

ORDINANCE NO. 2022 - 029

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: REVISION FOR **ELECTRONIC MESSAGE SIGNS**, AMENDING ARTICLE 1 – GENERAL PROVISIONS; ARTICLE 2 – APPLICATION PROCESSES AND PROCEDURES; ARTICLE 8 – SIGNAGE; AND **TRANSFER OF DEVELOPMENT RIGHTS FOR WORKFORCE HOUSING UNITS**, AMENDING ARTICLE 5 – SUPPLEMENTARY STANDARDS; 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 amendment furthers a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found this amendment 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 this amendment 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 following Exhibits, attached hereto and made a part hereof, are hereby adopted.

Exhibit 1 Electronic Message Signs, Art. 1, 2, and 8

Exhibit 2 Transfer of Development Rights for Workforce Housing Units, Art. 5

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.

1 **Section 3. Repeal of Laws in Conflict**

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3 hereby repealed to the extent of such conflict.

4 **Section 4. Severability**

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

9 **Section 5. Savings Clause**

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

16 **Section 6. Inclusion in the Unified Land Development Code**

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

20 **Section 7. Providing for an Effective Date**


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

23 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
24 County, on the 27th day of October, 2022.


25 ATTEST:
26 JOSEPH ABRUZZO, CLERK
27 & COMPTROLLER

25 PALM BEACH COUNTY, FLORIDA,
26 BY ITS BOARD OF COUNTY COMMISSIONERS

28 By 
29 Deputy Clerk

28 By 
29 Robert S. Weinroth, Mayor

30 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

31 By 
32 Scott A. Stone, County Attorney

33 Filed with the Department of State on the 2nd day of November, 2022.

EXHIBIT 1
ELECTRONIC MESSAGE SIGNS
CR-2022-0003

This exhibit revises the following Articles

Article 1 – GENERAL PROVISIONS

Article 2 – APPLICATION PROCESSES AND PROCEDURES

Article 8 – SIGNAGE

Revision Key: Proposed revisions are shown with new text as underlined, deleted text in strike-out, and relocated text italicized. *Stricken and italicized* means text to be totally or partially relocated. Relocation notes are shown in brackets as **[Relocated to:]** or **[Relocated from:]**. Unaltered text omitted for brevity is indicated by a series of four bolded ellipses....

Part 1. ULDC Art. 1.H.2, General Provisions, Definitions and Acronyms, Definitions (pages 32, 34, 38, 45, 69, 72, 82, 86-89, and 91, Supplement 30), is hereby amended as follows:

CHAPTER H DEFINITIONS AND ACRONYMS

....

Section 2 Definitions

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

....

~~25. **Advertising Structure**—for the purposes of Art. 8, Signage, a sign representing or directing attention to a business, commodity, service, or entertainment, conducted, sold, or offered.~~
[Relocated to: Art. 8.A.2]

....

~~54. **Alter Structurally**—for the purposes of Art. 8, Signage, in the case of a sign means to make a change in the supporting members of a structure, such as bearing walls, columns, beams, sign poles or posts, or girders, that will prolong the life of the structure.~~ [Relocated to: Art. 8.A.2]
....[Renumber accordingly]

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

....

~~59. **Conceptual Master**—for the purposes of Art. 8, Signage, a conceptual plan indicating the total number, location, and sign area of all proposed signs on a Site Plan or typical building elevation.~~ [Relocated to: Art. 8.A.2]
....[Renumber accordingly]

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

....

~~19. **Master Sign Plan**—for the purposes of Art. 8, Signage, a coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles, and sign types of all signs to be installed on a site.~~
[Relocated to: Art. 8.A.2]

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

....

~~30. **Non-Conforming Sign**—for the purposes of Art. 8, Signage, a sign or advertising structure or parts therein existing within the unincorporated area on the effective date of this Code which, by its height, square foot area, location, use, operating characteristics, or structural support does not conform to the requirements of the Article.~~ [Relocated to: Art. 8.A.2]
....[Renumber accordingly]

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

....

~~12. **Regional Facility**—for the purposes of Art. 8.G.3.B, Electronic Message Signs, a site or facility that because of its character, magnitude, events, programming, and location is a destination or attraction to users who reside in an extended geographic region. Regional facility uses include, but are not limited to: Arenas, Stadiums, Amphitheaters, Regional Public Parks, State-chartered fairgrounds, and live performance venues with a capacity of 2,000 or more.~~ **[Ord. 2018-002]** [Partially relocated to: Art. 8.A.2]
....[Renumber accordingly]

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

2 ~~36. **Sign**—any character, letter, figure, symbol, design, or device or combination of these used to~~
3 ~~attract attention or convey a message and which is visible to any area outside of a building.~~
4 ~~The term includes banners, pennants, streamers, moving mechanisms, and lights. [Relocated~~
5 ~~to: Art. 8.A.2]~~

6 ~~a. **Sign Types**~~

7 ~~1) **A-Frame or Sandwich**—for the purposes of Art. 8, Signage, a portable sign which is~~
8 ~~ordinarily in the shape of an “A” or some variation thereof that usually has no wheels~~
9 ~~nor permanent foundation. [Relocated to: Art. 8.A.2]~~

10 ~~2) **Abandoned**—for the purposes of Art. 8, Signage, a sign on which is advertised a~~
11 ~~business that is no longer licensed, no longer has a CO, or is no longer doing business~~
12 ~~at that location. [Relocated to: Art. 8.A.2]~~

13 ~~3) **Advertising**—for the purposes of Art. 8, Signage, a sign representing or directing~~
14 ~~attention to a business, commodity, service, or entertainment, conducted, sold, or~~
15 ~~offered. [Relocated to: Art. 8.A.2]~~

16 ~~4) **Advertising Structure**—for the purposes of Art. 8, Signage, any structure erected for~~
17 ~~advertising purposes, with or without any advertisement displayed thereon, situated~~
18 ~~upon or attached to land, upon which any poster, bill, printing, painting, device, or other~~
19 ~~advertisement may be placed, posted, painted, tacked, nailed, or otherwise fastened,~~
20 ~~affixed, or displayed. “Advertising structure” does not include buildings. [Relocated to:~~
21 ~~Art. 8.A.2]~~

22 ~~5) **Area**—the background area upon which the advertising surface area is placed. Where~~
23 ~~the advertising surface area is attached directly to the wall of a building that wall shall~~
24 ~~not be construed to be the background sign area unless it is an integral part of the sign.~~
25 ~~For painted wall signs, see surface area. [Relocated to: Art. 8.A.2]~~

26 ~~6) **Awning or Canopy**—for the purposes of Art. 8, Signage, a type of wall sign which is~~
27 ~~placed on or integrated into fabric or other material that is an integral part of an awning~~
28 ~~or canopy. [Relocated to: Art. 8.A.2]~~

29 ~~7) **Building-Mounted**—for the purposes of Art. 8, Signage, any sign mounted or erected~~
30 ~~on or against any building or façade and includes all wall signs, awning and canopy~~
31 ~~signs, and projecting signs. [Relocated to: Art. 8.A.2]~~

32 ~~8) **Bulletin Board**—for the purposes of Art. 8, Signage, a sign of permanent character,~~
33 ~~but with removable letters, words, or numerals, indicating the names or persons~~
34 ~~associated with, or events conducted upon, or products or services offered upon, the~~
35 ~~premises upon which such a sign is maintained. [Relocated to: Art. 8.A.2]~~

36 ~~9) **Changeable Copy**—for the purposes of Art. 8, Signage, sign copy, including numbers,~~
37 ~~letters, and illustrations which can be changed manually, for example, on a menu board~~
38 ~~or theater marquee. [Partially relocated to: Art. 8.A.2]~~

39 ~~10) **Construction**—for the purposes of Art. 8, Signage, erected on the parcel on which~~
40 ~~construction is taking place, or will take place within one year, indicating the names of~~
41 ~~the architects, engineers, landscape architects, contractors, or similar artisans, and the~~
42 ~~owners, financial supports, sponsors, and similar individuals or firms having a role or~~
43 ~~interest with respect to the structure or project. [Relocated to: Art. 8.A.2]~~

44 ~~11) **Directional**—for the purposes of Art. 8, Signage, any sign giving directions,~~
45 ~~instructions, or facility information and which may contain the name or logo of an~~
46 ~~establishment but no advertising copy. Directional signs intended for residential~~
47 ~~planned developments may be on or off premise such as model home complex signs.~~
48 ~~[Relocated to: Art. 8.A.2]~~

49 ~~12) **Directory**—for the purposes of Art. 8, Signage, a sign intended to show the relative~~
50 ~~locations of or direction to the several commercial or industrial activities within an~~
51 ~~outdoor shopping center or multiple-use industrial or business park, or multiple building~~
52 ~~residential complex. [Relocated to: Art. 8.A.2]~~

53 ~~13) **Double-Faced**—for the purposes of Art. 8, Signage, a sign with two faces which are~~
54 ~~usually parallel and back to back. [Relocated to: Art. 8.A.2)]~~

55 ~~14) **Electronic Message**—for the purposes of Art. 8, Signage, a sign that uses changing~~
56 ~~lights, digital, or other electronic medium to form a sign message or messages wherein~~
57 ~~the sequence of the messages and the rate of change are electronically programmed~~
58 ~~and can be modified by electronic processes. [Ord. 2014-025]~~

59 ~~15) **Entrance Wall**—for the purposes of Art. 8, Signage, an identification structure located~~
60 ~~along the main access to a PBC-approved subdivision or a development. The only~~
61 ~~advertising on the structure shall be the subdivision or development name and logo.~~
62 ~~[Relocated to: Art. 8.A.2]~~

63 ~~16) **Equipment**—for the purposes of Art. 8, Signage, signs incorporated into displays,~~
64 ~~machinery, or equipment by a manufacturer, distributor, or vendor that identifies or~~
65 ~~advertises only the product or service dispensed by the machine or equipment, such~~
66 ~~as signs customarily fixed to automated teller machines (ATMs), gasoline pumps,~~
67 ~~vending machines, menu boards, and umbrellas. [Ord. 2006-036] [Ord. 2008-003]~~
68 ~~[Relocated to: Art. 8.A.2]~~

69 ~~17) **Face**—for the purposes of Art. 8, Signage, the surface(s) used for the display of a sign~~
70 ~~message as seen from any one direction. [Relocated to: Art. 8.A.2]~~

71 ~~18) **Fixed Projecting**—for the purposes of Art. 8, Signage, any sign which is attached to~~
72 ~~a building and extends beyond the wall of the building to which it is attached.~~
73 ~~[Relocated to: Art. 8.A.2]~~

- ~~19) **Flashing**—for the purposes of Art. 8, Signage, any illuminated sign, which exhibits changes in light or color. Illuminated signs which indicate the time, temperature, weather, or other similar information shall not be considered flashing signs. [Relocated to: Art. 8.A.2]~~
- ~~20) **Freedom of Speech**—for the purposes of Art. 8, Signage, a sign communicating a message or ideas for non-commercial purposes, including political free speech and which does not constitute, among others, any of the following: construction sign, directional sign, billboard, grand opening sign, holiday sign, on-premises real estate sign, or political campaign sign. [Relocated to: Art. 8.A.2]~~
- ~~21) **Freestanding**—for the purposes of Art. 8, Signage, a detached sign which shall include any sign supported by uprights or braces placed upon or in or supported by the ground and not attached to any building. [Relocated to: Art. 8.A.2]~~
- ~~22) **Grand Opening**—for the purposes of Art. 8, Signage, a temporary sign for introduction, promotion, or announcement of a new business, store, shopping center, or office, or the announcement, introduction, or promotion of an established business or the changing of ownership. A business may have a grand opening sign when it has been closed to the public and is re-opened. [Relocated to: Art. 8.A.2]~~
- ~~23) **Ground-Mounted**—for the purposes of Art. 8, Signage, any sign which is permanently erected or standing on the ground and supported from the ground by one or more poles, columns, uprights, braces, or anchors and includes all freestanding signs, monument signs, and electronic message signs. **[Ord. 2014-025]** [Relocated to: Art. 8.A.2]~~
- ~~24) **Height**—for the purposes of Art. 8, Signage, the vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be either the natural grade or finished grade, whichever is lowest. [Relocated to: Art. 8.A.2]~~
- ~~25) **Holiday**—for the purposes of Art. 8, Signage, a temporary sign, for non-commercial purposes, communicating only a holiday's name and event. [Relocated to: Art. 8.A.2]~~
- ~~26) **Identification**—for the purposes of Art. 8, Signage, a sign, other than a bulletin board sign, or nameplate sign, indicating the name of the primary use, the name or address of a building, or the name of the management thereof. [Relocated to: Art. 8.A.2]~~
- ~~27) **Illegal**—for the purposes of Art. 8, Signage, any sign erected in violation of this Code. [Relocated to: Art. 8.A.2]~~
- ~~28) **Illuminated**—for the purposes of Art. 8, Signage, a sign in which a source of light is used in order to make the message readable and shall include internally and externally lighted signs. Illuminated signs do not include signs that flash time and temperature. [Relocated to: Art. 8.A.2]~~
- ~~29) **Instructional**—for the purposes of Art. 8, Signage, any sign conveying instructions with respect to the premises on which it is maintained, such as the entrance or exit of a parking area, a no trespassing sign, a danger sign, and similar signs. [Relocated to: Art. 8.A.2]~~
- ~~30) **Marquee**—for the purposes of Art. 8, Signage, a projecting sign that is part of a permanent entryway or canopy and traditionally associated with theaters. A marquee may include a projecting vertical sign extending above the cornice line of a building. **[Ord. 2008-003]** [Partially relocated to: Art. 8.A.2]~~
- ~~31) **Menu Board**—an outdoor sign associated with a restaurant with a drive-through window, which gives a detailed list of foods served that are available at the restaurant and which may incorporate a speaker for voice communications. **[Ord. 2005-002]** [Relocated to: Art. 8.A.2]~~
- ~~32) **Mobile Vendor**—for the purposes of Art. 8, Signage, signs fixed to mobile vending carts that identify or advertise the name, product, or service provided by the vendor. **[Ord. 2006-036]** [Relocated to: Art. 8.A.2]~~
- ~~33) **Monument**—for the purposes of Art. 8, Signage, a freestanding sign not erected on one or more poles or similar structures but erected to rest on the ground or to rest on a monument base designed as an architectural unit. [Relocated to: Art. 8.A.2]~~
- ~~34) **Moving**—for the purposes of Art. 8, Signage, the signs that are moved by mechanical or natural means such as wind. These signs including moving, revolving, rotating, and twirling signs. **[Ord. 2008-003]** [Relocated to: Art. 8.A.2]~~
- ~~35) **Nameplate**—for the purposes of Art. 8, Signage, a sign indicating the name, address, profession, or occupation of an occupant or a group of occupants. [Relocated to: Art. 8.A.2]~~
- ~~36) **Neon**—for the purposes of Art. 8, Signage, a sign with tubing that is internally illuminated by neon or other electrically charged gas. [Relocated to: Art. 8.A.2]~~
- ~~37) **Off-Premises**—for the purposes of Art. 8, Signage, any framework for signs announcing or advertising merchandise, services, or entertainment available, sold, produced, manufactured, or furnished at a place other than the lot on which the sign is erected. [Relocated to: Art. 8.A.2]~~
- ~~38) **Off-Site Directional**—for the purposes of Art. 8, Signage, a sign offering directional information to a business, location, or place located in an area different from where the sign is located. [Relocated to: Art. 8.A.2]~~
- ~~39) **On-Site**—for the purposes of Art. 8, Signage, a permanent sign, identifying a business, commodity, service, or product conducted, sold, or offered on the same premises as those upon which the sign is located. [Relocated to: Art. 8.A.2]~~
- ~~40) **Painted Wall**—for the purposes of Art. 8, Signage, any sign painted on any surface or roof of any building, visible from any public R-O-W. [Relocated to: Art. 8.A.2]~~

- 1 ~~41) **Parking and Directional**—for the purposes of Art. 8, Signage, on-site parking and~~
2 ~~directional signs, that do not include any advertising messages or symbols may be wall~~
3 ~~or ground mounted. [Ord. 2006-036] [Relocated to: Art. 8.A.2]~~
- 4 ~~42) **Permanent**—for the purposes of Art. 8, Signage, any sign which is intended to be, and~~
5 ~~is so constructed as to be a lasting and enduring condition remaining unchanged in~~
6 ~~character, condition beyond normal wear and tear, and in a permanent manner affixed~~
7 ~~to the ground, wall, or building; provided the sign is permitted by this Code. [Relocated~~
8 ~~to: Art. 8.A.2]~~
- 9 ~~43) **Plastic**—for the purposes of Art. 8, Signage, any sign, embellishment, or sign area~~
10 ~~made of flat sheet, corrugated panels, formed or molded plastic on one or more faces.~~
11 ~~[Relocated to: Art. 8.A.2]~~
- 12 ~~44) **Point of Purchase**—for the purposes of Art. 8, Signage, any structure with characters,~~
13 ~~letters, or illustrations placed thereto, thereon, or thereunder by any method or~~
14 ~~whatsoever where the matter displayed is used for advertising on the premises, a~~
15 ~~product actually or actively offered for sale or rent thereon or therein or services~~
16 ~~rendered. [Relocated to: Art. 8.A.2]~~
- 17 ~~45) **Political Campaign**—for the purposes of Art. 8, Signage, a temporary sign, which~~
18 ~~indicates an individual, party, or issue that will be placed on the Federal, State or Local~~
19 ~~election ballot in the subject calendar year. [Relocated to: Art. 8.A.2]~~
- 20 ~~46) **Portable**—for the purposes of Art. 8, Signage, any sign not permanently attached to~~
21 ~~the ground or other structure. [Relocated to: Art. 8.A.2]~~
- 22 ~~47) **Project Identification**—for the purposes of Art. 8, Signage, a sign placed on the~~
23 ~~perimeter of a recorded subdivision, planned development, shopping center, business~~
24 ~~office park, industrial park, or mixed-use complex at a major street or driveway~~
25 ~~entrance to identify the name of the project. Project identification signs include~~
26 ~~entrance signs. [Relocated to: Art. 8.A.2]~~
- 27 ~~48) **Projecting**—for the purposes of Art. 8, Signage, any sign viewed from directly~~
28 ~~overhead is affixed at an angle or perpendicularly to the wall of any building in such a~~
29 ~~manner to read perpendicularly or at an angle to the wall on which it is mounted and~~
30 ~~located under a canopy or cover, and usually has two message surfaces. [Relocated~~
31 ~~to: Art. 8.A.2]~~
- 32 ~~49) **Public Service Information**—for the purposes of Art. 8, Signage, any sign intending~~
33 ~~to promote items of general interest to the community, such as time, temperature, date,~~
34 ~~weather, news, or traffic information. [Relocated to: Art. 8.A.2]~~
- 35 ~~50) **Real Estate**—for the purposes of Art. 8, Signage, any sign erected by the owner, or~~
36 ~~an agent, advertising the land upon which the sign is located for rent or for sale.~~
37 ~~[Relocated to: Art. 8.A.2]~~
- 38 ~~51) **Recreational Vehicle Park**—for the purposes of Art. 8, Signage, any sign erected by~~
39 ~~the owner, or an agent, advertising the land upon which the sign is located for rent or~~
40 ~~for sale a land area under Unified Control designed and intended to accommodate~~
41 ~~short-term, overnight parking of recreational vehicles and not for permanent residential~~
42 ~~use. [Relocated to: Art. 8.A.2]~~
- 43 ~~52) **Roof**—for the purposes of Art. 8, Signage, any sign erected, constructed, and~~
44 ~~maintained wholly upon or over the roof of any building. [Relocated to: Art. 8.A.2]~~
- 45 ~~53) **Sale, Lease, and Rent**—for the purposes of Art. 8, Signage, temporary signs, which~~
46 ~~indicate that a parcel or building is currently for sale, lease, or rent. [Relocated to: Art.~~
47 ~~8.A.2]~~
- 48 ~~54) **Snipe**—for the purposes of Art. 8, Signage, any sign made of any material, including~~
49 ~~paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted, pasted,~~
50 ~~glued, or otherwise attached to trees, poles, fences, or other objects, and the~~
51 ~~advertising matter appearing thereon is not applicable to the premises upon which the~~
52 ~~sign is located. [Relocated to: Art. 8.A.2]~~
- 53 ~~55) **Temporary Balloon-Type**—for the purposes of Art. 8, Signage, a temporary display~~
54 ~~using a balloon to display a sign message for the introduction, promotion, or~~
55 ~~announcement of a new product or new business. [Relocated to: Art. 8.A.2]~~
- 56 ~~56) **Vehicular**—for the purposes of Art. 8, Signage, a sign affixed to or painted onto a~~
57 ~~transportation vehicle or trailer, for the purposes of business advertising; however, a~~
58 ~~vehicular sign shall not include signs affixed to vehicles or trailers for identification~~
59 ~~purposes or signs required by licensing Ordinances. [Ord. 2008-003] [Relocated to:~~
60 ~~Art. 8.A.2]~~
- 61 ~~57) **Wall**—for the purposes of Art. 8, Signage, any sign affixed to the building which shall~~
62 ~~not extend beyond the peak of the roof at the location of the sign. [Ord. 2008-003]~~
63 ~~[Ord. 2013-021] [Relocated to: Art. 8.A.2]~~
- 64
- 65 ~~41. **Single-Faced, Sign**—for the purposes of Art. 8, Signage, only one side of a double-faced sign.~~
66 ~~[Relocated to: Art. 8.A.2]~~
- 67
- 68[Renumber accordingly]

Part 2. ULDC Art. 2.B.7.D, Application Processes and Procedures, Public Hearing Processes, Types of Applications, Type 2 Waiver; and
ULDC Art. 2.B.7.E, Application Processes and Procedures, Public Hearing Processes, Types of Applications, Type 2 Variance (pages 37 and 41, Supplement 30), are hereby amended as follows:

CHAPTER B PUBLIC HEARING PROCESSES

Section 7 Types of Applications

D. Type 2 Waiver

2. Applicability

Requests for Type 2 Waivers shall only be permitted where expressly stated within this Code or indicated in the following Table. [Ord. 2011-016] [Ord. 2012-027] [Ord. 2018-002] [Ord. 2021-006]

Table 2.B.7.D – Summary of Type 2 Waivers

Request	Code Reference
Electronic Message Sign	Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs
Minimum Legal Access for Collocated Landscape Service in the AR/RSA and AR/USA Zoning Districts	Table 11.E.2.A, Chart of Minor Streets
[Ord. 2018-002] [Ord. 2018-018] [Ord. 2019-005] [Ord. 2020-007] [Ord. 2021-006] [Ord. 2021-022]	

E. Type 2 Variance

2. Prohibition

Variance requests for density or intensity beyond the stated limits of the Plan shall be prohibited. In addition, the ZC is not authorized to grant Variances from Code regulations with prohibited provisions, or the following Articles of the ULDC: [Ord. 2006-036] [Ord. 2012-003] [Ord. 2014-001] [Ord. 2018-002]

a. Art. 1, General Provisions (excluding Art. 1.F.3.D.1, Applicability); [Ord. 2008-003] [Ord. 2018-002]

~~Im. Art. 8.G.3.B, Electronic Message Signs.~~
~~F.7, Message Center and Digital Display Signs;~~
[Ord. 2016-020] [Ord. 2018-002]
[Re-letter accordingly]

Part 3. ULDC Art. 2.C.5.F, Application Processes and Procedures, Administrative Processes, Types of Applications, Type 1 Waiver (page 54, Supplement 30), is hereby amended as follows:

CHAPTER C ADMINISTRATIVE PROCESSES

Section 5 Types of Applications

F. Type 1 Waiver

2. Applicability

Requests for Type 1 Waivers shall only be permitted where expressly stated within this Code or indicated in the following Table: [Ord. 2011-016] [Ord. 2012-027] [Ord. 2018-002] [Ord. 2020-020] [Ord. 2021-006]

Table 2.C.5.G – Summary of Type 1 Waivers

Request	Code Reference
PUD or Residential Subdivision Informational Signs	Art. 8.G.3.B.5.b, Standards for Type 3 Electronic Message Signs, PUD or Residential Subdivision Informational Signs
[Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-016] [Ord. 2016-042] [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001] [Ord. 2021-006]	
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 or reductions exceeding five percent less than the minimum requirement. [Ord. 2021-006]

Part 4. ULDC Art. 8.A.1.C, Signage, General, General, Applicability; and ULDC Art. 8.A.2, Signage, General, Definitions (page 6, Supplement 24), are hereby amended as follows:

CHAPTER A GENERAL

Section 1 General

C. Applicability

The provisions of this Section shall apply to all signs in unincorporated PBC, unless exempt by Art. 8.B, Exemptions.

3. Conflict with Graphics and Other Provisions

Where there is a conflict between the text and a graphic in this Section, the more restrictive provision shall prevail. Where other sign or outdoor advertising regulations are in effect and are more restrictive than the provisions of this Section, the more restrictive provisions shall prevail.

4. Unless exempt, signs and supporting structures shall be installed in accordance with the Florida Building Code; [Relocated from: Art. 8.G.6.A]

5. All signs and supporting structures shall be maintained in the condition originally permitted; and, [Relocated from: Art. 8.G.6.B]

6. If a sign is removed from its supporting structure for longer than 90 days, the supporting structure shall be removed pursuant to the procedures in Art. 8.I.4, Removal of Signs in Violation of this Article. [Relocated from: Art. 8.G.6.C]

Section 2 Definitions

~~See ART. 1.I, DEFINITIONS AND ACRONYMS.~~

A. In addition to the applicable definitions set forth under Art. 1.H, Definitions and Acronyms, the following definitions shall apply to this Article:

*1. **Advertising Structure** – a sign representing or directing attention to a business, commodity, service, or entertainment, conducted, sold, or offered. [Relocated from: Art. 1.H.2.A.25]*

*2. **Alter Structurally** – in the case of a sign means to make a change in the supporting members of a structure, such as bearing walls, columns, beams, sign poles or posts, or girders, that will prolong the life of the structure. [Relocated from: Art. 1.H.2.A.54]*

*3. **Civic and Assembly** – for the purposes of this Article shall only consist of the following uses: Assembly Institutional Nonprofit, Assembly Membership Nonprofit, College or University, Government Services, Place of Worship, School – Elementary or Secondary, and government-owned Public Parks.*

*4. **Conceptual Master** – a conceptual plan indicating the total number, location, and sign area of all proposed signs on a Site Plan or typical building elevation. [Relocated from: Art. 1.H.2.C.59]*

*5. **Height** – the vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be either the natural grade or finished grade, whichever is lowest. [Relocated from: Art. 1.H.2.S.36.a.24]]*

*6. **Illumination** – a source of any artificial or reflected light, either directly from a source of light incorporated in, or directly from an artificial source.*

*a. **External** – artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.*

*b. **Internal** – a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message Center signs, Digital Display signs, and signs incorporating neon lighting shall not be considered internal illumination.*

*c. **Halo** – a sign using a three-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect (a.k.a. backlit illumination).*

*7. **Marquee** – a permanent structure, other than a roof or canopy, attached to, supported by, and projecting from a building and providing protection from the elements.*

*8. **Master Sign Plan (MSP)** – a coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles, and sign types of all signs to be installed on a site. [Relocated from: Art. 1.H.2.M.19]*

*9. **Non-Conforming Sign** – a sign or advertising structure or parts therein existing within the unincorporated area on the effective date of this Code which, by its height, square foot area, location, use, operating characteristics, or structural support does not conform to the requirements of this Article. [Relocated from: Art. 1.H.2.M.30]*

*10) **Regional Facility** – a site or facility that because of its character, magnitude, events, programming, and location is a destination or attraction to users who reside in an extended geographic region. Regional facility uses shall only consist of the following: Arenas, Stadiums, Amphitheaters, Regional Public Parks, State-chartered fairgrounds, and live performance venues with a capacity of 2,000 or more. [Relocated from Art. 1.H.36.R.12]*

11. **Sign** – any character, letter, figure, symbol, design, or device or combination of these used to attract attention or convey a message and which is visible to any area outside of a building. The term includes banners, pennants, streamers, moving mechanisms, and lights. [Relocated from: Art. 1.H.2.S.36]
- a. **Sign Types**
- 1) **A-Frame or Sandwich** – a portable sign which is ordinarily in the shape of an “A” or some variation thereof that usually has no wheels nor permanent foundation. [Relocated from: Art. 1.H.2.S.36.a.1)]
 - 2) **Abandoned** – a sign on which is advertised a business that is no longer licensed, no longer has a CO, or is no longer doing business at that location. [Relocated from: Art. 1.H.2.S.36.a.2)]
 - 3) **Advertising** – a sign representing or directing attention to a business, commodity, service, or entertainment, conducted, sold, or offered. [Relocated from: Art. 1.H.2.S.36.a.3)]
 - 4) **Advertising Structure** – any structure erected for advertising purposes, with or without any advertisement displayed thereon, situated upon or attached to land, upon which any poster, bill, printing, painting, device, or other advertisement may be placed, posted, painted, tacked, nailed, or otherwise fastened, affixed, or displayed. “Advertising structure” does not include buildings. [Relocated from: Art. 1.H.2.S.36.a.4)]
 - 5) **Area** – the background area upon which the advertising surface area is placed. Where the advertising surface area is attached directly to the wall of a building that wall shall not be construed to be the background sign area unless it is an integral part of the sign. For painted wall signs, see surface area. [Relocated from: Art. 1.H.2.S.36.a.5)]
 - 6) **Awning or Canopy** – a type of wall sign which is placed on or integrated into fabric or other material that is an integral part of an awning or canopy. [Relocated from: Art. 1.H.2.S.36.a.6)]
 - 7) **Building-Mounted** – any sign mounted or erected on or against any building or façade and includes all wall signs, awning and canopy signs, and projecting signs. [Relocated from: Art. 1.H.2.S.36.a.7)]
 - 8) **Bulletin Board** – a sign of permanent character, but with removable letters, words, or numerals, indicating the names or persons associated with, or events conducted upon, or products or services offered upon, the premises upon which such a sign is maintained. [Relocated from: Art. 1.H.2.S.36.a.8)]
 - 9) **Changeable Copy** – a sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The three types of Changeable Copy include: Manual Changeable Copy, Message Center, and Digital Display. [Partially relocated from: Art. 1.H.2.S.36.a.9)]
 - 10) **Channel Letter** – a sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.
 - 11) **Construction** – erected on the parcel on which construction is taking place, or will take place within one year, indicating the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supports, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project. [Relocated from: Art. 1.H.2.S.36.a.10)]
 - 12) **Digital Display** – the portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital Display signs may include but are not limited to LCD, LED, or plasma displays.
 - 13) **Directional** – any sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy. Directional signs intended for residential planned developments may be on or off premise such as model home complex signs. [Relocated from: Art. 1.H.2.S.36.a.11)]
 - 14) **Directory** – a sign intended to show the relative locations of or direction to the several commercial or industrial activities within an outdoor shopping center or multiple use industrial or business park, or multiple building residential complex. [Relocated from: Art. 1.H.2.S.36.a.12)]
 - 15) **Double-Faced** – a sign with two faces which are usually parallel and back to back. [Relocated from: Art. 1.H.2.S.36.a.13)]
 - 16) **Entrance Wall** – an identification structure located along the main access to a PBC-approved subdivision or a development. The only advertising on the structure shall be the subdivision or development name and logo. [Relocated from: Art. 1.H.2.S.36.a.15)]
 - 17) **Equipment** – signs incorporated into displays, machinery, or equipment by a manufacturer, distributor, or vendor that identifies or advertises only the product or service dispensed by the machine or equipment, such as signs customarily fixed to automated teller machines (ATMs), gasoline pumps, vending machines, menu boards, and umbrellas. [Ord. 2006-036] [Ord. 2008-003] [Relocated from: Art. 1.H.2.S.36.a.16)]
 - 18) **Face** – the surface(s) used for the display of a sign message as seen from any one direction. [Relocated from: Art. 1.H.2.S.36.a.17)]
 - 19) **Fixed Projecting** – any sign which is attached to a building and extends beyond the wall of the building to which it is attached. [Relocated from: Art. 1.H.2.S.36.a.18)]
 - 20) **Flashing** – any illuminated sign, which exhibits changes in light or color. Illuminated signs which indicate the time, temperature, weather, or other similar information shall not be considered flashing signs. [Relocated from: Art. 1.H.2.S.36.a.19)]

- 21) **Freedom of Speech** – a sign communicating a message or ideas for non-commercial purposes, including political free speech and which does not constitute, among others, any of the following: construction sign, directional sign, billboard, grand opening sign, holiday sign, on-premises real estate sign, or political campaign sign. [Relocated from: Art. 1.H.2.S.36.a.20)]
- 22) **Freestanding** – a detached sign which shall include any sign supported by uprights or braces placed upon or in or supported by the ground and not attached to any building. [Relocated from: Art. 1.H.2.S.36.a.21)]
- 23) **Fuel Price** – a Message Center sign that only displays words for cash or credit, fuel grades, and numerals for fuel prices. [Ord. 2013-025] [Ord. 2015-031] [Relocated from: Art. 8.G.3.B.5.a.2), Fuel Prices]
- 24) **Grand Opening** – a temporary sign for introduction, promotion, or announcement of a new business, store, shopping center, or office, or the announcement, introduction, or promotion of an established business or the changing of ownership. A business may have a grand opening sign when it has been closed to the public and is re-opened. [Relocated from: Art. 1.H.2.S.36.a.22)]
- 25) **Ground-Mounted** – any sign which is permanently erected or standing on the ground and supported from the ground by one or more poles, columns, uprights, braces, or anchors and includes all freestanding signs, monument signs, and electronic message signs. [Ord. 2014-025] [Relocated from: Art. 1.H.2.S.36.a.23)]
- 26) **Holiday** – a temporary sign, for non-commercial purposes, communicating only a holiday's name and event. [Relocated from: Art. 1.H.2.S.36.a.25)]
- 27) **Identification** – a sign, other than a bulletin board sign, or nameplate sign, indicating the name of the primary use, the name or address of a building, or the name of the management thereof. [Relocated from: Art. 1.H.2.S.36.a.26)]
- 28) **Illegal** – any sign erected in violation of this Code. [Relocated from: Art. 1.H.2.S.36.a.27)]
- 29) **Illuminated** – a sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface. [Partially relocated from: Art. 1.H.2.S.36.a.28)]
- 30) **Instructional** – any sign conveying instructions with respect to the premises on which it is maintained, such as the entrance or exit of a parking area, a no trespassing sign, a danger sign, and similar signs. [Relocated from: Art. 1.H.2.S.36.a.29)]
- 31) **Interactive** – an electronic or animated sign that reacts to the behavior of electronic signals of motor vehicle drivers.
- 32) **Marquee** – a sign attached to a marquee for the purpose of identifying a use or product. If attached to a theater, performing arts center or cinema, it may also advertise films or productions. [Ord. 2008-003] [Partially relocated from: Art. 1.H.2.S.36.a.30)]
- 33) **Message Center** – a type of illuminated, Changeable Copy sign that consists of electronically changing alphanumeric text, typically for fuel price display, time and temperature, Planned Unit Development or Residential Subdivision Informational Signs, and athletic scoreboards.
- 34) **Mobile Vendor** – signs fixed to mobile vending carts that identify or advertise the name, product, or service provided by the vendor. [Ord. 2006-036] [Relocated from: Art. 1.H.2.S.36.a.32)]
- 35) **Monument** – a freestanding sign not erected on one or more poles or similar structures but erected to rest on the ground or to rest on a monument base designed as an architectural unit. [Relocated from: Art. 1.H.2.S.36.a.33)]
- 36) **Moving** – the signs that are moved by mechanical or natural means such as wind. These signs including moving, revolving, rotating, and twirling signs. [Ord. 2008-003] [Relocated from: Art. 1.H.2.S.36.a.34)]
- 37) **Nameplate** – a sign indicating the name, address, profession, or occupation of an occupant or a group of occupants. [Relocated from: Art. 1.H.2.S.36.a.35)]
- 38) **Neon** – a sign with tubing that is internally illuminated by neon or other electrically charged gas. [Relocated from: Art. 1.H.2.S.36.a.36)]
- 49) **Off-Premises** – any framework for signs announcing or advertising merchandise, services, or entertainment available, sold, produced, manufactured, or furnished at a place other than the lot on which the sign is erected. [Relocated from: Art. 1.H.2.S.36.a.37)]
- 40) **Off-Site Directional** – a sign offering directional information to a business, location, or place located in an area different from where the sign is located. [Relocated from: Art. 1.H.2.S.36.a.38)]
- 41) **On-Site** – a permanent sign, identifying a business, commodity, service, or product conducted, sold, or offered on the same premises as those upon which the sign is located. [Relocated from: Art. 1.H.2.S.36.a.39)]
- 42) **Painted Wall** – any sign painted on any surface or roof of any building, visible from any public R-O-W. [Relocated from: Art. 1.H.2.S.36.a.40)]
- 43) **Parking and Directional** – on-site parking and directional signs, that do not include any advertising messages or symbols may be wall or ground mounted. [Ord. 2006-036] [Relocated from: Art. 1.H.2.S.36.a.41)]
- 44) **Permanent** – any sign which is intended to be, and is so constructed as to be a lasting and enduring condition remaining unchanged in character, condition beyond normal wear and tear, and in a permanent manner affixed to the ground, wall, or building; provided the sign is permitted by this Code. [Relocated from: Art. 1.H.2.S.36.a.42)]

- 45) **Planned Unit Development or Residential Subdivision Informational Sign** – a ground-mounted Changeable Copy sign that is owned and maintained by a Property Owners' Association (POA) to provide notice to residents of upcoming events. **[Ord. 2015-0311]** [Partially relocated from: Art. 8.G.3.B.5.b, PUD Informational Sign)]
- 46) **Plastic** – any sign, embellishment, or sign area made of flat sheet, corrugated panels, formed or molded plastic on one or more faces. [Relocated from: Art. 1.H.2.S.36.a.43)]
- 47) **Point of Purchase** – any structure with characters, letters, or illustrations placed thereto, thereon, or thereunder by any method or whatsoever where the matter displayed is used for advertising on the premises, a product actually or actively offered for sale or rent thereon or therein or services rendered. [Relocated from: Art. 1.H.2.S.36.a.44)]
- 48) **Political Campaign** – a temporary sign, which indicates an individual, party, or issue that will be placed on the Federal, State or Local election ballot in the subject calendar year. [Relocated from: Art. 1.H.2.S.36.a.45)]
- 49) **Portable** – any sign not permanently attached to the ground or other structure. [Relocated from: Art. 1.H.2.S.36.a.46)]
- 50) **Project Identification** – a sign placed on the perimeter of a recorded subdivision, planned development, shopping center, business office park, industrial park, or mixed-use complex at a major street or driveway entrance to identify the name of the project. Project identification signs include entrance signs. [Relocated from: Art. 1.H.2.S.36.a.47)]
- 51) **Projecting** – any sign viewed from directly overhead is affixed at an angle or perpendicularly to the wall of any building in such a manner to read perpendicularly or at an angle to the wall on which it is mounted and located under a canopy or cover, and usually has two message surfaces. [Relocated from: Art. 1.H.2.S.36.a.48)]
- 52) **Public Service Information** – for the purposes of Art. 8, Signage, any sign intending to promote items of general interest to the community, such as time, temperature, date, weather, news, or traffic information. [Relocated from: Art. 1.H.2.S.36.a.49)]
- 53) **Real Estate** – any sign erected by the owner, or an agent, advertising the land upon which the sign is located for rent or for sale. [Relocated from: Art. 1.H.2.S.36.a.50)]
- 54) **Recreational Vehicle Park** – any sign erected by the owner, or an agent, advertising the land upon which the sign is located for rent or for sale a land area under Unified Control designed and intended to accommodate short-term, overnight parking of recreational vehicles and not for permanent residential use. [Relocated from: Art. 1.H.2.S.36.a.51)]
- 55) **Roof** – any sign erected, constructed, and maintained wholly upon or over the roof of any building. [Relocated from: Art. 1.H.]
- 56) **Sale, Lease, and Rent** – temporary signs, which indicate that a parcel or building is currently for sale, lease, or rent. [Relocated from: Art. 1.H.2.S.36.a.53)]
- 57) **Single-Faced** – only one side of a double-faced sign. [Relocated from: Art. 1.H.2.S.41]
- 58) **Snipe** – any sign made of any material, including paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences, or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which the sign is located. [Relocated from: Art. 1.H.2.S.36.a.54)]
- 59) **Temporary Balloon-Type** – temporary display using a balloon to display a sign message for the introduction, promotion, or announcement of a new product or new business. [Relocated from: Art. 1.H.2.S.36.a.55)]
- 60) **Vehicular** – a sign affixed to or painted onto a transportation vehicle or trailer, for the purposes of business advertising; however, a vehicular sign shall not include signs affixed to vehicles or trailers for identification purposes or signs required by licensing Ordinances. **[Ord. 2008-003]** [Relocated from: Art. 1.H.2.S.36.a.56)]
- 61) **Wall** – any sign affixed to the building which shall not extend beyond the peak of the roof at the location of the sign. **[Ord. 2008-003] [Ord. 2013-021]** [Relocated from: Art. 1.H.2.S.36.a.57)]

Part 5. ULDC Art. 8.B.4, Signage, Exemptions, Window Signs; and ULDC Art. 8.C, Signage, Prohibitions (pages 7 and 10, Supplement 24), are hereby amended as follows:

CHAPTER B EXEMPTIONS

Section 4 Window Signs

Window signs not exceeding 20-percent coverage of each glass window or glass door to which the sign is attached. Any sign either hung within two feet of a window or attached to a display located within two feet of a window is considered a window sign. Message Center or Digital Display are prohibited for window signs.

CHAPTER C PROHIBITIONS

The following prohibitions apply to all signs and structures, notwithstanding the provisions in Art. 8.B, EXEMPTIONS:

Section 15 Message Center or Digital Display Elements

The following are prohibited elements for Message Centers or Digital Displays:

- A. Message units that change copy, light, intensity, words, or graphics more times per second than allowed pursuant to Art. 8.F.5.D, Message Duration. Any change in message shall be completed instantaneously. There shall be no special effects in between messages; [Ord. 2014-025] [Ord. 2016-020] [Ord. 2017-025] [Ord. 2018-002] [Partially relocated from: Art. 8.G.3.B.2.b]
- B. Reflectorized lamps; [Ord. 2015-031] [Relocated from: Art. 8.G.3.B.2.c]
- C. Lamps, light-emitting diodes, or bulbs in excess of the amount and intensity of light generated by a 30-watt incandescent lamp or 300 lumens, whichever is less; and, [Ord. 2014-025] [Ord. 2015-031] [Relocated from: Art. 8.G.3.B.2.d]
- D. The message shall be static. There shall be no animation, flashing, scintillating lighting, movement, or varying of light intensity during the message. Messages shall not scroll, undulate, pulse, blink, expand, contract, bounce, rotate, spin, twist, or otherwise give the appearance of optical illusion or movement as it comes onto, is displayed on, or leaves the sign board. [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-020] [Relocated from: Art. 8.G.3.B.2.e]

Part 6. ULDC Art. 8.F.5, Signage, General Provisions for all Sign Types, Illumination (pages 18 and 19, Supplement 24), is hereby amended as follows:

CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES

Section 5 Illumination

Signs, other than temporary signs, may be illuminated subject to the following standards: [Ord. 2018-002]

A. General Requirements

- 1. Ground-mounted and building-mounted signs adjacent to a residential zoning district or residential use shall be illuminated only during hours when the establishment is open for business; [Ord. 2017-025]
- 2. External lighting shall be properly shielded to prevent glare on adjacent streets or properties; [Ord. 2017-025]
- 3. Illumination shall be constant and shall not consist of flashing, animated, or changing lights, except for permitted change of message for ~~electronic~~ Message Centers or Digital Displays signs, pursuant to Art. 8.G.3.B, Electronic Message Signs; and, [Ord. 2014-025] [Ord. 2017-025] [Ord. 2018-002]
- 4. ~~Electronic~~ Message Centers or Digital Displays Signs shall be exempt from AGR, Exurban, Rural, or Glades Tier prohibitions on internally illuminated signage. [Ord. 2017-025]

B. Specific Requirements by Tier

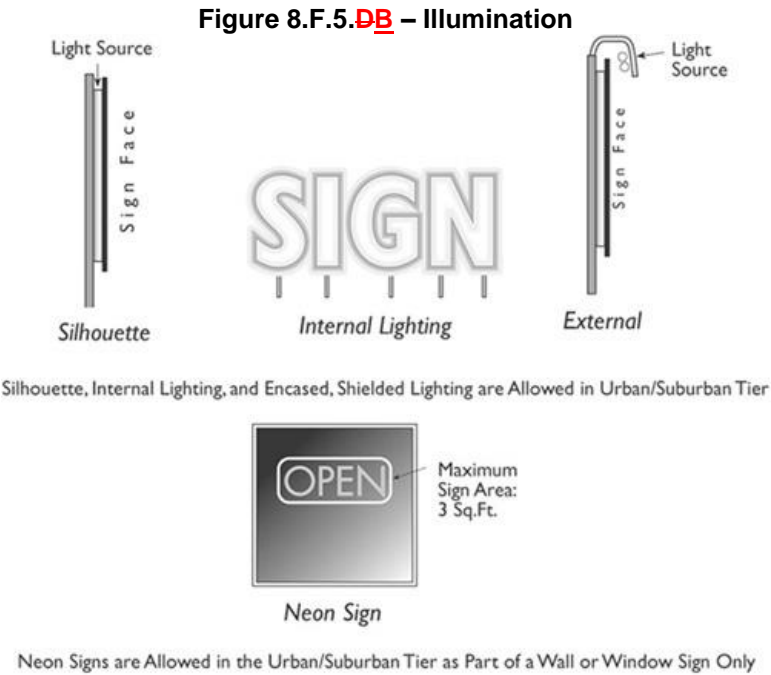
B1. U/S Tier Requirements

- ~~4a.~~ Signs may be illuminated by silhouette, internal, and external lighting, except where located in or oriented towards the NRM or NG Sub-areas of the WCRAO; and [Ord. 2006-004]
- ~~2b.~~ Neon signs are allowed in the U/S Tier, except where located in or oriented towards the NRM or NG Sub-areas of the WCRAO, as part of a wall sign or window sign only. The sign area for a neon sign shall not exceed eight square feet. [Ord. 2006-004]

G2. AGR Tier Requirements

- ~~4a.~~ Signs may be illuminated by external or silhouette lighting only, with exception to the following: [Ord. 2017-025]
 - ~~a.1)~~ Signs permitted under Art. 8.G.3.B, Electronic Message Signs Message Centers or Digital Displays subject to Art. 8.F.7, Message Center and Digital Display; and, [Ord. 2017-025]
 - ~~b.2)~~ Signs on properties with a commercial future land use designation. [Ord. 2017-025]

- 2b. All sign lighting is restricted to the hours of operation of the entity or establishment with which the sign is associated.
 - 3c. Neon signs are allowed as a window sign only. The sign area shall not exceed six square feet.
- D3. Exurban, Rural, and Glades Tier Requirements**
- 4a. Signs may be illuminated by external lighting only, with the exception of ~~to signs~~ permitted under ~~Art. 8.G.3.B, Electronic Message Signs~~ Message Centers or Digital Displays subject to Art. 8.F.7, Message Center and Digital Display. [Ord. 2017-025]
 - 2b. All sign lighting is restricted to the hours of operation of the entity or establishment with which the sign is associated.



- C. Brightness**
- Message Center and Digital Display are subject to the following brightness limitations:
- 1. Each sign shall have a light sensing device that automatically adjusts brightness as ambient light conditions change in order to ensure that the message meets the standard for maximum brightness; [Ord. 2014-025] [Relocated from Art. 8.G.B.3.a]
 - 2. The maximum brightness shall be 0.2 foot candles above ambient light measured 150 feet perpendicular from the sign face area from a height of six feet. No sign shall display light of such intensity to cause glare or otherwise impair the vision of a driver, or interferes with the effectiveness of an official traffic sign, signal, or device; and, [Ord. 2014-025] [Relocated from Art. 8.G.B.3.b]
 - 3. The sign shall be equipped with a default mechanism or setting that will cause the sign to turn off or show a full black or similar image if a visible malfunction or failure occurs. [Ord. 2014-025] [Ord. 2015-031] [Ord. 2018-002] [Relocated from Art. 8.G.B.3.c]
- D. Message Duration**
- The minimum duration time for each message displayed on a Message Center or Digital Display is based upon the adjacent roadway speed limit. The message duration time shall be no less than the following:
- a. Roadways with speed limits less than 45 miles per hour – minimum 12 seconds.
 - b. Roadways with speed limits greater than or equal to 45 miles per hour – minimum eight seconds.
- E. Types of Illumination**
- 1. External**
- Externally illuminated signs, where permitted, are subject to the following regulations:
- a. The source of the light must be concealed by translucent covers.
 - b. External illumination shall be by a steady, stationary light source, shielded and directed solely at the sign. The light source must be static in color.
- 2. Internal**
- Internally illuminated signs are subject to the following regulations:
- a. Internal illumination, including neon lighting, must be static in intensity and color.
 - b. Message Centers and Digital Displays are permitted pursuant to Art 8.F.7, Message Center and Digital Display.

Part 7. ULDC Art. 8.F.6, Signage, General Provisions for all Sign Types, Changeable Copy (page 19, Supplement 24), is hereby amended as follows:

CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES

Section 6 Manual Changeable Copy

Manual Changeable Copy is permitted only when integrated into a freestanding, Marquee, or portable sign. Manual Changeable eCopy shall cover no more than 2050 percent of the total sign area, except for the following uses which are exempt from this restriction: all public and civic uses, Theater~~s~~ and Performance Venues~~s~~, fuel price signs, and signs that flash the time and temperature subject to Art. 8.G.3.B., Electronic Message Signs.F.7, Message Center and Digital Display. [Ord. 2014-025] [Ord. 2017-007]

~~A. Unless exempt, signs and supporting structures shall be installed in accordance with the Building Code;~~ [Relocated to: Art. 8.A.1.C.4]

~~B. All signs and supporting structures, shall be maintained in the condition originally permitted; and~~ [Relocated to: Art. 8.A.1.C.5]

~~C. If a sign is removed from its supporting structure for longer than 90 days, the supporting structure shall be removed pursuant to the procedures in Art. 8.I.4, Removal of Signs in Violation of this Article.~~ [Relocated to: Art. 8.A.1.C.6]

Section 7 Message Center and Digital Display

Message Center and Digital Display may be integrated into a ground-mounted freestanding sign, outparcel identification sign, or a building-mounted Marquee sign. In addition to the illumination requirements of Art 8.F.5. Illumination, the following regulations apply:

A. Uses

1. Regional facilities, as defined in Art. 8.A.2.A.11, Regional Facility, within the CG, CRE, PO, or IL zoning district or in a non-residential planned development.
2. Civic and Assembly facilities, as defined in Art. 8.A.2.A.3, Civic and Assembly in all zoning districts.

B. Approval Process

1. If a Master Sign Plan (MSP) is required, the details of the Message Center and Digital Display shall be depicted on the MSP.
2. If a MSP is not required, the Message Center or Digital Display shall be permitted through the Building Permit process and procedures.
3. If the proposed Message Center or Digital Display of the sign is greater than 50 percent of the sign area, it shall be subject to a Class A Conditional Use, excluding PO Deviations.

C. Height

Shall be limited to the height of the specific sign type in which the Message Center or Digital Display is integrated.

D. Area

1. The Message Center or Digital Display shall not exceed 50 percent of the total sign area for any one ground-mounted freestanding sign, outparcel identification sign, or building-mounted Marquee sign, unless approved as a Class A Conditional Use, excluding PO Deviations.
2. Message Centers or Digital Displays that are integrated into marquees shall comply with Art 8.G.1.D., Marquee Signs.

E. Message Display

1. No sign may contain text which flashes, pulsates, moves, or scrolls.
2. Each complete message must fit on one screen.
3. The content of the sign must transition by changing instantly (e.g., no fade-out or fade-in).

F. Location

1. Signs less than 100 feet from a residential zoning district, undeveloped property with a residential FLU designation, or residential use shall be limited to a Manual Changeable Copy sign.
2. Signs shall not be located adjacent to a Local Residential Street or a Residential Access Street.
3. Signs with a Message Center or Digital Display area greater than 50 percent of the total sign area shall not be located within 1,000 feet of a signalized intersection or sign that integrates a Message Center or Digital Display.
4. Signs that integrate a Digital Display are prohibited in the WCRAO unless the WCRA provides written support for the sign. [Partially relocated from: Art. 8.G.3.B.4.b.6)]
5. Maximum number of signs per frontage: one.

G. Setbacks

1. The setback for a sign that integrates a Message Center shall be the setback for the specific sign type in which the Message Center is integrated.
2. Setbacks for signs that integrate a Digital Display are as follows:
 - a. Front: 15 feet
 - b. Side and Rear: 30 feet
 - c. Side Street: 15 feet [Partially relocated from Table 8.G.3.B., Type 1 Electronic Message Sign Face Area and Setbacks]

H. The addition of any Digital Display to a non-conforming sign is prohibited.

....[Renumber accordingly]

Part 8. ULDC Art. 8.G.1.D, Signage, Standards for Specific Sign Types, Building Mounted Signs, Marquee Signs (pages 22 and 23, Supplement 24), is hereby amended as follows:

