, LANDSCAPING

Table 7.E.3.C - Tree Vegetation Credit and Replacement

<table>
<thead>
<tr>
<th>Diameter (in.)</th>
<th>Tree Vegetation Credit (in.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7-11</td>
<td>2</td>
</tr>
<tr>
<td>12-16</td>
<td>3</td>
</tr>
<tr>
<td>17-21</td>
<td>4</td>
</tr>
<tr>
<td>22-26</td>
<td>5</td>
</tr>
<tr>
<td>27-31</td>
<td>6</td>
</tr>
<tr>
<td>32-36</td>
<td>7</td>
</tr>
<tr>
<td>37 or more</td>
<td>8</td>
</tr>
</tbody>
</table>

Notes:
1. Fractional measurements shall be rounded down.
2. Trees with a diameter of six inches or more, measured at a height of 4.5 feet above grade shall be subject to preservation, mitigation or replacement.
3. Quantity: replacement of palms shall be one for one.

1. Natural Disaster Replacement

   Each tree, palm or pine that has been damaged by natural disaster shall be replaced by a similar tree, palm, or pine, subject to the following:
   a) Quantity - one for one; and
   b) Size - pursuant to Art. 7.D.2, Trees, Palms and Pines.

2. Illegal Tree or Pine Removal

   If a tree or pine is removed with only the stump remaining, the following formula shall be utilized to determine the size of the removed tree or pine:
   a) measure the diameter of the tree or pine stump and reduce the measurement by 25 percent; and
   b) replacement of the quantity of the tree or pine shall be based on the reduced diameter measurement, and subject to the requirements of Table 7.E.3.C, Vegetation Credit and Replacement for estimating the number of trees or pines to be replaced.

Part 6. ULDC Art. 7.F.3 Landscaping, Installation and Maintenance, Maintenance (page 48 of 53, Supplement 24), is hereby amended as follows:

CHAPTER F INSTALLATION AND MAINTENANCE

Section 3 Maintenance

B. Maintenance Replacement of Vegetation

   Required or preserved vegetation - trees, palms, pines, shrubs, landscape barrier or ground treatment that becomes damaged, diseased, removed or is dead shall be immediately replaced, and where specified, are subject to the Tree Removal and Replacement Permit process, with plant material to comply with Replacement of vegetation shall comply with the following: the approved standards and height requirements of this Article or conditions of approval, whichever is greater.

   1. Trees shall be in accordance with Table 7.E.3.C - Vegetation Credit and Replacement, and subject to the Tree Removal and Replacement Permit pursuant to Art. 7.B.5.
   2. Shrubs shall be in accordance with the original size as required under each type of Buffer consistent with Art. 7 Landscaping or Conditions of Approval.
   3. A wall or fence shall be in accordance with the original height, and the same construction material as required under each type of Buffer consistent with Art. 7 Landscaping or Conditions of Approval, where applicable.
   4. A hedge shall be in accordance with the original height as required under each type of Buffer consistent with Art. 7 Landscaping or Conditions of Approval, and subject to a Permit approval process.
   5. Ground Treatment shall be in accordance with Art. 7.D.7. Ground Treatment or Conditions of Approval, where applicable.

   Vegetation that is removed or damaged shall be replaced in accordance with Table 7.E.3.C, Tree Credit and Replacement. Landscape trees planted or preserved to meet the minimum landscape code requirements may be removed provided a Tree Removal Permit is approved.

Part 7. ULDC Art. 7.G, Landscaping, Enforcement (pages 51-52 of 53, Supplement 24), is hereby amended as follows:

CHAPTER G ENFORCEMENT

Section 1 Purpose

Notes:
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This Chapter establishes enforcement procedures to ensure compliance with the ULDC and applicable DOs.

Section 1.2 Temporary Suspension of Landscape Standards

The Executive Director of PZB may temporarily suspend the standards of this Article and establish timeframes and guidelines to replace destroyed or damaged landscape material through a Departmental PPM in the following situations: a hurricane; a freeze resulting in unavailability of landscape materials; a period of drought resulting in restrictions on water usage imposed by a governmental authority; or a similar event. [Ord. 2005-041]

A. Performance Surety

If the landscape standards of this Article are suspended pursuant to this Article, the property owner may enter into an agreement with PBC to allow issuance of the permit or CO or Certificate of Completion provided the property owner includes as part of this agreement adequate guarantee or surety that the terms of this Article will be met after the suspension period has been lifted. The guarantee shall consist of a performance bond or other surety agreement approved by the County Attorney in an amount equal to 110 percent of the direct costs of materials and labor and other costs incidental to the installation of the required landscaping completion agreement. Performance bonds or other guarantees required pursuant to this subsection shall name PBC as a beneficiary and specify the time-frame for the completion of the landscape standards of this Article. [Ord. 2005-041]

B. Application Requirements

An application for a temporary suspension of landscape standards shall be accompanied by a landscape plan identifying the plantings that have been postponed, the proposed planting schedule, and the costs of the suspended planting. Planting cost estimates may be independently verified by PBC.

Section 23 Enforcement

Failure to install or maintain landscape requirements, or when vegetation has been illegally removed, or has been irreparably damaged landscaping according to the terms of this Article or any approved plan or permit shall constitute a violation of the Article Code or a DO. PZB may issue a Cease and Desist Order or withhold a CO or Certification of Completion until the provisions of this Article have been met. In the alternative, PZB may refer any violation of this Article to Code Enforcement for corrective action or penalties set forth in Art. 10, Enforcement.

A. Fines

Violations of the provisions of this Section shall be subject to the following fines or requirements:

1. Such fine, site improvements and replacement landscaping as may be required by Art. 10, Enforcement, or the PBC Code Enforcement Citation Ordinance; or [Ord. 2005 - 002]

2. Such fine and imprisonment as provided for in F.S. 125.69. [Relocated to Art. 7.G.3.D, Fines]

B. Violations

The following deficiencies shall be considered a separate and continuing violation of this Article or a DO:

1. Each tree or shrub that is not properly installed or properly maintained on site as required by this Section; Each required tree, palm, pine, or other vegetation not properly installed or maintained shall be considered a separate and continuing violation of the ULDC or applicable DO. Each row of shrubs and ground treatment shall be considered as a separate and continuing violation. Each wall or fence not properly installed or maintained shall be considered a separate and continuing violation.

2. Each day in which landscaping is not properly installed or properly maintained on site as required by this Section or by the order of the Special Magistrate Master; and [Ord. 2018-002]

3. Each tree removed without a permit.

B. Corrective Actions

PBC shall determine appropriate corrective actions, including, but not limited to the replacement of landscape material.

1. Replacement

a. Replacement of vegetation shall comply with the size and quantity pursuant to Art. 7.E.3.

b. Any other landscape materials shall be replaced pursuant to Art. 7.D, Landscape Standards. [Ord. 2018-002] [Partially relocated from Art. 7.G.3.C.1, Additional Sanctions as it related to Enforcement]

C. Additional Sanctions

PBC may take any appropriate legal action, including, but not limited to requiring replacement of landscape material which has been hdracked, damaged and rendered unable to achieve its natural and intended form, administrative action, requests for temporary and permanent injunctions, and other sanctions to enforce the provisions of this Section. [Ord. 2005-002]

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EXHIBIT K

ARTICLE 7, LANDSCAPING

1. Replacement of Landscaping
   a. Canopy trees shall be replaced pursuant to Art. 7.E.3. Tree Credit and Replacement. [Ord. 2018-002]
   b. Any other landscape materials shall be replaced pursuant to Art. 7.D., Landscape Standards. [Ord. 2018-002] [Partially relocated to Art. 7.G.3.B.1, Corrective Actions as it related to Enforcement]

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EXHIBIT L
DEPARTMENT OF AIRPORTS
CHAPTER 333, FLORIDA STATUTES UPDATES
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 1.F.5 General Provisions, Nonconformities, Nonconforming Site Element (page 25 of 118) is hereby amended as follows:

Section 5 Nonconforming Site Element

A. Applicability
This Section establishes procedures for improvements and modifications to a prior approval with nonconforming site elements and establishes thresholds for vesting nonconformities. This Section shall apply to non-conforming site elements, including but not limited to: Art. 5.E.4.E, Outdoor Lighting, Art. 6, Parking, Art. 7, Landscaping, and Art. 8, Signage that may be impacted by proposed improvements or modifications to a prior approval. In addition, this Section shall also apply to projects that meet the threshold pursuant to Art. 5.B, Accessory Uses and Structures and Art. 5.C, Design Standards, and those that are subject to Art. 16 Airport Zoning. [Ord. 2010-005]

Part 2. ULDC Art. 1.F.2 General Provisions, Definitions and Acronyms, Definitions, (pages 32, 33, and 83 of 118) are hereby amended as follows:

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

50. **Airport protection zoning regulations** - for the purposes of Art. 16 means airport zoning regulations governing airport hazards. [Renumber accordingly]

5453. **Alteration** -
   a. for the purposes of Art. 9, any change affecting the exterior appearance of an existing structure or improvement by additions, reconstruction, remodeling, maintenance or structural changes involving changes in form, texture, materials or color or any such changes in appearance in specially designated historic sites, or historic interiors;
   b. for the purposes of Art. 14.C, Human caused activity that modifies, transforms or otherwise changes the vegetation, including, but not limited to:
      1) Removal, displacement, mowing, or disturbance (severe pruning, hatracking or inter nodal cutting, or poisoning) of vegetation excluding prescribed burns for the management of native vegetation communities;
      2) Removal, displacement, demucking or disturbance of soil, rock, minerals or water within the plant's root zone;
      3) Introduction of livestock for grazing; [Ord. 2005-003]
      4) Placement of vehicles, structures, debris, fill or other material objects thereon, including introduction or injection of water and other substances; and
   c. for the purposes of Art. 16, modification to any permanent or temporary existing structure by a change in the structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure. [Renumber accordingly]

36. **Person** -
   a. For the purposes of Art. 14, any individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer, owner, lessee, tenant or any other entity whatsoever or any combination of such jointly or severally.
   b. For the purposes of Art. 15 - any individual, corporation, company, association, partnership, state, subdivision of the State, municipality or federal agency.
   c. For the purposes of Art. 16, any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

37. **Runway Protection Zone (RPZ)** - for the purposes of Art. 16, an area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground.

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EXHIBIT L
DEPARTMENT OF AIRPORTS
CHAPTER 333, FLORIDA STATUTES UPDATES
SUMMARY OF AMENDMENTS

Specifically, the RPZ is an area off the runway end extending outward and upward, parallel to the extended runway centerline, in the dimensions shown in Table 16.B.1.E.1.

Part 3. ULDC Art. 2.G.3.A.2. Application Processes and Procedures, Decision Making Bodies, Appointed Bodies, Land Development Regulations Advisory Board (LDRAB) (page 82 of 105) are hereby amended as follows:

CHAPTER G DECISION MAKING BODIES
Section 3 APPOINTED BODIES

A. Land Development Regulation Advisory Board
1. Land Development Regulation Advisory Board

There is hereby established a Land Development Regulation Advisory Board (LDRAB).

2. Powers and Duties

The LDRAB shall have the following powers and duties under the provisions of this Code:
   a. to periodically review the provisions to this Code that are not reviewed by another advisory board established by BCC for that purpose, and to make recommendations to the BCC for those provisions reviewed;
   b. to make its special knowledge and expertise available upon written request and authorization of the BCC to any official, department, board, commission or agency of PBC, the State of Florida or Federal governments; and
   c. to serve as Land Development Regulation Commission (LDRC) as provided by F.S.§ 163.3164(22-25) and F.S.§ 163.3194 and;
   d. to serve as the Airport Zoning Commission pursuant to Section 333.05(2), F.S.

Part 4. ULDC Art. 4.B, Use Regulations, Use Classification, (pages 75 and 79 of 204) are hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 4 Institutional, Public and Civic Uses

C. Definitions and Supplementary Use Standards for Specific Uses

5. College or University

   d. Airport Land Use Compatibility Zoning

The establishment of a new college or university shall be prohibited in accordance with Art. 16.C.1.E.2, Prohibited Land Uses.

15. School - Elementary or Secondary

   b. General

   3) Airport Land Use Compatibility Zoning

   New schools shall not be located within five miles of either end of a runway, pursuant to Art. 16, Airport Regulations, and State Statutes. The establishment of a new school shall be prohibited in accordance with Art. 16.C.1.E.2, Prohibited Land Uses.

Part 5. ULDC Art. 16.B.1. Airport Regulations, Airport Protection Zoning Regulations Governing Airport Hazards, Airspace Height Regulations (pages 4 – 8 of 15) are hereby amended as follows:

CHAPTER B AIRPORT PROTECTION ZONING REGULATIONS GOVERNING AIRPORT HAZARDS

Section 1 Airspace Height Regulations

A. General

In order to carry out the provisions of this Article, there are hereby created and established certain zones which include all of the applicable land lying beneath the primary, horizontal, conical, approach, and transitional surfaces as they apply to a particular airport. To regulate height, an Airspace Notification Map, Appendix 1, and a procedure to review and permit obstructions has

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EXHIBIT L
DEPARTMENT OF AIRPORTS
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been established. Airport height limitations and the notification procedures established in this
Section conform to the standards for determining obstructions to air navigation of Federal Aviation
Regulations Part 77, ss. 77.23-17.

C. Regulated Areas

1. Publicly-Owned, Public Use Airports
   a. Zone 1 —
   All construction within 3,500 feet from the airport reference point in all directions. That area
   within the County limits extending outward 20,000 feet from the nearest point of the nearest
   runway of each County owned and operated airport excluding heliports, as depicted on
   the Airspace Notification Map as Zone 1. This area depicts an imaginary surface extending
   outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet.

   b. Zone 2 —
   Any construction of a height exceeding the limitations of any zone established in this
   Section within a four nautical mile radius of the airport reference point. That area within the
   County outside the limits of Zone 1 as depicted on the Airspace Notification Map. The
   height for Zone 2 is 200 feet above ground level (AGL).

D. Airport Zones Established
   1. General
   The size and dimensions of each zone created and established as part of this Section is based
   upon the category of each runway, according to the type of approach available or planned for that
   runway. The category of each runway for airports included in this Article are listed in Table
   associated with each airport in this Article correspond to the civil airport imaginary surfaces defined
   in FAR Part 77, §77.19, and are contained within the Airport Layout Plan for each airport, available
   at The Department of Airports.

E. Airport Runway Categories Defined
   The size and dimensions of each zone created and established as part of this Section is based
   upon the category of each runway, according to the type of approach available or planned for that
   runway. The category of each runway for airports included in this Article are listed in Table
   associated with each airport in this Article correspond to the civil airport imaginary surfaces defined
   in FAR Part 77, §77.19, and are contained within the Airport Layout Plan for each airport, available
   at The Department of Airports, and provided graphically on the County’s myGeoNav application
   http://maps.co.palm-beach.fl.us/mygeonav/.

   Table 16.B.1.E.1 Runway Category and Runway Protection Zone (RPZ) Defined, by Airport

<table>
<thead>
<tr>
<th>Airport/Roadway</th>
<th>Runway</th>
<th>Length</th>
<th>Width</th>
<th>RPZ Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palm Beach Int.</td>
<td>Runway 50L</td>
<td>Precision</td>
<td>5,000</td>
<td>49.028</td>
</tr>
<tr>
<td></td>
<td>Runway 38R</td>
<td>Precision</td>
<td>1,700</td>
<td>1,610</td>
</tr>
<tr>
<td></td>
<td>Runway 14/32</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 508/29L</td>
<td>Visual</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 15/33</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Visual</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 17/35</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Visual</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 15/33</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Visual</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 15/33</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Visual</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 15/33</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 69/27</td>
<td>Visual</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Runway 15/33</td>
<td>Non-Precision</td>
<td>1,700</td>
<td>500</td>
</tr>
</tbody>
</table>

F. Airport Height Limitations

1. General
   a. Any object within the approach segment, departure area, or any missed approach or
      circling approach area which is determined by the Airport Director of Airports, or designee,
      to be a hazard to the safe and efficient use of airspace around an airport.

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### G. Airport Height Zone Definitions and Limitations

A property located in more than one of the described zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined below. These zones are depicted in plan view in Appendices 2 through 7 and in isometric view in Appendix 16 in the County's myGeoNav application [http://maps.co.palm-beach.fl.us/mygeonav/](http://maps.co.palm-beach.fl.us/mygeonav/).

The specific definitions of each airport height zone (horizontal distance, width, arc radius, etc.) are listed on Table 16.B.1.G-2, Specific Zone Definition, by Airport, by Runway. General definition and height limitations are described in the Subsections to follow.

#### Table 16.B.1.G-2 Specific Zone Definition, By Airport, By Runway

<table>
<thead>
<tr>
<th>Airport/Runway</th>
<th>Primary Zone (in feet)</th>
<th>Horizontal Arc Radius (in feet)</th>
<th>Conical Zone (in feet)</th>
<th>Approach Zone (in feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Palm Beach International Airport (PBI)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwy-10/28A</td>
<td>4,000</td>
<td>10,000</td>
<td>4,000</td>
<td>60,000/1,000/16,000</td>
</tr>
<tr>
<td>Rwy-14/32</td>
<td>5,000</td>
<td>6,000</td>
<td>6,000</td>
<td>600/5,600/1,500</td>
</tr>
<tr>
<td>Rwy-10/28L</td>
<td>260</td>
<td>6,000</td>
<td>5,600</td>
<td>260/1,250</td>
</tr>
<tr>
<td><strong>PBC Park Airport (Lantana)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwy-09/27</td>
<td>5,000</td>
<td>6,000</td>
<td>6,000</td>
<td>2,000/1,250</td>
</tr>
<tr>
<td>Rwy-16/33</td>
<td>5,000</td>
<td>6,000</td>
<td>6,000</td>
<td>2,000/1,250</td>
</tr>
<tr>
<td>Rwy-03/21</td>
<td></td>
<td></td>
<td></td>
<td>2,000/1,250</td>
</tr>
<tr>
<td><strong>PBC Glades Airport (Panokee)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwy-17/36</td>
<td>5,000</td>
<td>6,000</td>
<td>6,000</td>
<td>500/2,000</td>
</tr>
<tr>
<td>Rwy-08/27</td>
<td>260</td>
<td>6,000</td>
<td>5,600</td>
<td>260/1,250</td>
</tr>
<tr>
<td><strong>Belle Glade Municipal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwy-09/28L</td>
<td>1,000</td>
<td>10,000</td>
<td>4,000</td>
<td>500/60,000/13,000/1,000</td>
</tr>
<tr>
<td>Rwy-13/31</td>
<td>5,000</td>
<td>6,000</td>
<td>10,000</td>
<td>600/3,600/1,600</td>
</tr>
<tr>
<td>Rwy-16/28</td>
<td>260</td>
<td>6,000</td>
<td>6,000</td>
<td>260/1,250</td>
</tr>
<tr>
<td><strong>Boca Raton Airport</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwy-09/23</td>
<td>5,000</td>
<td>10,000</td>
<td>4,000</td>
<td>10,000/500/3,600</td>
</tr>
</tbody>
</table>

**Notes:**
- Underlined indicates new text.
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No Only structures or obstructions for which the FAA has issued a determination of no hazard will be permitted in the Conical Zone, that has a height greater than 150 feet above the airport elevation at the inner boundary (connecting the Horizontal Zone) with permitted height increasing at a slope of one foot vertically for every 20 feet of horizontal distance, measured outward from the inner boundary to a height 350 feet above the airport elevation at the outer boundary.

**b4. Approach Zone Definition**

An area longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary zone. An Approach Zone is designated for each runway based upon the type of approach available or planned for that runway end.

**45. Approach Zone Height Limitations**

The permitted height limitation within an outer or inner Approach Zone is the same as the runway end-height at the inner edge and increases with horizontal distance outward from the inner edge based upon the calculation method listed in Table 16.B.1.G-3, Specific Zone Height-Limitation Calculation, by Airport, by Runway. Only structures or obstructions for which the FAA has issued a determination of no hazard will be permitted in the Approach Zone.

**ab. Approach Zone Horizontal Distance for each Specific Airport**

The specific Approach Zone dimensions for each airport is listed above on Table 16.B.1.G-2, Specific Zone Definition, by Airport, by Runway contained within the Airport Layout Plan for each airport, available at the Department of Airports, and provided graphically on the County’s myGeoNav application http://maps.co.palm-beach.fl.us/mygeonav/.

**Table 16.B.1.G-3-Specific Approach Zone Height Limitation Calculation, By Airport, By Runway**

<table>
<thead>
<tr>
<th>Airport/Runway</th>
<th>APPROACH ZONE HEIGHT LIMIT CALCULATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palm Beach International (PBI) Runway 10L/28R</td>
<td>One-foot vertically for every 50 feet of horizontal distance for the first 10,000 feet, and then one-foot vertically for every 40 feet of horizontal distance for an additional 40,000 feet.</td>
</tr>
<tr>
<td>Palm Beach International (PBI) Runway 14/32</td>
<td>One-foot vertically for every 34 feet of horizontal distance.</td>
</tr>
<tr>
<td>Palm Beach International (PBI) Runway 15/33</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>PBG-Park (Lantana) Runway 06/27</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>PBG-Park (Lantana) Runway 15/33</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>PBG-Park (Lantana) Runway 02/21</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>PBG-Glades (Pahokee) Runway 17/28</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>Belle Glade Municipal Runway 08/20</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>Palm Beach North County Runway 08/26L</td>
<td>One-foot vertically for every 20 feet of horizontal distance.</td>
</tr>
<tr>
<td>Palm Beach North County Runway 08/26L</td>
<td>Runway 08/26L: one-foot vertically for every 20 feet of horizontal distance for the first 10,000 feet, then one-foot vertically for every 40 feet of horizontal distance for an additional 40,000 feet.</td>
</tr>
<tr>
<td>Boca Raton Runway 05/23</td>
<td>One-foot vertically for every 34 feet of horizontal distance.</td>
</tr>
<tr>
<td>[Ord. 2017-025]</td>
<td></td>
</tr>
</tbody>
</table>

5. Transitional Zone Definition

5a. Transitional Zone Height Limitation

No Only structures or obstructions for which the FAA has issued a determination of no hazard will be permitted within the Transitional Zone, greater in height than the Primary Zone or Approach Zone at their adjoining boundary Lines increasing at a rate of one-foot vertically for every seven feet horizontally, with the horizontal distance measured at right angles to the runway centerline and extended centerline, until the height of the slope matches the height of the Horizontal Zone or the height of the Conical Zone and for a horizontal distance of 5,000 feet from each side of that part of the Approach Zone for a Precision Instrument Runway extending beyond the Conical Zone. [Ord. 2017-025]

6. Terminal Navigational Aid Obstruction Zone

Operation of a Navigational Aid Facility is electromagnetic in nature therefore, objects constructed off of airport property may have an adverse effect on the safe and efficient operation of navigational facilities. An Airport Surveillance Radar (ASR) facility. A Navigational Aid Obstruction Zone has been established extending outward 3,500 feet from the nearest

Notes:

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point of the nearest runway of each County owned and operated airport, excluding heliports, as depicted on the Airspace Notification Map as Zone 1, extending in all directions to a radius of 3,500 feet from the navigation aid. This zone is shown on the Airspace Notification Map, Appendix 1. [Ord. 2017-025]

Part 6.
ULDC Art. 16.B.1. Airport Regulations, Airport Protection Zoning Regulations Governing Airport Hazards, Airspace Height Regulations (pages 8-10 of 15) are hereby amended as follows:

CHAPTER B
AIRPORT PROTECTION ZONING REGULATIONS GOVERNING AIRPORT HAZARDS

Section 1
Airspace Height Regulations

H. Airspace Height Review Procedures
All new construction, reconstruction or alteration that adds height to any obstruction within areas shown on the "Airspace Notification Map", Appendix 1, shall be reviewed for compliance with the standards of this Section. [Ord. 2017-025]

1. General
No Permit for Obstruction will be issued if all FAA and DOA comments are not addressed to the satisfaction of DOA, PZB and County Attorney. No development permit application shall be issued if the proposed construction or alteration is found to violate the provisions of this Article, or exceed an obstruction standard of hazard by the Federal Aviation Regulations Part 77 or other applicable Federal or State rules or regulations. [Ord. 2017-025]

a. Exemption
A Permit is not required for existing structures that received construction permits from the Federal Communications Commission for structures exceeding federal obstruction standards before May 20, 1975; a permit is not required for any necessary replacement or repairs to such existing structures if the height and location are unchanged.

2. Permit for Obstruction Review Procedures
An application for the construction, reconstruction or alteration of any obstruction must be reviewed in accordance with the development review procedures in Article 2, Application Processes and Procedures, prior to certification or approval of an application by ORO or issuance of a building permit for a permanent or temporary obstruction located within areas Regulated by this Article. [Ord. 2017-025]

a. FAA Review
1) The DOA shall inform the applicant must utilize the FAA’s Notice Criteria Tool found on the FAA’s Obstruction Evaluation/Airport Airspace Analysis website at https://oaeaa.faa.gov/ and submit the results to DOA. This tool will inform the applicant that review by the FAA is required if DOA determines that the proposed obstruction represented in the application may exceed: [Ord. 2017-025]
   a) The standards of Federal Aviation Regulations Part 77. The structure will exceed 200 feet above ground level.
   b) The provisions of Article 16.B.1.F, Airport Height Limitations, and Article 16.B.1.G, Airport Height Zone Definitions and Limitations. The structure will be in proximity to an airport and will exceed the slope ratio of 100:1.
   c) Any other Federal or State rules and regulations; or The structure involves construction of a traverseway (i.e. highway, railroad, waterway, etc.) and once adjusted upward with the appropriate vertical distance would exceed a standard of Part 77.9(a) or (b).
   d) Adversely affects the airspace surrounding any Airport defined herein. The structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy.
   e) The structure will be in an instrument approach area and might exceed Part 77 Subpart C.
   f) The proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception;
   g) The structure will be on an airport or heliport; or,
   h) A filing has been requested by the FAA.

2) If the results of the Notice Criteria Tool indicate that the applicant must file, the FAA must review and issue a determination of the proposal's effect on navigable airspace where such prior notification under Title 14, CFR, Part 77 is required. PZB shall suspend any review of any development permit application process until FAA findings of aeronautical effect are approved determined.

Responsibility of the Applicant

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a(1) The Applicant shall submit FAA Form 7460-1 electronically via the

b(2) When the results are received, the Applicant shall submit in person
or forward by Certified Mail (Return Receipt Requested) to the DOA-the
FAA’s determination of aeronautical affect, including a valid aeronautical
study number and a copy of the original electronic submittal of FAA Form
7460-1. [Ord. 2017-025]

b. DOA Review
1) No application for development shall be approved solely on the basis that the FAA has
issued a determination of no hazard to air navigation under a valid aeronautical study.

Following receipt of the FAA finding determination of aeronautical affect, if required,
the DOA shall consider the following criteria when determining whether to recommend
certification or approval of certify a development application with or without conditions
of approval; or recommend issuance or denial of a building permit with or without
conditions. [Ord. 2017-025]

a) The safety of persons on the ground and in the air; [Ord. 2017-025]
b) The safe and efficient use of navigable airspace; [Ord. 2017-025]
c) The nature of the terrain and height of existing structures; [Ord. 2017-025]
d) The effect of the construction or alteration on the state licensing standards for a
public-use airport contained in Chapter 333 FS and rules adopted thereunder; [Ord.
2017-025]
e) The character of existing and planned flight operations and developments at
public-use airports; [Ord. 2017-025]
f) Federal airways, visual flight rules, flyways and corridors, and instrument
approaches as designated by the FAA; [Ord. 2017-025]
g) The effect of the construction or alteration of the proposed structure on the
minimum descent altitude or the decision height at the affected airport; [Ord.
2017-025]
h) The cumulative effects on navigable airspace of all existing structures and all other
known proposed structures in the area; and, [Ord. 2017-025]
i) Any additional code requirements pertinent to evaluate and protect airspace and
certify airport operations.

2) FDOT Review
Following receipt of a complete application indicating that the proposed construction
or alteration could be an obstruction, the DOA shall provide a copy of the application
to the FDOT aviation office for their review and evaluation pursuant to Chapter
333.025, Florida Statutes. [Relocated from Art. 16.B.1.H.2.b.4]

23) Structure(s) Not Exceeding Obstruction Standards or Other Provisions
DOA shall review the FAA’s determination issued in response to the applicant’s FAA
Form 7460-1, any comments received from FDOT and the permit application. If DOA
determines that the proposed construction or alteration does not exceed the height
limitations in this Section is a hazard, the DOA shall issue the permit recommend
certification or approval of an application by the DRO with or without conditions of
approval or issue issuance of a building the permit with or without conditions of
approval so that the proposed structure may be erected in accordance with permitting
requirements of PZB. PZB may certify the development application or issue a building
permit, as applicable. The applicant shall present a copy of the permit to PZB with the
development application or building permit application. [Ord. 2017-025]

24) Structure(s) Exceeding Obstruction Standards or Other Provisions
DOA shall review the FAA’s determination issued in response to the applicant’s FAA
Form 7460-1, any comments received by FDOT and the permit application. If DOA
determines the proposed obstruction exceeds the height limitations outlined in this
Section is a hazard, then the DOA shall deny the permit. The notice shall state the
reasons for denial and inform the applicant that they may appeal the decision pursuant
to Article 16.C.2. [Ord. 2017-025]

4) FDOT Review
Following receipt of a complete application, the DOA shall provide a copy of the application
to the FDOT aviation office for their review and evaluation pursuant to
16.B.1.H.2.b.2]

c. Building Permit Requirement
The applicant shall present a copy of the Permit, along with all Development Order
comments and conditions of approval, to the Building Director in order to ensure that any
conditions are adequately addressed prior to the issuance of a building permit, including
obstruction lighting and marking conditions, if applicable. [Ord. 2017-025]

d. Obstruction Marking and Lighting

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The owner shall mark and light the structure in accordance with the provisions of Chapter 333, Florida Statute; Rules of Florida Department of Transportation, Chapter 14-60 and the FAA Advisory Circular 70/7460-1L, Obstruction Marking or Lighting, as may be amended from time to time. The permit may be conditioned to require the applicant to mark and light the structure, at applicant’s own expense, or to allow DOA to install, operate and maintain at its own expense, such markers and lights as may be necessary to indicate to the pilot the presence of an airspace obstruction if warranted.

Part 7. ULDC Art. 16.C.1. Airport Regulations, Airport Land Use Compatibility Zoning Regulations, Airport Land Use Regulations (page 10-11 of 15) are hereby amended as follows:

CHAPTER C AIRPORT LAND USE COMPATIBILITY ZONING REGULATIONS

Section 1 Airport Land Use Regulations

A. General

In order to carry out the provisions of this Article, there are hereby created and established certain zones, which include all the land lying beneath the Runway Protection Zone (RPZ) and within Airport Land Use Noise Zone(s) (ALUNZ), as they apply to a particular airport, and within other zones. All areas defined as the RPZ and areas displayed as ALUNZ in Appendices 2 through 7 and 9 through 14 are subject to review and technical analysis by DOA, and other applicable governmental agencies, in consultation with PZB, in accordance with this Article. [Ord. 2017-025]

To regulate land uses within these zones, an Off-Airport Land Use Compatibility Schedule, Appendix 8, maps and review procedures have been established. The RPZ dimensions are defined in Table 16.B.1.E.1., Runway Category and Runway Protection Zone (RPZ) Defined, by Airport. The noise zones are depicted on the Airport Land Use Noise Maps, (Appendices 8 through 14).

B. Regulated Land Use

1. Construction, defined

For purposes of this Section, construction includes but is not limited to creating new structures, making alterations or repairs and additions to any existing building or structure, or moving or relocating a building(s) or structure(s) within a Regulated Area. Construction does not include paving, drainage, underground utility infrastructure or similar types of improvements. [Ord. 2017-025]

C. Regulated Areas

To regulate land uses within the RPZ and ALUNZ, and Off-Airport Land Use Compatibility Schedule, maps and review procedures have been established. Only the portion of the lot falling within the RPZ or ALUNZ shall be subject to the provisions of this Article. The Off-Airport Land Use Compatibility Schedule, Appendix 8, shall be used to determine compatibility of land use with airport operations within these zones. [Ord. 2017-025]

1. Runway Protection Zone (RPZ)

The RPZ includes all land lying beneath the defined RPZ, as shown on the applicable Airport Zoning Maps, in Appendices 8 through 14. Zoning Maps, in Appendices 8 through 14, on the County’s myGeoNav application http://maps.co.palm-beach.fl.us/mygeonav/, or on the Airport Layout Plan for all County-owned airports in PBC available at the Department of Airports.

2. Airport Land Use Noise Zones (ALUNZ)

The ALUNZ include all land area lying within the defined ALUNZ as shown on the applicable Airport Land Use Zone Maps, in Appendices 8 through 14, on the County’s myGeoNav application http://maps.co.palm-beach.fl.us/mygeonav/ for all airports in PBC.

3. Zone 3

That area within the County limits extending outward 10,000 feet from the nearest point of the nearest runway for each County owned and operated airport, excluding heliports, as depicted on the Airspace Notification Map as Zone 3.

Part 8. ULDC Art. 16.C.1.E.2, Airport Regulations, Airport Land Use Compatibility Zoning Regulations, Airport Land Use Regulations, Prohibited Land Uses, (page 12 of 15) are hereby amended as follows:

CHAPTER C AIRPORT LAND USE COMPATIBILITY ZONING REGULATIONS

Section 1 Airport Land Use Regulations

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2. Prohibited Land Uses

2a. In no case shall a new Limited or General Day Care, or School-Elementary or Secondary, or College or University, with the exception of aviation school facilities, be permitted within an area contiguous to the airport measuring ⅔ the length of the longest runway on either side of and at the end of each runway centerline at either end of a runway within an area that extends five statute miles in a direct line along the centerline of the runway and which has a width of the length of ⅓ the runway.

1) Exemption

For Palm Beach International Airport (PBIA) and Boca Raton Airport that have completed Federal Aviation Regulation 14 C.F.R. Part 150 Noise and Land Use Compatibility Studies, educational land uses within regulated areas defined in Article 16.C.1.D.1.a Palm Beach International Airport (PBIA) and Article 16.C.1.D.1.b Boca Raton Airport “Airport Land Use Noise Zones” shall meet the standards set forth in the study or be compliant with 14 C.F.R. Part 150 Appendix A.

2) Nothing in subsection a. above shall be construed to require the removal, alteration, sound conditioning, or other change, or to interfere with the continued use or expansion to contiguous properties of any public or private educational structure in existence, or real property in use, on November 1, 1996. Construction of new education structures shall meet the provisions of Article 16.B.1.H, Airspace Height Review Procedures, and the provision of sound insulation materials in accordance with established architectural and acoustical principles as contained in document DOT/FAA/PP-92-5 (or later version), Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations, is encouraged.

23) The language in subsection a. above shall not be construed to require the removal, alteration, sound conditioning, or other change, or to interfere with the continued use or expansion of any Limited or General Day Care use in existence, or real property in use, or with a valid development order prior the effective date of this Ordinance. Expansion or alterations of a Day Care located within the runway area that represents an increase in the number of occupants shall be prohibited. [Ord. 2011-016]

2b. In no case shall new residential construction be permitted within an area contiguous to the airport measuring ⅔ the length of the longest runway on either side of and at the end of each runway centerline unless it meets the conditional notes in the Off-Airport Land Use Compatibility Schedule - Appendix 8. This area is shown as the “New Residential Construction Limit” on Appendices 10-14.

1) Exemption

Land uses within regulated areas defined in Article 16.C.1.D.1.a Palm Beach International Airport (PBIA) and Article 16.C.1.D.1.b Boca Raton Airport Land Use Noise Zone (Airports which have completed Federal Aviation Regulation Part 150 Noise and Land Use Compatibility Studies), “Palm Beach International Airport and Boca Raton Airport Land Use Noise Zone Defined” and which meet the standards set forth herein.

For Palm Beach International Airport (PBIA) and Boca Raton Airport that have completed Federal Aviation Regulation 14 C.F.R. Part 150 Noise and Land Use Compatibility Studies, residential land uses within regulated areas defined in Article 16.C.1.D.1.a Palm Beach International Airport (PBIA) and Article 16.C.1.D.1.b Boca Raton Airport “Airport Land Use Noise Zones” shall meet the standards set forth in the study or be compliant with 14 C.F.R. Part 150 Appendix A.

In no case shall a new Landfill be permitted, or an existing Landfill expanded, within 10,000 feet from the nearest point of any Airport runway used by only turbine aircraft; within 5,000 feet from the nearest point of any Airport runway used by only nonturbine aircraft; or within the lateral limits of the civil airport imaginary surfaces. Appendix 18.

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3. Additional Use Regulations
In addition to the requirements contained in the Off-Airport Land Use Compatibility Schedule Appendix 8, all uses within Regulated Areas shall comply with the following provisions:

   e. Noise Level Reduction (NLR) Requirements
If a proposed land use within an Airport Land Use Noise Zone is designated generally compatible (O), or incompatible (N), then measures to achieve 30 dB NLR shall be incorporated into the regulated use.

   1) Exemptions
       Land Uses within regulated areas defined in Article 16.C.1.D.2.a., Land Use Noise Zone(s) Defined for PBC Park Airport (Lantana), PBC Glades Airport (Pahokee), Belle Glade Municipal Airport, and Palm Beach North County Airport.

   3) Relocated Buildings
       Buildings or structures moved into a RPZ or ALUNZ shall comply with the height and noise level reduction provisions of this Article, as applicable.

   4) Proposed or Newly Constructed Buildings
       Valid permits to construct a building, submitted to the Building Division of PZB prior to June 16, 1992, shall not be required to comply with the provisions of Article 16, AIRPORT REGULATIONS, as long as the building permit has not been amended or expired. [Ord. 2017-025]

   5) Design Requirements
       The NLR requirements of the Off-Airport Land Use Compatibility Schedule, Appendix 8, may be achieved by any suitable combination of building design, choice of building materials and construction techniques in accordance with established architectural and acoustical principles as contained in DOT document DOT/FANPP-02-05, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations. This document is on file at the office of the DOA and PZB. The noise level reduction requirements shall apply to all occupied rooms having one or more exterior walls or ceilings, when furnished in accordance with the intended final usage of the room. [Ord. 2017-025]

   6) Disclosure
       The owner of any new building or structure or any existing building or structure which is substantially repaired, reconstructed or altered, as provided in Article 16, AIRPORT REGULATIONS, proposed to be located within regulated areas shall provide disclosure to all prospective purchasers or tenants of such building or structure that the building or structure is located within the Land Use Compatibility Noise Zone and that aircraft noise may be objectionable.

Part 10. ULDC Art. 16.C.1.F, Airport Regulations, Airport Land Use Compatibility Zoning Regulations, Airport Land Use Regulations, Review Procedure for Airport Land Use Noise Zones (ALUNZ), (page 13 of 15) are hereby amended as follows:

Chapter C AIRPORT LAND USE COMPATIBILITY ZONING REGULATIONS

Section 1 Airport Land Use Regulations

F. Review Procedure for Airport Land Use Noise Zones (ALUNZ)
All new construction or reconstruction for temporary or permanent structures within ALUNZ shall be reviewed for compliance with the standards of this Section. Prior to acceptance of a development order or issuance of a building permit, the DOA in consultation with PZB shall review the application for compliance with this Article. [Ord. 2017-025]

1. Noise Level Reduction (NLR) Requirements
   If a proposed land use within an Airport Land Use Noise Zone is designated generally compatible (O), or incompatible (N), then measures to achieve 30 dB NLR shall be incorporated into the regulated use.
      a. Exemptions

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EXHIBIT L
DEPARTMENT OF AIRPORTS
CHAPTER 333, FLORIDA STATUTES UPDATES
SUMMARY OF AMENDMENTS

1. Land Uses within regulated areas defined in Article 16.C.1.D.2.a, Land Use Noise Zone(s) Defined for PBC Park Airport (Lantana), PBC Glades Airport (Pahokee), Belle Glade Municipal Airport, and Palm Beach North County Airport.

2. **Use and Occupancy**

   Buildings or structures supporting a legal use(s) which existed prior to (the effective date of this Article), may continue to support the existing use or occupancy provided such continued use does not jeopardize life or health.

3. **Relocated Buildings**

   Buildings or structures moved into a RPZ or ALUNZ shall comply with the height and noise level reduction provisions of this Article, as applicable.

4. **Proposed or Newly Constructed Buildings**

   Valid permits to construct a building, submitted to the Building Division of PZB prior to June 16, 1992, shall not be required to comply with the provisions of Article 16, AIRPORT REGULATIONS, as long as the building permit has not been amended or expired. [Ord. 2017-025]

5. **Design Requirements**

   The NLR requirements of the Off-Airport Land Use Compatibility Schedule, Appendix 8, may be achieved by any suitable combination of building design, choice of building materials and construction techniques in accordance with established architectural and acoustical principles as contained in DOT document DOT/FAA/PP-92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations. This document is on file at the offices of the DOA and PZB. The noise level reduction requirements of shall apply to all occupied rooms having one or more exterior walls or ceilings, when furnished in accordance with the intended final usage of the room. [Ord. 2017-025]

   [Relocated from Art. 16.C.1.3.e above]

6. **CHAPTER C AIRPORT LAND USE COMPATIBILITY ZONING REGULATIONS**

7. **Section 3 Administration**

   A. This **section Article** of the ULDC shall be interpreted by the Director of Airports. DOA, in consultation with the PZB, shall administer the review of development applications for compliance with this Article within the territorial limits over which PBC has jurisdiction. DOA by Interlocal Agreement with any jurisdiction which has permitting authority may administer the review of development applications for compliance with this Article within the territorial limits of the municipality. If a Permit for Obstruction is required, then the DOA may administer review with the FAA. Fees shall be established by the DOA and PZB to administer this Article. [Ord. 2008-003] [Ord. 2017-025]

8. **B.** In the event that any violation of the requirements of this Article are found, the Director of Code Enforcement shall give written notice to the property owner. Such notice shall indicate the nature of the violation and the necessary action to correct or abate the violation. A copy of said notice shall be sent to the Code Enforcement Board and DOA. PZB shall require work to stop and may take any or all other action necessary to correct violations and obtain compliance with all the provisions of this **Section Article**. [Ord. 2017-025]

9. **Section 4 Enforcement**

   A. **Non-compliance**

      Failure to comply with the requirements of this **Section Article** or any permit or Approval granted and authorized hereunder shall constitute a violation of this code. PZB or DOA may issue a Cease and Desist Order or withhold a Certificate of Occupancy until the provisions of this **Section Article** have been met. PBC may subject the owner of the premises to the violation and enforcement provisions in F.S. Chapter 333.07, and F.S. Chapter 333.13, as may be amended from time to time, or may pursue any other remedy available at law, in order to fully effectuate the purposes of this Ordinance. Each violation of this Ordinance or of any regulation, order or ruling promulgated herein shall be considered a separate offense and enforced in accordance with the provisions of Article 10, ENFORCEMENT. [Ord. 2017-025]

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EXHIBIT M
PO DEVIATIONS
SUMMARY OF AMENDMENTS

Applications, Application Types and Authorities, Table 2.A.2.C Board of County
Commissioners (page 11-12 of 105), is hereby amended as follows:

CHAPTER A GENERAL

Section 2 Zoning Applications

C. Application Types and Authorities

For the purposes of this Article, the authority of the Board of County Commissioners, Zoning
Commission and Development Review Officer shall be limited to the powers and duties pursuant
to Art. 2.G, Decision Making Bodies on those applications specified below. [Ord. 2006-036] [Ord.
2018-002]

1. Board of County Commissioners (BCC)
The BCC shall make a final decision on the following types of applications: [Ord. 2018-002]

Table 2.A.2.C - Board of County Commissioners

<table>
<thead>
<tr>
<th>Legislative</th>
<th>Quasi-Judicial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Privately Initiated Unified Land Development Code (ULDC) Amendment (PIA)</td>
<td>Official Zoning Map Amendment (Rezoning) (1)</td>
</tr>
<tr>
<td>County Initiated Official Zoning Map Amendment (Rezoning)</td>
<td>Class A Conditional Use (2)</td>
</tr>
<tr>
<td>Development Order Amendment (DOA) of a prior DO approved by the BCC</td>
<td>Development Order Abandonment (ABN) of a prior DO approved by the BCC</td>
</tr>
</tbody>
</table>

Deviations from separation requirements for Homeless Resource Centers in the PO Zoning District, pursuant to Art.
4.8.4.C.10, Homeless Resource Center and Articles 5-6, and 7-for development supporting Government Facilities within
the Public Ownership (PO) Zoning District.

Public Ownership (PO) Deviations (4)

<table>
<thead>
<tr>
<th>Type 2 Variance</th>
<th>Unique Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Release of Agreement (3)</td>
<td>Administrative Inquiry (AI) (3)</td>
</tr>
</tbody>
</table>

Corrective Resolution for prior DO approved by the BCC (3)

Notes:
1. Only rezoning to a PDD or TDD will issue a DO. A rezoning to a Standard District with a COZ may result in the
issuance of a DO.
2. Includes where it specifies the process is subject to the BCC in Table 4.A.9.B, – Thresholds for Projects Requiring
Board of County Commissioners Approval, Art. 4.B, Use Classifications, Art. 3.B, Overlays, Table 5.G.1.E, Review
3. This is not considered as quasi-judicial process, however, it is subject to the Public Hearing process.
4. PO Deviations reviewed by the BCC do not include those PO Deviations described in Article 11 that are reviewed and
approved or denied by the County Engineer.

Part 2. ULOC Art. 2.A.5, Application Processes and Procedures, General, Pre-application
Conference (PAC) and Pre-Application Appointment (PAA) (pages 14-15 of 105), is hereby amended as follows:

CHAPTER A GENERAL

Section 5 Pre-application Conference (PAC) and Pre-application Appointment (PAA)

It is mandatory for the Applicants to meet with staff prior to the official submittal of applications that are
listed in Table 2.A.5, PAC and PAA to identify issues related to the proposed request(s), and ensure the
requests are in compliance with the applicable Comprehensive Plan or Codes. [Ord. 2018-002]

Table 2.A.5 - PAC and PAA

<table>
<thead>
<tr>
<th>PAC</th>
<th>PAA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications requesting an IRO (1)</td>
<td>PIA</td>
</tr>
<tr>
<td>Applications within the PRA (1)</td>
<td>Type 2 Variance</td>
</tr>
<tr>
<td>Concurrent Review (2)</td>
<td>Type 2 Waiver</td>
</tr>
</tbody>
</table>

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EXHIBIT M

PO DEVIATIONS
SUMMARY OF AMENDMENTS

<table>
<thead>
<tr>
<th>PAC</th>
<th>PAA</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Type 1 Variance</td>
<td>-</td>
</tr>
<tr>
<td>- Zoning Confirmation Letter - Formal</td>
<td>-</td>
</tr>
<tr>
<td>- WHP, AHP and TOR</td>
<td>-</td>
</tr>
<tr>
<td>- PO Deviations (3)</td>
<td>-</td>
</tr>
</tbody>
</table>

Notes:
1. A Conceptual Plan shall be submitted to be reviewed as part of a PAC application.
2. Applicants shall indicate whether they have questions related to the request(s) for staff to address before submitting for the Concurrent Review.
3. The Zoning Director in consultation with the Applicant may determine a formal PAA is not required based on general discussions on this request.

A. Pre-Application Conference (PAC)

B. Pre-Application Appointment (PAA)

1. Applicant's Request and Responsibility

The Applicant shall request the PAA and specify whether the attendance of the other County Agencies is required. Prior to the PAC, the Applicant shall specify the requests, prepare a list of questions related to the subject property, and provide a copy of relevant information regarding the proposed development to the DRO.

a. For a DOA application, it shall be the responsibility of the Applicant to research and review prior approved files, which includes but not limited to, plans, resolutions and other relevant documents prior to the PAA. [Ord. 2018-002]

b. For a PO Deviation application, it is the responsibility of the Applicant to complete the Application including the Justification Statement, and provide a draft copy of these documents for review at the time of the PAA.

Part 3. ULDC Art. 2.B.3, Application Processes and Procedures, Public Hearing Processes, General (pages 24-25 of 105) is hereby amended as follows:

CHAPTER B PUBLIC HEARING 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 Table 2.A.2.C, Board of County Commissioners, Legislative and Quasi-Judicial Processes, and Table 2.A.2.C, Zoning Commission, Quasi-Judicial Processes. For PO Deviation application, the Applicant shall be responsible to coordinate the review of the application with the applicable Agencies. The application(s) shall be assigned by the DRO to be reviewed through the Full DRO, which consists of all applicable County Agencies. An Applicant may also request a Concurrent Review by the DRO. [Ord. 2018-002]

Part 4. ULDC Art. 2.B.4, Application Processes and Procedures, Public Hearing Processes, Review, Resubmittal and Certification Title (page 25 of 105) is hereby amended as follows:

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>
<thead>
<tr>
<th>Table 2.B.4 - Review, Resubmittal and Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Processes</td>
</tr>
<tr>
<td>Application Submittal by Applicant</td>
</tr>
<tr>
<td>Sufficiency Review by Staff</td>
</tr>
<tr>
<td>Insufficiency to be addressed by Applicant</td>
</tr>
<tr>
<td>Initiate Review and Staff Comments</td>
</tr>
<tr>
<td>Resubmittal by Applicant</td>
</tr>
<tr>
<td>Staff Review and Comments on Resubmittal</td>
</tr>
<tr>
<td>Certification for Public Hearings</td>
</tr>
</tbody>
</table>

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PO DEVIATIONS
SUMMARY OF AMENDMENTS

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

1. PO Deviations shall be submitted to the Zoning Division on the Application Submittal Date. Sufficiency review is completed by the DRO in accordance with the requests complies with Article 2.B.7.G. Types of Applications and PPM ZO-0.063. The Zoning Division is only responsible for ensuring the correct allowable deviations are being requested and placing the application and staff summary on a BCC Zoning Agenda. PO Deviations, pursuant to Article 1.1, shall be submitted directly to the County Engineer for review.

<table>
<thead>
<tr>
<th>A. Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>The DRO shall prepare a list of issues and comments and make it available to the Applicant. The Applicant shall provide a written response addressing all outstanding issues and comments by the next Submittal date. [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the resubmitted documents satisfy Code requirements and address the DRO’s list of outstanding issues and comments, the DRO shall issue a Result Letter indicating the certification of the application. [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Non-certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the resubmitted documents fail to address all listed outstanding issues and comments, the DRO shall issue a Result Letter indicating that the application is not certified. [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1. Resubmittal Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Applicant shall provide a written response, addressing all outstanding issues and comments for those applications that are not certified, in a manner and form acceptable to the DRO. The revised documents shall be resubmitted on the Submittal date as established on the Annual Zoning Calendar. [Ord. 2005-041] [Ord. 2006-063] [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. Application Modification After Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications shall not be significantly modified after certification, unless requested or agreed to by the DRO. Significant modifications to the certified plan(s) and application(s) within ten days of a scheduled public hearing date shall result in a postponement. For the purposes of this Article, a modification shall be considered significant if it exceeds 30 percent or more change from the certified plan or application request. The DRO may consider, but not limited to: intensity, density, land area, or vehicular use areas, to determine whether the certified plans or documents exceed the 30 percent threshold. [Ord. 2005-002] [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E. Continuance or Postponement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications for a DO that are continued or postponed for more than six months by the ORO 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. 2005-002] [Ord. 2018-002]</td>
</tr>
</tbody>
</table>

Part 5. ULDC Art. 2.B.5, Application Processes and Procedures, Public Hearing Processes, Notification (pages 26-28 of 105), is hereby amended as follows:

Section 5 Notification

A. Applicability

Applications subject to Public Hearing or Type 1 Variance processes, corrective resolutions, or Administrative Inquiries, or any application that will result in the redevelopment of an existing occupied mobile home park, shall require notification to the public, in accordance with the following Table:


<table>
<thead>
<tr>
<th>Requests</th>
<th>Newspaper Publication</th>
<th>Courtesy Notice</th>
<th>Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABN (1)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Corrective Resolution</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Type 1 Variance</td>
<td>N/A (2)</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Type 2 Variance</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>PO Deviations</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Other Public Hearing (Rezoning, Conditional Uses, DOA, Waiver)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Administrative Inquiry (5)</td>
<td>N/A</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Redevelopment of Mobile Home Parks</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes (4)</td>
</tr>
</tbody>
</table>

Notes:

1. Applies to Public Hearing and Administrative Abandonments, excluding: DOs advertised and abandoned simultaneously as part of a subsequent; and, DOs advertised and reviewed for revocation pursuant to Art. 2.E. Monitoring.
2. Notification shall be required in compliance with F.S. 286.011.
3. Only applicable to an inquiry related to a specific development or parcel and not for general direction on a topic.

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Page 79 of 107
EXHIBIT M

PO DEVIATIONS

SUMMARY OF AMENDMENTS

Table 2.B.5.A – Notification Applicability

3. In addition to any applicable signs required for the Public Hearing processes applications for the redevelopment of occupied mobile home parks shall be subject to additional posting requirements.

B. Newspaper Publication


C. Courtesy Notice

1. Applicability and Mailing Boundary

Courtesy notices shall be mailed to all property owners, interested parties or other entities identified in the following table: [Ord. 2006-036] [Ord. 2008-003] [Ord. 2011-016] [Ord. 2015-031] [Ord. 2018-002]

<table>
<thead>
<tr>
<th>Process</th>
<th>Recipients and Boundaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 1 Variance</td>
<td>Certified Mail 0 to 300 feet (1) (1)</td>
</tr>
<tr>
<td>Type 2 Variance</td>
<td>NA</td>
</tr>
<tr>
<td>Other Public Hearing (Rezoning, Conditional Uses, DOA, Waiver, and PO Develoment)</td>
<td>All owners of real property (2)</td>
</tr>
<tr>
<td>Administrative Inquiry (Site Specific)</td>
<td>(6)</td>
</tr>
</tbody>
</table>

Notes:

1. Distance shall be measured from the property line of the affected area, unless stated otherwise. If the adjacent property within the mailing boundary is owned by the applicant or a related entity, the notification boundary shall be extended an additional 500 feet beyond the boundary of the adjacent parcel. Courtesy notices are not required where the outer boundary of the adjacent parcel lies from the subject site more than 1,500 feet on properties located in the Glades, Exurban and Rural Tiers, or 1,000 feet for properties in other Tiers. [Ord. 2012-003]

2. Includes all owners of real property, whose names and addresses are known by reference to the latest published ad valorem tax records of the PBC Property Appraiser. Includes condominium associations and all real property owners when real property consists of a condominium. [Ord. 2012-003]

3. Shall also include municipalities that have the subject parcel identified within the PBC Future Annexation Map. [Ord. 2016-016]

4. The Applicant shall provide the list of all Condominium Associations, POAs, HOAs or equivalent within the boundaries. [Ord. 2016-016]

5. Shall be mailed a minimum of ten days prior to the date of the AI by the Applicant submitting the inquiry. [Ord. 2016-016]

6.失败 shall be mailed a minimum of ten days prior to the date of the AI by the Applicant submitting the inquiry. [Ord. 2016-016]

7. A larger notification boundary from 301 to 1,000 feet is required for properties located in the Glades, Exurban or Rural Tiers. [Ord. 2016-016] [Ord. 2012-003] [Ord. 2015-031] [Ord. 2016-016] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2018-002]

Notes:

2. Notice Content


b. A date, time and place for the Public Hearing(s) or the Public Meeting(s) for Type 1 Variance; [Ord. 2011-016] [Ord. 2018-002]

c. A general location map of the subject property; and, [Ord. 2011-016] [Ord. 2018-002]

d. A statement indicating that interested parties may appear at the Public Hearing or the Public Meeting for the Type 1 Variance to be heard regarding the request; and, [Ord. 2011-016] [Ord. 2018-002]

e. For PO Deviations, the notice shall state the name, phone number, address and email address of the Applicant. Responses to any letters from interested parties shall be mailed directly to the Applicant, and the Applicant shall be responsible for notifying the BCC of the responses to the notification at the Public Hearing when the item is discussed. [Ord. 2018-002]

3. Failure to Receive Courtesy Notice

Failure to receive a notice shall not be deemed a failure to comply with Art. 2.B.5, Notification, or be grounds to challenge the validity of any decision made by the approving authority. [Ord. 2011-016] [Ord. 2015-031] [Ord. 2016-002]

D. Signs

1. The Applicant shall post signs regarding the public hearing or the public meeting on the property subject to the application. The signs shall be prepared by the Applicant using information provided by the Zoning Division, consistent with the requirements of the Zoning Technical Manual. Signs must be posted at least 15 days in advance of any public hearing. [Ord. 2011-016] [Ord. 2015-031] [Ord. 2016-002]

One sign shall be posted for each 250 feet of frontage, or a fraction thereof, along a street up to a maximum of ten signs. All signs shall be: [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-003] [Ord. 2016-016] [Ord. 2018-002]

2. Exceptions

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Part 6. ULD Code Art. 2.B.6, Application Processes and Procedures, Public Hearing Process, Public Hearing Procedures (page 29 of 105), is hereby amended as follows:

Section 6 Public Hearing Procedures

All decision making persons and bodies shall act in accordance with the time limits established in this Code, unless stated otherwise. [Ord. 2018-002]

A. Scheduling

Once an application has been certified by the DRO, the DRO shall schedule a public hearing in accordance with the dates established in the Annual Zoning Calendar, or such time as is mutually agreed upon between the Applicant and the DRO. The scheduling of the application for public hearing shall ensure the public notice requirements are satisfied. [Ord. 2018-002]

1. Number of Hearings

Both the ZC and the BCC shall hold at least one public hearing on applications that are subject to the Public Hearing processes, unless otherwise stated herein. [Ord. 2018-002]

2. Exception for Official Zoning Map Amendment

The ZC shall hold at least one public hearing and the BCC shall hold two public hearings on a proposed amendment to the boundaries of the Official Zoning Map for PBC initiated applications consisting of ten or more contiguous acres of land. [Ord. 2018-002]

3. Exception for PO Deviations

The application for public hearing shall be placed on the next available BCC Zoning Hearing for which the public notice requirements can be satisfied.

B. Staff Report and Recommendation

The DRO or the PBC official responsible for reviewing the application shall prepare a report for each application. The DRO 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 available to the public at least five days prior to the hearing date. [Ord. 2018-002]

1. PO Deviations

The Applicant is responsible for preparing a staff report and recommendation. The report shall include an analysis of the request and Standards, as described in Article 2.B.7.G Types of Applications, including any proposed Conditions of Approval. The report shall be available to the public at least five days prior to the hearing date.

C. Board Action

1. Action by ZC

The ZC shall conduct a public hearing on the application, subject to the following procedures:

   a. Recommendations by the ZC
   
   The ZC shall consider the application where the BCC makes a final decision, including staff report, relevant support materials, public testimony and public testimony given at the hearing. After close of the public hearing, the ZC shall recommend to the BCC that the application be approved, approved with Conditions, modified, continued, postponed or denied based upon the applicable Standards in Art. 2.B.7. Types of Applications. [Ord. 2008-003] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2017-007] [Ord. 2018-002]

   b. Final Decision by the ZC
   
   The ZC shall consider the application where the ZC makes a final decision, including staff report, relevant support materials, DRO certification, public testimony, and public testimony given at the hearing. After close of the public hearing, the ZC shall by not less than a majority of a quorum present approve, approve with conditions, modify, postpone, or deny the application. The actions shall be based upon the applicable and any Standards specific to the use as required in Art. 4.B, Use Classification, thereby adopting a resolution approving, approving with Conditions, or denying the proposed request. The resolution shall be filed with the Zoning Division. [Ord. 2006-036] [Ord. 2008-003] [Ord. 2018-002]

   c. Remand by the ZC
   
   If at any time during the public hearing, the ZC determines that the application is based upon incomplete, inaccurate information or misstatements of fact, it may remand the application back to the DRO for further review and a revised staff report. [Ord. 2018-002]

2. Action by BCC

   a. Recommendations by the ZC
   
   The BCC shall consider the application, staff report, relevant support materials, the recommendation of the ZC, and the public testimony submitted before and given at the hearing. [Ord. 2018-002]

   b. Final Decision by the BCC

Notes:

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PO DEVIATIONS

SUMMARY OF AMENDMENTS

The BCC shall consider the application, staff report, relevant support materials, DRO certification, the ZC recommendation, public testimony submitted before and given at the hearing. After close of the public hearing, the BCC shall by not less than a majority of a quorum present approve, approve with conditions, modify, postpone, or deny the application. The actions shall be based upon the applicable and any Standards specific to the use as required in Art. 4.8, Use Classification, thereby adopting a resolution approving, approving with Conditions, or denying the proposed request. The resolution shall be filed with the Clerk of the Circuit Court. For PO Deviations a Result Letter, in lieu of a resolution, is prepared by the ORO, provided to the Applicant, and filed with the Zoning Division. [Ord. 2008-003] [Ord. 2012-027] [Ord. 2017-007] [Ord. 2018-002]

3. Action by the Hearing Officer

At the public hearing(s), the Hearing Officer shall consider the application, all relevant support materials, staff report, testimony given, and evidence introduced into the record at the public hearing(s) and decide to approve, approve with conditions, deny, continue, postpone, modify or withdraw the request. [Ord. 2000-036] [Ord. 2018-002]

D. Conduct of Hearings

1. Oath or Affirmation

All testimony and evidence shall be given under oath or by affirmation to the body conducting the hearing. [Ord. 2018-002]

2. Rights of All Persons

Any person may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Anyone representing an organization shall present evidence of his/her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears at a public hearing shall be identified, state an address, and if appearing on behalf of an organization, state the name and mailing address of the organization. [Ord. 2018-002]

3. Procedures for Public Hearings

The procedures of the hearings shall be in accordance with Art. 2.G.2, General Provisions. The decision making body may adopt bylaws stipulating the manner in which the proceedings will be conducted. The body conducting the hearing may exclude testimony or evidence that it finds to be irrelevant, immaterial or unduly repetitious formal rules of evidence. Formal Rules of evidence shall not apply but fundamental due process shall be observed. The order of the proceedings shall be as follows: [Ord. 2018-002]

a. The Applicant shall present any information the Applicant deems appropriate. [Ord. 2018-002]

b. The PBC Official responsible for reviewing the application shall present a written or oral recommendation, including any report prepared. This recommendation shall address each standard required to be considered by this Code prior to rendering a decision on the application. For PO Deviations, the Applicant shall present a written or oral recommendation, including any report prepared, with no presentation from the PBC Official. This recommendation shall address each standard required to be considered by this Code prior to rendering a decision on the application. [Ord. 2018-002]

c. Public testimony shall be heard. [Ord. 2018-002]

d. The PBC official responsible for reviewing the application may respond to any statement made by the Applicant or any public comment. [Ord. 2018-002]

e. The Applicant may respond to any testimony or evidence presented by the PBC staff or public at the discretion of the Chair. [Ord. 2018-002]

f. The decision making body may direct questions to staff and the Applicant specific to the request. [Ord. 2018-002]

g. The decision making body shall discuss the facts of the application and make a recommendation. [Ord. 2018-002]

E. Continuance or Postponement of Hearings

The BCC or ZC conducting the public hearing may, on its own motion or at the request of an Applicant, continue the public hearing to a fixed date, time and place. The BCC or ZC shall determine if an application shall be postponed when an Applicant fails to submit a request for postponement five days prior to the hearing. All subsequent request for continuance or postponement shall be granted at the discretion of the decision making body. [Ord. 2005-041] [Ord. 2005-036] [Ord. 2018-002]

1. Postponement by Right

An Applicant shall be granted a postponement by right to the next regularly scheduled hearing if requested in writing five days prior to the hearing. If the postponement is requested less than five days prior to the hearing, the postponement shall be granted at the discretion of the decision making body.

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EXHIBIT M

PO DEVIATIONS
SUMMARY OF AMENDMENTS

five days prior to the date of the scheduled hearing, the request for postponement shall be presented at the hearing and at the discretion of the ZC or BCC. [Ord. 2018-002]

F. Finalization of Approved DOs

The Applicant shall submit an application to the DRO for finalization of the BCC or ZC approved DOs in accordance with the procedures in Art. 2.C.3, Finalization of BCC or ZC DOs, as applicable. [Ord. 2018-002]

G. Other Procedures

Other procedures, which include: Remand, Suspension of Development Review, Withdrawal and Denial of Application; are referenced in Art. 2.A.10; Violation of Condition of DO in Art. 2.A.11; Outstanding Liens or Fines in Art. 2.A.12; Misrepresentation in Art. 2.A.13; and Appeal in Art. 2.A.14. [Ord. 2018-002]

Part 7. ULDC Art. 2.B.7, Application Processes and Procedures, Public Hearing Processes, Types of Applications (page 40 of 105), is hereby amended as follows:

Section 7 Types of Application

G. Public Ownership (PO) Deviations

1. Purpose

A PO Deviation is to allow adjustment from certain Code requirements as it applies to land development that supports government facilities within the PO Zoning District.

2. Applicability

Requests for PO Deviation shall only be permitted as indicated in the following Table.

<table>
<thead>
<tr>
<th>Table 2.B.7.G – PO Deviations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 5 Supplementary Standards</td>
</tr>
<tr>
<td>Article 6 Parking</td>
</tr>
<tr>
<td>Article 7 Landscaping</td>
</tr>
</tbody>
</table>

3. Standards

Development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC utilizing the following standards: [Ord. 2007-013] [Ord. 2010-022]

a. the proposed deviation(s) maintains compatibility with the uses and character of land surrounding and in the vicinity of the land proposed for development; [Ord. 2007-013]

b. adverse effects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other preexisting conditions; [Ord. 2007-013]

c. special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development; [Ord. 2007-013]

d. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development; [Ord. 2007-013]

e. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and, [Ord. 2007-013]

f. approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare. [Ord. 2007-013] [Relocated from Article 5.A.3.A and Article 6.A.1.B.4]

4. Effect of Issuance of a DO

Issuance of a PO Deviations DO shall be deemed to authorize any permitted use in the underlying zoning district, unless a specific condition of approval limits the specific use for which it was issued.

Part 8. ULDC Art. 2.G.1, Application Processes and Procedures, Decision Making Bodies, Board of County Commissioners (page 79 of 105) is hereby amended as follows:

CHAPTER G DECISION MAKING BODIES

Section 1 Board of County Commissioners

Notes:

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EXHIBIT M

PO DEVIATIONS
SUMMARY OF AMENDMENTS

In addition to any authority granted to the Board of County Commissioners (BCC) by general or special law, the BCC shall have the following powers and duties under the provisions of this Code:

1. to initiate, hear, consider and approve, approve with conditions, or deny applications to amend the text of the Plan;
2. to initiate, hear, consider and approve, approve with conditions, or deny applications for Site Specific amendments to the FLUA of the Plan;
3. to initiate, hear, consider and approve, or deny requests to amend the text of this Code; [Ord. 2009-040]
4. to initiate, hear, consider and approve, approve with conditions, or deny applications for DO to amend the Official Zoning Map of this Code; [Ord. 2018-002]
5. to hear, consider and approve, approve with conditions, or deny applications for DO for Class A Conditional uses; [Ord. 2018-002]
6. to initiate, hear, consider, approve, approve with conditions, or deny applications for Transfer of Development Rights (TDRs) and Workforce Housing Program (WHP) Programs; [Ord. 2018-002]
7. to hear, consider and approve, approve with conditions, or deny applications for DO for Class A Conditional uses; [Ord. 2018-002]
8. to hear, consider and approve, approve with conditions, or deny applications for DO for Preliminary Plans for those specific PCCs, TDDs, or Class A Conditional Uses pursuant to Art. 2.A.6.B, Plan Requirements; [Ord. 2018-002]
9. to hear, consider and approve, approve with conditions, or deny applications for ABN; [Ord. 2018-002]
10. to hear, consider and approve, approve with conditions, or deny applications for Status Report of a prior approved DO; [Ord. 2018-002]
11. to review, hear, consider, and approve, approve with conditions, or deny requests for PO Deviations described in Article 2.B.7.G.1 from: Art. 4.B.4.C.10.c, Homeless Resource Center, Location and Separation Requirements, and Articles 5.6, and 7 for development supporting government facilities within the PO Zoning District; [Ord. 2018-002]
12. to hear, consider and approve, approve with conditions or deny applications for Type 2 Waivers; [Ord. 2018-002]
13. to hear, consider and approve, approve with conditions, or deny application for Unique Structures; [Ord. 2018-002]
14. to hear and consider release of agreement; [Ord. 2018-002]
15. to hear and consider DOA; [Ord. 2018-002]
16. to review, hear, consider, and approve, or deny applications for Corrective Resolutions; [Ord. 2018-002]
17. to establish fees for the review of applications for development orders or permits, and appropriate funds to defray the costs of administering this Code; [Ord. 2018-002]
18. to act to ensure compliance with Development Orders or permits as approved and issued; [Ord. 2018-002]
19. to hear and consider appeals from, and affirm or reverse decisions of the Zoning Commission on applications for development permits for Class B conditional uses; [Ord. 2018-002]
20. to hear, consider and decide appeals from decisions of the DRO on applications for URPA Type 1 Waivers; [Ord. 2018-002]
21. to designate and appoint hearing officers to make decisions as the BCC may deem appropriate; [Ord. 2018-002]
22. to appoint other advisory boards that are determined necessary to assist in the implementation of this Code or the Plan; and, [Ord. 2018-002]
23. to take such other action not delegated to the decision-making bodies set forth in this Article or other officials of PBC Departments, as the BCC may deem desirable and necessary to implement the provisions of the Plan and this Code; [Ord. 2009-040] [Ord. 2018-002]

Part 9. ULDC Art. 2.G.3.L, Application Processes and Procedures, Decision Making Bodies, Appointed Bodies, Zoning Commission (page 92-93 of 105) is hereby amended as follows:

L. Zoning Commission

1. Establishment

There is hereby established a Zoning Commission (ZC)

2. Powers and Duties

The ZC shall have the following powers and duties under the provisions of this Code.

a. to initiate, review, hear, consider, and make recommendations to the BCC to approve, approve with conditions, or deny applications to amend the Official Zoning Map, Class A Conditional Use, Development Order Amendment (DOA) of a prior DO approved by the BCC, Type 2 Waiver, and Unique Structure; [Ord. 2009-040]

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EXHIBIT M

PO DEVIATIONS
SUMMARY OF AMENDMENTS

1. to review, hear, consider, and make recommendations to the BCC to approve, approve with conditions, or deny applications for development orders pursuant to Art. 2.A.1.C.2., Zoning Commission Quasi-Judicial Processes; [Ord. 2009-040] [Ord. 2018-002]
2. to review, hear, consider, and approve, approve with conditions, or deny applications for development permits for Class B Conditional uses and Type Variance applications; [Ord. 2006-036] [Ord. 2018-002]
3. to review, hear, consider, and approve, approve with conditions, or deny applications for development orders for DOA for a prior approved DO approved by the ZC; [Ord. 2018-002]
4. to review, hear, consider and approve, approve with conditions or deny applications for DO for Preliminary Plans for Class B Conditional Uses pursuant to Art. 2.A.6.B., Plan Requirements; [Ord. 2018-002]
5. to review, hear, consider, and approve, approve with conditions, or deny applications for ABN; [Ord. 2018-002]
6. to review, hear, consider, and approve, approve with conditions, or deny applications for Status Reports; [Ord. 2018-002]
7. to review, hear, consider, and approve, approve with conditions, or deny applications for Unique Structures; [Ord. 2018-002]
8. to review, hear, consider, and approve, or deny applications for Corrective Resolutions; [Ord. 2018-002]
9. to make its special knowledge and expertise available upon request of the BCC to any official, department, board, commission or agency of PBC, the State of Florida or Federal government;
10. to make studies of the resources, possibilities and needs of PBC and to report its findings and recommendations, with reference thereto, from time to time, to the BCC;
11. to recommend to the BCC additional or amended rules of procedure not inconsistent with this Section to govern the ZC’s proceedings; [Ord. 2006-036]
12. to consider and render a final decision on appeals of Green Architecture application; and [Ord. 2018-002]
13. to hear, consider and decide appeals from decisions of the DRO on applications for Type 1 Waivers, except URAO. [Ord. 2011-016] [Ord. 2012-027]

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Part 10. ULDC Art. 4.B.4.10, Use Classification, Institutional, Public, and Civic Uses (page 77-78 of 204) is hereby amended as follows:

CHAPTER B USE CLASSIFICATION

Section 4 Institutional, Public and Civic Uses

10. Homeless Resource Center
   a. Definition
      A public or private establishment that provides multiple services for the homeless population.
   b. Typical Services
      Typical services provided by a Homeless Resource Center may include but are not limited to: Counseling, kitchen and dining facilities, medical and dental outpatient facilities, temporary housing, intake, social services, employment services, and administrative offices.
   c. Approval Process
      A Homeless Resource Center owned or operated by a governmental entity may be allowed where Government Services uses are allowed by Table 4.B.4.A., Institutional, Public and Civic Use Matrix, subject to Class A Conditional Use Approval; or, may be Permitted by Right where Government Services uses are allowed in non-residential districts, provided

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that prior to development, or any modification to a previously approved development, program or operation, an eligible government entity complies with the following:

1) Schedule and make a presentation to the BCC at a duly noticed Public Meeting(s);
2) Prepare a report documenting compliance with Palm Beach County Facilities, Development and Operations, FDO PPM-071, Public Outreach and Community Involvement for Homeless Resource Centers;
3) Provide notice of intent to the Zoning Director a minimum of 30 days prior to requesting placement on a BCC Public Meeting agenda, to include the aforementioned report;
4) The BCC shall make a finding that the governmental entity has complied with FDO PPM-071, which may include Conditions of Approval; and,
5) A BCC finding of compliance, or compliance subject to conditions, may remain valid for three years, or as otherwise provided by Condition of Approval.

d. Location and Separation Requirements
For the purpose of required separations, measurements shall be made from facade to facade, except where the separation required is between a structure and a zoning district boundary.
1) A minimum 250-foot separation shall be required from the property line of residentially zoned parcels. Type 2 Variance relief, in accordance with Art. 2.B, Public Hearing Processes, may be requested if this standard cannot be met.
2) A Homeless Resource Center shall not be located within a 1,200-foot radius of another Homeless Resource Center.
3) Facilities owned or operated by a governmental entity and located in the PO Zoning District may request a PO Deviation from Location and Separation Requirements, subject to BCC approval, utilizing the standards in Art 2.B.7.G/Art. 5.A.3.A, PO Deviations for the PO Zoning District.

e. Facility Use
A minimum of twenty-five percent of the GFA shall be reserved for accessory service delivery other than temporary housing.

f. Nonconformities
The subsequent approval of a development order for a residential zoning district shall not change the status of the HRC to a nonconforming use.

g. Existing Approvals
A prior approval for a government owned or operated Homeless Resource Center shall be considered a legal conforming use for sites approved between October 28, 2009, (Ordinance 2009-040), and March 2, 2017.

Part 10. ULDC Art. 5.A.3, Supplementary Standards, General, and Deviations (page 9 of 110) is hereby amended as follows:

CHAPTER A GENERAL

Section 1 Purpose and Intent
The purpose and intent of this Article is to establish minimum standards for accessory and temporary uses, design standards, parks and recreation, performance standards, legal documents, and density bonus programs.

Section 2 Definitions
See Art. 1.1, DEFINITIONS & ACRONYMS

Section 3 Deviations
Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to Article 2 Application Process and Procedures and PPM ZO-D-063, as applicable and as amended for the following: (Ord. 2007-013) (Ord. 2010-022)

A. PO-Zoning District
Development supporting government facilities within the PO-Zoning District, subject to an application established by the Executive Director of PZD and approval by the BCC utilizing the following standards: (Ord. 2007-013) (Ord. 2010-022)
1. the proposed deviation(s) maintains compatibility with the uses and character of the surrounding and in the vicinity of the land proposed for development; (Ord. 2007-013)
2. adverse effects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other pre-existing conditions; (Ord. 2007-013)

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EXHIBIT M

PO DEVIATIONS
SUMMARY OF AMENDMENTS

3. special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development; [Ord. 2007-013]

4. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development; [Ord. 2007-013]

5. the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and. [Ord. 2007-013]

6. the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare. [Ord. 2007-013]

Part 11. ULDC Art. 6.A.1, Parking, Parking, General (page 3 of 40), is hereby amended as follows:

CHAPTER A PARKING

Section 1 General

A. Purpose and Intent

The purpose of this Article is to ensure the provision of off-street parking, loading, queuing, on-site circulation, driveways, and access are in proportion to the demand created by each use. By requiring such facilities, it is the intent of this Article to ensure the provision of functionally adequate, aesthetically pleasing and safe off-street parking, loading, queuing, on-site circulation, driveways and access.

B. Applicability

The standards of this Article shall apply to all development in unincorporated PBC, or existing development that is modified to the extent that it includes uses or site design features that were not specifically shown on previously approved plans. All off-street parking areas established by this Section shall be continuously maintained in accordance with this Article.

1. New Buildings and Uses

Off-street parking and loading shall be provided for any new building constructed and for any new use established.

2. Additions, Enlargements and Changes of Occupancy

Off-street parking and loading shall be provided for any addition to or enlargement of an existing building or use, or any change of occupancy or manner of operation that would result in additional parking and loading spaces being required. The additional parking and loading spaces shall be required only in proportionate amount to the extent of the addition, enlargement, or change, not for the entire building or use.

3. Off-Street Parking and Loading Requirements

Off-street parking and loading spaces shall be provided in accordance with Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements.

4. Deviations for the PO Zoning District

Deviations from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to Art. 2 Application Processes and Procedures and PPM ZO-O-063, as applicable and as amended, subject to approval by the BCC utilizing the following standards: [Ord. 2007-013]

a. the proposed deviation(s) maintains compatibility with the uses and character of land surrounding and in the vicinity of the land proposed for development; [Ord. 2007-013]

b. adverse affects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other preexisting conditions; [Ord. 2007-013]

c. special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development; [Ord. 2007-013]

d. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development; [Ord. 2007-013]

e. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and. [Ord. 2007-013]

f. approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare. [Ord. 2007-013]

Part 12. ULDC Art. 7.B.1.C Landscaping, Applicability and Approval Process, Applicability (page 10 of 53), is hereby amended as follows:

CHAPTER B APPLICABILITY AND APPROVAL PROCESS

Section 1 Applicability

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EXHIBIT M

PO DEVIATIONS

SUMMARY OF AMENDMENTS

1 The provisions of this Article shall be considered minimum standards and shall apply to all new development unless stated otherwise herein. [Ord. 2018-002]


Landscape requirements shall also be consistent with the standards of Art. 14.C, Vegetation Preservation and Protection, nothing in this Article shall be applied to contradict these requirements. [Ord. 2018-002]

B. Exemptions

The following developments are exempt from the standards and requirements of this Article:

1. Enlargement or repair of a single-family dwelling unit, two-unit townhouse, or two-unit multi-family structure on a single lot.
2. Parking areas located within an enclosed parking structure.
3. Bona fide agriculture uses, unless stated otherwise in Art. 14.B.6, Agricultural Uses. Where the property has a use that is classified as Agriculture, bona fide, with agricultural activities or accessory agricultural uses, the property owner shall provide a six-foot high hedge along the frontage of the property where it is abuts a public street R-O-W. [Ord. 2018-002]
4. Uses such as airports, major utilities, and stockades which have planting requirements regulated by Federal or State law. Off-site planting of required landscaping may be approved in areas where there is a direct public benefit, such as in schools, parks, libraries, streets, and medians.
5. Projects in the Glades Area Economic Development Overlay (GAO) that have provided in-lieu funds to the Glades Thoroughfare Beautification Fund.

C. Public Park Exception or PO Deviations

Deviations or Exceptions from the minimum standards of this Article may be permitted as follows:

1. P-8G Public parks, as specified in Art. 5.D.2.G, Public Park Landscape Standards; and,
2. Development supporting government facilities within the PO Zoning District, subject to Art. 2 Application Processes and Procedures and PPM ZO-O-063, as applicable and as amended, subject to approval by the BCC. [Ord. 2006-004] [Ord. 2007-013]

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EXHIBIT N
CLR FUTURE LAND USE AND RESIDENTIAL
[CODIFICATION OF ORD-2017-036]

1 Part 1. ULDC Art. 1.1.3, General Provisions, Definitions and Acronyms, Abbreviations and
Acronyms (page 113-114 of 118 of Supplement 24), is hereby amended as follows:

3 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 3 Abbreviations and Acronyms

7 CIE Capital Improvement Element
8 CL Commercial Low Intensity [Ord. 2005-002]
9 CLASC Conservation Land Acquisition Selection Committee
10 CLF Congregate Living Facility
11 CLO Commercial Low Office [Ord. 2005-002]
12 CLR Congregate Living Residential
13 CN Neighborhood Commercial [Ord. 2005-002]
15 FLUA Future Land Use Atlas
17 FLUE Future Land Use Element
18 FMP Final Master Plan [ORD. 2009-040]

19 Part 2 ULDC Art. 2.8.7.D, Application Processes and Procedures, Public Hearing Processes,
23 Types of Applications, Type 2 Waiver (page 34-35 of 105, Supplement 24) is hereby
24 amended as follows:

26 CHAPTER B PUBLIC HEARING PROCESSES

27 Section 7 Types of Application

29 D. Type 2 Waiver

31 1. Purpose

33 A Type 2 Waiver is to allow flexibility for mixed use or infill redevelopment projects, or
35 architectural design, site design or layout, where alternative solutions can be allowed, subject
37 to performance criteria or limitations. Type 2 Waivers are not intended to relieve specific
39 financial hardship nor circumvent the intent of this Code. A Type 2 Waiver may not be granted
41 if it conflicts with other sections of this Code, or the Florida Building Code. [Ord. 2011-016]
43 [Ord. 2012-027] [Ord. 2018-002]

45 2. Applicability

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

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

2. Type 2 Waivers - Minimum Density

3. Art. 3.B.4.E.1, Property Development Regulations - Exceptions -


5. WCRD Density Bonus Programs Art. 3.B.14.H.2 Density Bonus Programs

6. IRD Residential Setbacks Art. 3.B.15.F.6.e.4(a), Residential Setbacks

7. URA Residential Setbacks Art. 3.B.16.E.3.a, Residential Setbacks

8. PDD Minimum Frontage Art. 3.E.1.C.2.a.5.b), Type 2 Waiver for additional percentage

9. AGR Tier - Parking Structure Art. 3.F.2.A.2.d.1a), Type 2 Waiver for Parking Structures

10. AGN TMD - Block Structure Art. 3.F.4.D.9, Type 2 Waiver for Block Structure

11. Commercial Communication Towers Art. 4.B.9.H.5, Type 2 Waiver from Required Dimensional Criteria


13. Hours of Operation Art. 5.E.5.a, Type 2 Waiver


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EXHIBIT N
CLR FUTURE LAND USE AND RESIDENTIAL
[CODIFICATION OF ORD-2017-036]

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

A. Purpose and Intent
A parcel’s Zoning District shall be consistent with its Future Land Use (FLU) designation. Any request for a Development Order shall be reviewed to determine consistency with the requirements of this Section. Unless exempted otherwise, all applications for a Development Order shall be in a zoning district corresponding to the FLU designations indicated in the following tables: [Ord. 2011-016]

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

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

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

<table>
<thead>
<tr>
<th>FLU Designation</th>
<th>Zoning District</th>
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<td>AR (2) RE RT RS</td>
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<tr>
<td>LR-3</td>
<td>AR (2) RE RT RS</td>
</tr>
<tr>
<td>MR-5</td>
<td>AR (2) RE RT RS RM</td>
</tr>
<tr>
<td>HR-8</td>
<td>AR (2) RE RT RS RM</td>
</tr>
<tr>
<td>HR-12</td>
<td>AR (2) RE RT RS RM</td>
</tr>
<tr>
<td>HR-18</td>
<td>AR (2) RE RT RS RM</td>
</tr>
<tr>
<td>CLR</td>
<td>AR</td>
</tr>
<tr>
<td>WCR</td>
<td>AR (4)</td>
</tr>
<tr>
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<td></td>
</tr>
<tr>
<td>CL-O</td>
<td>CLO IR</td>
</tr>
<tr>
<td>CL</td>
<td>CN CC CLG IR</td>
</tr>
<tr>
<td>CH-O</td>
<td>CLO CHO IR</td>
</tr>
<tr>
<td>CH</td>
<td>CN CC CLO CHO CG IR</td>
</tr>
<tr>
<td>CR</td>
<td>CRE</td>
</tr>
<tr>
<td>UC</td>
<td>UC</td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
</tr>
<tr>
<td>IND</td>
<td>IL IG CRE</td>
</tr>
<tr>
<td>Institutional/Public and Civic</td>
<td></td>
</tr>
<tr>
<td>INST</td>
<td>IPF</td>
</tr>
<tr>
<td>PARK</td>
<td>IPF</td>
</tr>
<tr>
<td>PO</td>
<td>IPF</td>
</tr>
</tbody>
</table>

Notes:
1. Unless exempted otherwise all applications for a Development Order shall require the subject site be rezoned to a shaded district.
2. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with the exceptions listed below.
3. See Art. 3.A.3.8.1, Standard District Exceptions and Limitations below, for additional notes. [Ord. 2016-042]
4. The Zoning District is consistent as described in the Plan.

C. Planned Development Districts (PDDs)
Any application for a rezoning to a PDD shall correspond to a FLU designation indicated in the table below. [Ord. 2011-016]

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... A series of four bolded ellipses indicates language omitted to save space.
Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)

<table>
<thead>
<tr>
<th>AGR (2)</th>
<th>RR</th>
<th>WCR</th>
<th>AGE</th>
<th>LR1</th>
<th>LR2</th>
<th>LR3</th>
<th>MRS</th>
<th>HR8</th>
<th>HR12</th>
<th>HR18</th>
<th>MLU</th>
<th>CLR</th>
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<tr>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td>✓</td>
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<td>✓</td>
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<td>MHPD</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Notes:
1. Check (✓) indicates the PDD corresponds to the FLU designations. Any application for a rezoning to a PDD shall be to a PDD that corresponds to a FLU designation. [Ord. 2008-037]
2. PDDs in the AGR Tier are limited to the 60/40 PUD OR 60/40 PUD. [Ord. 2006-004]
3. A PUD or MUPD Pod may be permitted within a TTD with an AGE FLU designation in accordance with Table 3.F.5.D, Traditional Town Development Land Use Allocation. [2014-031]
4. A MXPD is consistent with the MLU FLU designation in the Urban/Suburban Tier only. [Ord. 2017-025]
5. The CLR designation is consistent with MUPD and MXPD when applied as an underlying designation for a mixed or multiple use project.

Part 4 ULDC Art. 3.B.4, Overlays & Zoning Districts, Overlays, Glades Area Overlay (page 36 of 212, Supplement 24), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 4 GAO, Glades Area Overlay

E. Property Development Regulations (PDRs) Exceptions

1. Type 2 Waiver - Minimum Density
   a. The BCC may consider the waiver of the minimum density requirement as a Type 2 Waiver for proposed development in the Glades area when: [Ord. 2010-025]
   b. An analysis is completed that addresses:
      1) the impact of a reduced density development on the overall infrastructure system;
      2) the compatibility of the proposed development with adjacent land uses; and
      3) the effect of the reduced density development on the ability of PBC to meet its goals, objectives and policies related to affordable housing. If the development is located in a municipality, the analysis must be performed by the annexing municipality.

2. Maximum Density and Intensity - Conditional Use Approval
   The BCC may consider an increase in the maximum density and intensity allowed by the Plan within the GAO subject to approval of a Conditional Use. [Ord. 2014-025] [Ord. 2016-002]

23. Location of Structures
   Building permits in the GAO may be permitted between the 120 foot and 220 foot R-O-W line within the R-O-W of State Road 700 through Canal Point, from Third Street on the north to Triangle Park on the east, subject to approval of the County Engineer. [Ord. 2014-025]

Part 5 ULDC Art. 3.B.14, Overlays & Zoning Districts, Overlays, Westgate Community Redevelopment Area Overlay (page 45 of 212, Supplement 24), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

E. Use Regulations

1. Mixed Use
   In the WCRAO, mixed use means the combination of residential and one or more non-residential uses that are functionally integrated. Mixed use may be required or permitted in

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EXHIBIT N
CLR FUTURE LAND USE AND RESIDENTIAL
[CODIFICATION OF ORD-2017-036]

Commercial districts that have a commercial with underlying residential FLU designation, as indicated in Table 3.B.14.E, WCRAO Mixed Use. [Ord. 2006-004]

<table>
<thead>
<tr>
<th>Sub-areas</th>
<th>NR</th>
<th>NRM</th>
<th>NG</th>
<th>NC</th>
<th>UG</th>
<th>UH</th>
<th>UI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Residential Use (2)</td>
<td>N/A</td>
<td>50%</td>
<td>50%</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Maximum Residential Use</td>
<td>N/A</td>
<td>100%</td>
<td>100%</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Minimum Non-residential Use</td>
<td>N/A</td>
<td>0%</td>
<td>0%</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Maximum Non-residential Use</td>
<td>N/A</td>
<td>50%</td>
<td>50%</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Notes:
1. Non-residential uses on parcels with a commercial with underlying residential FLU designation, approved as part of Plan Amendment Round 2005-01, Ordinance No. 2005-032, shall only be permitted in accordance with Art. 3.8.14.E.1.a, Mixed Use in NRM, NG and NC Sub-areas. [Ord. 2006-004] [Ord. 2015-031]
2. Minimum and maximum percentages for residential and non-residential uses are calculated by dividing the total GFA for either use (residential OR non-residential) type by the total GFA (residential AND non-residential). [Ord. 2006-004]
3. Stand-alone residential developments are permitted within the NRM and NG Sub-areas. [Ord. 2015-031]

Part 6. ULDC Art. 3.B.15, Infill and Redevelopment Overlay (IRO) (page 63 of 212, Supplement 24), is hereby amended as follows:

CHAPTER B OVERLAYS

Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)

C. Future Land Uses and Density/Intensity

Density and intensity shall be in accordance with the FLU designation and related Zoning PDRs for the subject site as described herein. [Ord. 2010-005]

1. Split by FLU Designations

Uses permitted, PDRs, density and intensity shall be determined by the land use designation on the affected area. Density may be transferred from one portion of the site to another. [Ord. 2010-005]

2. Density

The minimum density requirements. The maximum allowable density shall be in accordance with ULCE Table III.C.4.2.2.1-a.1 and other related Policies of the Plan and related Policies, and Art. 5.G, Density Bonus Programs. [Ord. 2010-005]

Part 7. ULDC Art. 3.D., Property Development Regulations (page 119-122 of 212, Supplement 24), is hereby amended as follows:

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 1 PDRs for Standard Zoning Districts

A. PDRs

The minimum lot dimensions, minimum and maximum density, maximum FAR, maximum building coverage, and minimum setbacks in each standard zoning district are indicated in Table 3.D.1.A. Property Development Regulations unless otherwise stated. Front, side, side street and rear

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EXHIBIT N

CLR FUTURE LAND USE AND RESIDENTIAL [CODIFICATION OF ORD-2017-036]

Table 3.0.1.A - Property Development Regulations

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Min Lot Dimensions</th>
<th>Density ($)</th>
<th>Max FAR (%)</th>
<th>Min Building Coverage</th>
<th>Min Setbacks (241)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Size</td>
<td>Width</td>
<td>Depth</td>
<td>Min Max</td>
<td>Front Side Side Street Rear</td>
</tr>
</tbody>
</table>

Agriculture/Conservation

- PC 1 ac. 300 300 - - - 50 50 50 50
- AP 10 ac. 300 300 - (1) 10% (1412) 100 50 80 80
- AGR 5 ac. 300 300 - - - 15% 100 50 80 80

Residential

- AR (2)(3)(4) 300 300 - 15 15% 150 50 80 80
- RE 2.5 ac. 200 200 20% 50 40 50 50
- RT (LR-1) 20,000 - - 25 15 25 15
- RT (LR-2
- HHR-18) 14,000 100 125 - - 30% 25 15 25 25
- RS 6,000 65 75 - - 40% 25 15 25 15
- RM (5) 65 75 - - 40% 25 15 25 15

Commercial

- CN 0.5 ac. 100 100 - - 25% 30 30 (1110) 30
- CG 1 ac. 100 200 - - 25% 100 60 (1110) 30
- CL 1 ac. 100 200 - - 25% 50 15 (1110) 20
- CHO 1 ac. 100 200 - - 25% 40 10 (1110) 20
- CH 3 ac. 200 300 - 40% 100 50 80 100
- IR N/A 50 100 - (87) 40% (98) (98) (98)
- UI N/A 50 100 - - N/A (109) (109) (109)
- UC N/A 50 100 - - N/A (109) (109) (109)

Industrial

- IL 1 ac. 100 200 - - 45% 40 15 25 20
- IG 2 ac. 200 200 - - 45% 45 20 45 20

Institutional/Civic

- IPF 1 ac. 100 200 - - 25% 50 15 25 20
- PO - - - - - -

Notes:
1. The only density allowed in the AP zoning district is for properties in the LR-1 FLU category located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point, in the Glades Tier only. [Ord. 2005 - 002]
2. The minimum lot size in the AR district corresponds to the FLU category as follows: RR20 – 20 acres; RR10 – 10 acres; RRS – 5 Acres; RR2.5 – 2.5 acres; US Tier – 6 acres.
3. Nonconforming lots in the AR district may use the setback provisions in Art. 3 .0.1 .E-2 , Nonconforming Lots.
4. AR lots with an RR-2.5-FLU designation may use the RE PDR's. [Ord. 2005-002] [Ord. 2016-042]
5. Density is determined by the FLU designation on each parcel of land in the Plan, pursuant to FLUE Table 3.0.1 .C .1 of the Plan, and other related Policies of the Plan. The number of units permitted on a parcel of land which complies with the applicable property development regulations and design standards, therefore, is an acceptable minimum lot size. [Ord. 2005 - 002] [Ord. 2005-041]
6. The minimum and maximum allowable densities shall be in accordance with FLUE Table 3.0.1 .C .1 of the Plan, and other related provisions, unless otherwise noted. [Ord. 2005-041]
7. The maximum FAR shall be in accordance with FLUE Table 3.0.1 .C .2 of the Plan, and other related provisions, unless otherwise noted. [Ord. 2005-041]
8. The .15 FAR for the AR district is applicable where the primary use of a lot is residential. [Ord. 2005-041]
9. Maximum FAR shall be in accordance with Table 3.0.1 .C .4 , IRC FAR Increases. [Ord. 2010-005]
10. Building setbacks shall be in accordance with Article 3 .0.1 .E-2 , Multifamily, Non-Residential Districts and PDD's. [Ord. 2010-005] [Ord. 2010-022]
11. Building setbacks shall be in accordance with Art. 3.0.1 .E-2 , Priority Redevelopment Area Overlay. [Ord. 2010-022]
15. Maximum Building Coverage in the AP district with a SA FLU designation may be increased to 15 percent. [2017-007]

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Part 8. ULDC Art. 3.E.1.B Planned Development Districts, FAR, Density, and Use Standards (page 135-136 of 212 Supplement 24), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

11. B. FAR, Density, and Use Standards

1. PDDs Split by FLU Designations

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EXHIBIT N
CLR FUTURE LAND USE AND RESIDENTIAL [CODIFICATION OF ORD-2017-036]

Uses allowed, PDRs, density and intensity shall be determined by the land use designation on the affected area. In the U/S Tier, density may be transferred from one portion of the project to another based on the gross acreage of the project. An underlying designation is not a Split FLU designation. [Ord. 2009-040]

2. Density

a. Computation
Density shall be based on the gross acreage of the planned development. Fractions shall be rounded down to the nearest whole number. The allowable density shall be pursuant to FLU Table 2.2.1-g.1 and other related Policies.

b. Minimum-Density
The minimum density which may be imposed by the BCC in a PUD is indicated in Table 3. E.1-B, PUD Density. An applicant may voluntarily agree to a lesser density. The Planning Director may waive the minimum density requirement in the HR FLU designation by up to 25 percent, per the FLU minimum density exemption Section-ef---titl Plan. [Ord. 2009-040]

c. Maximum-Density
The maximum density shall only be awarded to a PUD meeting the goals, policies and objectives in the Plan. The maximum density allowed in a PUD is indicated in Table 3. E.1-B, PUD Density. The actual density granted by the BCC to a planned development may be less than the maximum density allowed.

1) Density Bonus Programs
A PDD may qualify for additional units over the maximum density pursuant to Art. 5.G.1, Workforce Housing Program (WHP), Art. 5.G.3, Transfer of Development Rights (TDRs), Special Density Program, or other density bonus program allowed by the Plan. [Ord. 2006-002]

Table 3.E.1-B – PUD Density

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>MIN</td>
<td>0.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
</tr>
<tr>
<td>MAX</td>
<td>1.5</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
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<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
</tr>
</tbody>
</table>

Notes:
1. The minimum density in the RR FLU designation for a PUD are as follows: RR20 = 0.6 unit/0.20 acres, RR10 = 0.6 unit/0.10 acres, RR2 = 0.5 unit/0.5 acres, RR2G = 0.5 unit/0.5 acres.
2. The maximum density in the RR FLU designations for a PUD are as follows: RR20 = 1.0 unit/0.20 acres, RR10 = 1.0 unit/0.10 acres, RR2G = 1.0 unit/0.5 acres, RR2G = 1.0 unit/0.5 acres.
3. Minimum and maximum density shall be in accordance with the AGE FLU Conceptual Plan. [Ord. 2014-031]

2) MXPD/PIPD
Density in a MXPD or PIPD shall be determined by the underlying residential FLU designation and correspond to Table 3.E.1-B, PUD Density. Land with a commercial or industrial land use designation without an underlying residential land use designation shall be assigned a compatible residential density by the Planning Director in accordance with the Plan. [Ord. 2009-040]

e. MLU
Density in a MLU land use designation shall be determined by the underlying residential FLU designation(s) and correspond to Table 3. E.1-B, PUD Density. Land without an underlying residential land use designation shall be assigned a compatible residential density by the Planning Director in accordance with FLU Policy 4.4.2-b of the Plan. [Ord. 2009-040]

Part 9
ULDC Art. 3.E.2 Planned Development Districts, Planned Unit Development Property Development Regulations (page 148 of 212, Supplement 24), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2 Planned Unit Development

D. Property Development Regulations (PDRs)
The minimum lot dimensions, minimum and maximum density, maximum FAR, maximum building coverage, and minimum setbacks in each pod are indicated in Table 3. E.2.D, PUD Property Development Regulations, unless otherwise stated.

1. Setbacks

Notes:
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For residential development, building setbacks shall be measured from the inside edge of the perimeter landscape buffers. For non-residential development, building setbacks shall be measured from the property line. Rear or side setbacks may be reduced pursuant to Art. 3.D.1.D.4, Setback Reductions.

<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></td>
<td>Size</td>
<td>Width and Frontage</td>
<td>Depth</td>
<td>Min.</td>
<td>Max.</td>
</tr>
<tr>
<td>Residential SF and Cottage Homes</td>
<td>Apply the RS district regulations in Table 3.D.1.A, Property Development Regulations. Refer to Art. 3.D.2.E.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MF</td>
<td>Apply the RM district regulations in Table 3.D.1.A, Property Development Regulations.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civic</td>
<td>Private</td>
<td>0.5 ac.</td>
<td>100</td>
<td>100</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Public</td>
<td>1.5 ac.</td>
<td>100</td>
<td>200</td>
<td>-</td>
</tr>
<tr>
<td>Commercial</td>
<td>Apply CC district regulations in Table 3.D.1.A-17, Property Development Regulations</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td>Recreation Pod (3)</td>
<td>-</td>
<td>65</td>
<td>75</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Neighborhood Park</td>
<td>0.1</td>
<td>45</td>
<td>75</td>
<td>-</td>
</tr>
<tr>
<td>Preservation (1)</td>
<td>Apply the AGR district regulations in Table 3.D.1.A, Property Development Regulations</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. Preservation includes the Preservation Areas in a PUD allowed in the AGR FLU designations.
2. The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted. [Ord. 2007-001]
3. Recreation pods required for multi-family units, CLFs, or similar uses may be exempt from the following:
   a) Minimum frontage requirement, where internal street frontages are not available in the area required for recreation amenities, upon demonstration that access is provided from frontage on internal access ways, the pedestrian network other as may be approved by Parks and Recreation; and, [Ord. 2016-042]
   b) Minimum PDRs may be reduced proportionate to or in accordance with Art. 5.D.2.B.9, Exceptions [Ord. 2016-042].

Part 10 ULDC Art. 3.E.6 Overlays and Zoning Districts, Planned Development Districts, Mobile Home Planned Development District, (page 172 of 212, Supplement 24), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 6 Mobile Home Planned Development District (MHPD)

D. Property Development Regulations (PDRs)

The minimum lot dimensions, minimum and maximum density, maximum FAR, maximum building coverage, and minimum setbacks in each pod are indicated in Table 3.E.6.D, MHPD Property Development Regulations, unless otherwise stated.

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Part 11. ULDC Art. 4.B.1., Residential Uses, (page 13-15 of 208, Supplement 24), is hereby amended as follows:

CHAPTER B  USE CLASSIFICATION

Section 1  Residential Uses

Notes:
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## A. Residential Use Matrix

Residential related accessory uses are identified in Table 4.B.1.A - Corresponding Accessory Use to Principal Use.

### TABLE 4.B.1.A, RESIDENTIAL USE MATRIX

<table>
<thead>
<tr>
<th>Standard Districts</th>
<th>Planned Development Districts (PDDs)</th>
<th>Traditional Dev. Districts (TDDs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Use 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Use 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Use 3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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- Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].
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EXHIBIT N
CLR FUTURE LAND USE AND RESIDENTIAL
[CODIFICATION OF ORD-2017-036]

Part 12. ULDC Art. 4.B.1 Residential uses Uses (pages 15 of 204, Supplement 24), is hereby amended as follows:

B. General Residential Standards

1. Accessory Affordable Housing

Multifamily, Single Family, Townhouse or Zero Lot Line Home may be allowed in the IPF Zoning District as Affordable Housing in the same development of Institutional, Public and Civic uses such as Place of Worship. The dwelling units shall not be for sale and shall be subject to DRO approval. As part of the submittal requirement, the applicant shall demonstrate that residential development will be under the direct supervision of a sponsoring non-profit organization or community-based group.

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

1) RS Zoning District

A Type 3 CLF may be allowed in the RS Zoning District with an MR-5, HR-8, HR-12, or HR-18 FLU designation subject to a Class A Conditional Use approval. A Type 3 CLF in the RS Zoning District with a LR-1, LR-2, and LR-3 shall be prohibited.

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.12.2.1-g.1 of the Plan and multiplying the maximum allowable density by 2.39. A dwelling unit is equivalent to 2.39 residents/beds.

Part 13 ULDC Art. 5.G Supplementary Standards, Density Bonus Programs, Workforce Housing (WHP) (page 79 of 110, Supplement 24), is hereby amended as follows:

CHAPTER G DENSITY BONUS PROGRAMS

SECTION 1 WORKFORCE HOUSING PROGRAM (WHP)

E. WHP Incentives

4. Density Bonus Development Options

f. Option 1 - RT District

The zoning for parcels electing to use this option must be in compliance with Table 3.A.3.B, Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts. [Ord. 2008-037]

1) RT PDR Deviations

Deviations from the minimum PDRs for the RT district with a LR-2 or LR-3 FLU designation may be in accordance with Table 5.G.1.E, RT Deviations for WHP, only for those projects that exceed the standard density in the footnote in FLUE Table 2.2.1-g.1, Resilient Future Land Use Designation Maximum Density qualify for maximum density in accordance with Table 2.1.1, Resilient Categories and Allowed Densities, of the FLU Element of the Plan, and utilize a minimum density bonus of 20 percent. [Ord. 2006-055]

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Applicability</th>
<th>FLU</th>
<th>Lot Dimensions</th>
<th>Setbacks</th>
</tr>
</thead>
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<td>Width and</td>
<td>Building</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Frontage</td>
<td>Coverage</td>
</tr>
<tr>
<td>RT</td>
<td>infill-TDR</td>
<td>LR-1</td>
<td>14,000 sf</td>
<td>ND</td>
</tr>
<tr>
<td>RT</td>
<td>infill-TDR</td>
<td>LR-2</td>
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<td>85%</td>
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<tr>
<td>RT</td>
<td>infill-TDR</td>
<td>LR-3</td>
<td>9,000 sf</td>
<td>65%</td>
</tr>
</tbody>
</table>
Part 14. ULDC Art. 5.G.5 Density Bonus Programs, Affordable Housing (WHP) (page 85 of 110), is hereby amended as follows:

**CHAPTER G DENSITY BONUS PROGRAMS**

Section 2 Affordable Housing Program (AHP)

### D. AHP Incentives

**4. Density Bonus Development Options**

**f. Option 1 - AR, and RT Districts**

The zoning for parcels electing to use this option must be in compliance with Table 3.A.2.B, Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts. [Ord. 2009-040]

1) **AR FAR Calculations**

New SFD lots in the AR district shall be permitted to calculate FAR based on the acreage of the FLU designation. [Ord. 2009-040]

2) **RT PDR Deviations**

Deviations from the minimum PDRs for the RT district with a LR-2 or LR-3 FLU designation may be in accordance with Table 5.G.2.D, RT Deviations for WHP, only for those projects that exceed the standard density in the footnote in FLUE Table 2.1-1, Residential Future Land Use Designation Maximum Density, qualify for maximum density in accordance with Table 2.1-1, Residential Categories and Allowed Densities, of the FLU Element of the Plan, and utilize a minimum density bonus of 20 percent. [Ord. 2009-040]

### Table 5.G.2.D - RT Deviations for AHP (4)

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Applicability</th>
<th>FLU</th>
<th>Lot Dimensions</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Size</td>
<td>Width and</td>
<td>Side</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Frontage</td>
<td>Rear</td>
</tr>
<tr>
<td></td>
<td></td>
<td>14,000 sf</td>
<td>85' 35%</td>
<td>ND ND</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12,000 sf</td>
<td>85' 35%</td>
<td>100' ND ND</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9,000 sf</td>
<td>65' 40%</td>
<td>80' 1st floor 16' 1st floor - 15' ND ND</td>
</tr>
</tbody>
</table>

Notes:

- **ND** No deviation.
- *Eligible projects must qualify for maximum density in accordance with FLUE Table III.C.1, Residential Categories and Allowed Densities, of the FLU Element of the Plan, and use.* [Ord. 2009-040]
EXHIBIT O
MIXED AND MULTIPLE USE ZONING DISTRICTS
[CODIFICATION - PORTION OF ORD-2017-004]

Part 1.  ULDC Art. 2.A.6.B Application Processes and Procedures, General, Zoning Application Procedures, Plan Requirements (page 16 of 105, Supplement 24), is hereby amended as follows:

CHAPTER A GENERAL

Section 6 Zoning Application Procedures

B. Plan Requirements

All applications, excluding Comprehensive Plan Amendments and Privately Initiated Amendments, shall require the submittal of plan(s) to the DRO, except where indicated otherwise. The type of plan shall be based upon the type of application request(s), and shall be prepared to include graphics and tabular data consistent with the Zoning Technical Manual requirements, as amended. The plan shall provide sufficient information for the DRO to review in order to render comments on the application for compliance with the applicable standards pursuant to Art. 2.B, Public Hearing Processes and Art. 2.C, Administrative Processes. In addition, the plan shall be prepared in compliance with the following: [2009-040] [2015-006] [Ord. 2017-002] [Ord. 2018-002]

1. The Land Development Design Standards Manual (LDM) published and maintained by the Land Development Division; and; [Ord. 2009-040] [Ord. 2018-002]

2. Plan labeling standards as follows, unless otherwise stated herein; [Ord. 2009-040] [Ord. 2018-002]

   a. Plans requiring BCC or ZC’s approval shall be labeled “Preliminary.” [Ord. 2009-040] After the BCC or ZC approves the DOs, the DRO shall finalize the Preliminary Plans to ensure consistency with the approved DOs. These Plans shall be labeled as Final Plans at the Final DRO approval process. [Ord. 2018-002]


3. Master Plan

The Master Plan shall be the controlling document for a PDD listed below. All development site elements, including, but not limited to: ingress and egress, density, and intensity in the PDD shall be consistent with the Master Plan. All subdivisions and plats shall be consistent with the Master Plan. In cases of conflict between plans, the most recently approved BCC plan for those DOs that have no Final DRO plans, shall prevail. [Ord. 2009-040] [Ord. 2018-002]

a. Preliminary Master Plan (PMP) for Public Hearing Approval

The BCC shall approve a PMP for the following PDDs: PUD, PIDP, MHPD, RVPD, MHPD, RVPD, PDDs with a MLU or EDC future land use designation; and a PUD within the Lion Country Safari (LCS) where the transfer of density from other PDDs within the LCS is proposed. The BCC may approve a PMP for a MUPD and MXPD that utilizes more than one FLU designation in order to define location of uses and property development regulations. [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2018-002]

1) Preliminary Site Plan (PSP) or Subdivision Plan (PSBP) Options

For a PUD application with no proposed subdivision, the Applicant may submit a PSP prior to certification for public hearing process, which includes but not limited to: layout of lots and buildings, ingress and egress, recreation areas, or exemplary design standards, if applicable for the purpose of the BCC’s consideration. For a PUD with proposed subdivision of lots, the Applicant, may submit a PSBP pursuant to Preliminary Subdivision Plan. [Ord. 2009-040] [Ord. 2018-002]

2) Lion Country Safari

A PMP shall be required for any LCS PUD application that proposes to transfer density from the MUPD or RVPD in accordance with FLUE Objective 1,1, Lion Country Safari Overlay. All other Plans within the LCS shall be consistent with the PMP. [Ord. 2011-018] [Ord. 2018-002]

....

Part 2.  ULDC Art. 3.E.1.C Overlays and Zoning Districts, Planned Development Districts, General, FAR, Density, and Use Standards (page 135 of 212, Supplement 24), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

B. FAR, Density, and Use Standards

1. PDDs Split by FLU Designations

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EXHIBIT O
MIXED AND MULTIPLE USE ZONING DISTRICTS
[CODIFICATION - PORTION OF ORD-2017-004]

Uses allowed, PDRs, density and intensity shall be determined by the land use designation on
the affected area. In the U/S Tier, density may be transferred from one portion of the project
to another based on the gross acreage of the project. [Ord. 2009-040]

2. PPDDS with underlying FLU Designations
   a. PPDDS that have a non-residential FLU designation and an underlying residential FLU
designation may utilize density and/or intensity for either or both FLU designations.
   b. PPDDS that have two non-residential FLU designations may utilize either or both FLU
designations. If the Development Order utilizes both FLU designations, a Preliminary
Master Plan shall be approved by the BCC depicting the locations of each FLU as a Pod.
Each Pod will be limited to the allowable uses, for the applicable FLU designation, pursuant
to Article 4.B Use Classification and the property development regulations pursuant to
Table 3.E.3.D- MUPD Property Development Regulations. The FAR shall be in
accordance with FLUE Table III.C.2 for each Pod and the applicable FLU Designation.
(Double counting of intensity is prohibited.)

Part 3. ULDC Art. 3.E.1.C Overlays and Zoning Districts, Planned Development Districts,
General, Objectives and Standards (page 136-137 of 212, Supplement 24), is hereby
amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

C. Objectives and Standards

1. Design Objectives
   Planned developments shall comply with the following objectives:
   a. Contain sufficient depth, width, and frontage on a public street, or appropriate access
   thereto, as shown on the PBC Thoroughfare Identification Map to adequately
   accommodate the proposed use(s) and design;
   b. Provide a continuous, non-vehicular and pedestrian circulation system which connects
   uses, public entrances to buildings, recreation areas, amenities, usable open space, and
   other land improvements within and adjacent to the PDD;
   c. Provide pathways and convenient parking areas designed to encourage pedestrian
   circulation between uses;
   d. Preserve existing native vegetation and other natural/historic features to the greatest
   possible extent;
   e. Screen objectionable features (e.g. mechanical equipment, loading/delivery areas, storage
   areas, dumpsters, compactors) from public view and control objectionable sound;
   f. Locate and design buildings, structures, uses, pathways, access, landscaping, water
   management tracts, drainage systems, signs and other primary elements to minimize the
   potential for any adverse impact on adjacent properties; and,
   g. Minimize parking through shared parking and mix of uses;
   h. Creation of a strong pedestrian system through the design and placement of buildings
   connected to a common public space or usable open spaces; and,
   i. For PPDDS with nonresidential uses only, a minimum of one pedestrian amenity for each
   100,000 square feet of non-residential GFA, or fraction thereof, shall be incorporated into
   the overall development to create a pedestrian friendly atmosphere. Suggested amenities
   include, but are not limited to: [Ord. 2009-040]
   1) public art; [Ord. 2009-040]
   2) clock tower; [Ord. 2009-040]
   3) water feature/fountain; [Ord. 2009-040]
   4) outdoor patio, courtyard or plaza; and [Ord. 2009-040]
   5) tables with umbrellas for open air eating in common areas and not associated with
   tenant use (i.e. restaurant) or outdoor furniture. [Ord. 2009-040]

PART 4. ULDC Art. 3.E.1.1. Overlays and Zoning Districts, Planned Development Districts,
General, Unified Control (page 145 of 212, Supplement 24), is hereby amended as
follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

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EXHIBIT O
MIXED AND MULTIPLE USE ZONING DISTRICTS
[CODIFICATION - PORTION OF ORD-2017-004]

1. Unified Control

All land in a POD shall be contiguous, unless otherwise stated, and owned or under the control of the applicant or subject to unified control. Unified Control shall be in a form acceptable to the County Attorney and shall provide for the perpetual operation and maintenance of all shared/common facilities and improvements, which are not provided, operated or maintained at the public's expense.

1. Exception

Public civic uses and AGR Preservation Areas shall not be subject to unified control, unless required by a condition of approval.

2. Approval

Unified control shall be approved by the County Attorney and recorded by the applicant prior to approval by the DRO of the initial master plan, site plan, or subdivision, whichever occurs first.

3. Control

Unified control for a POD shall be approved by the County Attorney and recorded by the applicant prior to approval of the first plat.

4. Architectural Guidelines

All buildings and signage shall maintain architectural consistency between all building, signage and project identification. Consistency shall include, a minimum, on overall unified image and character created by the use of common elements such as building and roofing materials, rooflines, muted colors, fenestration, architectural features, and architectural elements. Infrastructure, such as Minor Utility, Water and Wastewater Treatment Plants which are approved for construction in a POD prior to the approval of other buildings will not be used to set the architectural standards for a POD. [Ord. 2007-013] [Ord. 2017-007]

5. Successive Owners

The unified control shall run with the land and shall be binding on all successors in interest to the property.

6. Amendments

Prior to approval of a modification to a master plan, site plan, or subdivision by the DRO, the unified control shall be amended to include/exclude all land added to/deleted from the POD, and incorporate any revisions modified by the new Development Order that may be in conflict with the original Unified Control.

Part 5. ULDC Art. 3.E.3.B Overlays and Zoning Districts, Planned Development Districts, Multiple Use Planned Development, Design Objectives (page 162 of 212, Supplement 24), is hereby amended as follows:

Section 3 Multiple Use Planned Development (MUPD)

B. Objectives and Standards

1. Design Objectives

A MUPD shall comply with the following objectives:

a. Designed as a predominantly non-residential district; Allow for both residential and non-residential uses within a project that is designed in a manner to foster compatibility within and adjacent to the project;

b. Provide innovative building location and orientation;

c. Protect adjacent residential uses from potential adverse impacts;

d. Provide interconnection between uses in and adjacent to the project;

e. Allow for landscape design that enhances the appearance of the project; and, [Ord. 2014-025]

f. An MUPD with an EDC FLU designation shall be primarily utilized by office and research parks, which may also include manufacturing and processing, research and development, wholesale distribution and storage of products. [Ord. 2014-025]

2. Performance Standards

A MUPD shall comply with the following standards:

a. Freestanding Buildings

2) For the purpose of this Section, circulation shall mean any portion of a driveway, drive aisle, or other means of vehicular access located within 50 feet of a building, excluding one-way drive through lanes, dedicated bypass lanes, and one primary building.

2b) For the purpose of this Section, circulation shall not include vehicular access ways for uses including but not limited to Self Service Storage Facility, Data and Information Processing, Manufacturing and Processing, or Warehouses, when limited to access to individual storage units or warehouse bays, or facilities not open to the public and under the control of one business. This exception shall not apply to other vehicular...

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EXHIBIT O
MIXED AND MULTIPLE USE ZONING DISTRICTS
[CODIFICATION - PORTION OF ORD-2017-004]

Table 3.E.3.B - Freestanding Buildings

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<tr>
<th>FLU Designations</th>
<th>CL</th>
<th>CH</th>
<th>CLO</th>
<th>CHO</th>
<th>IND</th>
<th>EDC</th>
<th>CR</th>
<th>INST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of buildings</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

3. Civic Dedication

The BCC may require that a portion of the gross acreage of the development be dedicated to PBC for public purposes, when insufficient facilities are available to allow for the provision of government services required for the proposed development. The dedication of such property

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shall be in accordance with Art. 3.E.2.E.4.c.1), Public Civic. The PDRs for the PO district shall apply to the civic parcel. [Ord. 2006-004]

4. EDC FLU - Use Limitations

All permitted Commercial, Public and Civic, Agricultural, Utility or Industrial uses shall comply with the following: [Ord. 2014-025]

a. Shall be clustered within the overall project so as to minimize any adverse impacts, including heavy truck traffic, on office and research portions of the project; and, [Ord. 2014-025]

b. Outdoor storage or activity areas shall be buffered and screened from view of office or research areas, or operate completely in enclosed buildings. [Ord. 2014-025]

C. Thresholds

Projects that meet or exceed the requirements of Table 3.E.3.D, MUPD Property Development Regulations, in addition to all other minimum MUPD requirements, may be submitted and reviewed as a MUPD. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2015-031]

1. Underlying Land Use

A MUPD with an underlying nonresidential FLU designation may utilize either land use, or a combination of land uses, to satisfy the requirements of Table 3.E.3.D, MUPD Property Development Regulations. [Ord. 2015-031]

D. Property Development Regulations

The minimum lot dimensions, maximum FAR, maximum building coverage, and minimum setbacks in the MUPD district are indicated in Table 3.E.3.D, MUPD Property Development Regulations, unless otherwise stated.

<table>
<thead>
<tr>
<th>FLU Designations</th>
<th>Minimum Lot Dimensions</th>
<th>Max. FAR (2)</th>
<th>Max. Bldg Coverage</th>
<th>Minimum Setbacks (1)</th>
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<td></td>
<td>Size</td>
<td>Width &amp; Frontage</td>
<td>Depth</td>
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<td>CL</td>
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<td>200</td>
<td>- 25 percent 25</td>
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<td>CH</td>
<td>5 ac</td>
<td>300</td>
<td>300</td>
<td>- 30 percent 30</td>
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<td>CLO</td>
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<td>200</td>
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<td>- 25 percent 25</td>
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<td>INST</td>
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<td>300</td>
<td>300</td>
<td>- 30 percent 30</td>
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</tbody>
</table>

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EXHIBIT 0
MIXED AND MULTIPLE USE ZONING DISTRICTS
[CODIFICATION - PORTION OF ORD-2017-004]

Part 6. ULDC Art. 3.F.1 Overlays and Zoning Districts, Traditional Development Districts, General
Provisions for TDDs (page 176 of 212), is hereby amended as follows:

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDs)

Section 1 General Provisions for TDDs

E. FLUA Consistency, FAR and Density
1. Land Use Categories
2. TDDs Split by Land Use
   a. TMD Exception

2. TDDs Split by Land Use
   a. TMD Exception

3. TDD-Density Bonus

A TND in the U.S. Tier only, may qualify for a density bonus of up to two additional units per acre above the maximum density allowed for a planned development, provided that the TND is consistent with the standards and requirements of this Article.

4. C. Development Standards for all TMDs

The following standards apply to TMDs located in all tiers:

1. General Standards

   a. Density/Intensity
      1) Multiple Use Projects
         Multiple Use Projects may be allowed to utilize up to 100 percent of the combination of a site’s residential density and its commercial intensity equivalent. (Additional density or intensity is equivalent to the corresponding amount of non-utilized existing density or intensity): A = percent of additional density or intensity, U = percent of utilized density or intensity. A = 100 - U. [Ord. 2005 - 002]

      2) Mixed-Use Projects
         Mixed-Use Projects which vertically integrate at least 20 percent of their allowed residential units with non-residential uses may be allowed to utilize up to 100 percent of both a site’s residential density and commercial intensity. [Ord. 2005 - 002]

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### Residential Use Matrix

#### 1. Residential related accessory uses are identified in Table 4.B.1.D – Corresponding Accessory Use to a Principal Use.

#### TABLE 4.B.1.A RESIDENTIAL USE MATRIX

<table>
<thead>
<tr>
<th>Residential Uses</th>
<th>AGR/CON</th>
<th>RESIDENTIAL</th>
<th>COMMERCIAL</th>
<th>IND/INST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Living Facility, Type 1</td>
<td>F</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Group Living Facility, Type 2</td>
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<td>Mobile Home Dwelling</td>
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<td>Single Family</td>
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<td>Townhouse</td>
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<td>Zero Lot Line Home</td>
<td>A</td>
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<td>P</td>
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</tr>
<tr>
<td>Notes:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
EXHIBIT O
MIXED AND MULTIPLE USE ZONING DISTRICTS
[CODIFICATION - PORTION OF ORD-2017-004]

Part 9. ULDC Art. 4.B.2.A Use Regulations, Use Classification, Commercial Uses (page 29 of 208, Supplement 24), is hereby amended as follows:

Section 2 Commercial Uses

A. Commercial Use Matrix

B. General Commercial Standards

1. Bay Doors

Unless stated otherwise in Art. 4, Use Regulations or Art. 6.B, Loading Standards, service bay doors shall not face any residential use, or vacant parcel of land with a residential FLU designation, except as follows:

a. When separated by an Arterial or Collector Street a minimum of 80 feet in width.
b. When separated by a Local Commercial Street, provided the R-O-W buffer is upgraded to include a minimum six-foot high hedge.
c. When separated by a parcel with a non-residential use such as utilities, canal R-O-W, easements, FDOT or County drainage, a minimum of 80 feet in width, subject to the provision of a Type 3 Incompatibility Buffer with a continuous two-foot high berm. The required wall shall be placed on the top of the berm. Canopy Trees shall be one and one half times the required tree quantity.
d. Requests for Type 2 Variance from Bay Doors regulations may be allowed in accordance with Art. 2, Application Processes and Procedures.
e. When residential uses are within the same MUPD and not vertically integrated, the non-residential structure with the bay doors shall be separated from a residential structure by a minimum of 80 feet and screened from view.

C. Definitions and Supplementary Use Standards for Specific Uses

Part 10. ULDC Art. 4.B.2 Use Regulations, Use Classification, Commercial Uses (page 91 of 208, Supplement 24), is hereby amended as follows:

17. Warehouse

a. Definition

An establishment used for the storage of raw materials, equipment, or products.

b. Typical Uses

Typical uses include moving companies, cold storage, and dead storage facilities, but excludes self-service storage facilities.

c. Overlay - WCRAO

Office/warehouse uses shall be allowed as specified in Table 3.B.14.E, WCRAO Sub-area Use Regulations. The office/warehouse development shall have a minimum of 25 percent office space per gross floor area for each bay.

d. Accessory Office

Unless approved as a Class A Conditional Use, or as specified in the Overlay - WCRAO standard, office space in each warehouse bay shall be a maximum of 30 percent of the GFA of that bay.

e. Sales

General Retail Sales shall be prohibited, except where allowed in conjunction with Flex Space.

f. Freestanding Structures

Freestanding structures for Warehouse developments located in an MUPD with an IND FLU designation shall not be subject to the provisions of Table 3.E.3.B.2.a.(20), Freestanding Buildings.

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.
January 29, 2019

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. 2019-005, which was filed in this office on January 29, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb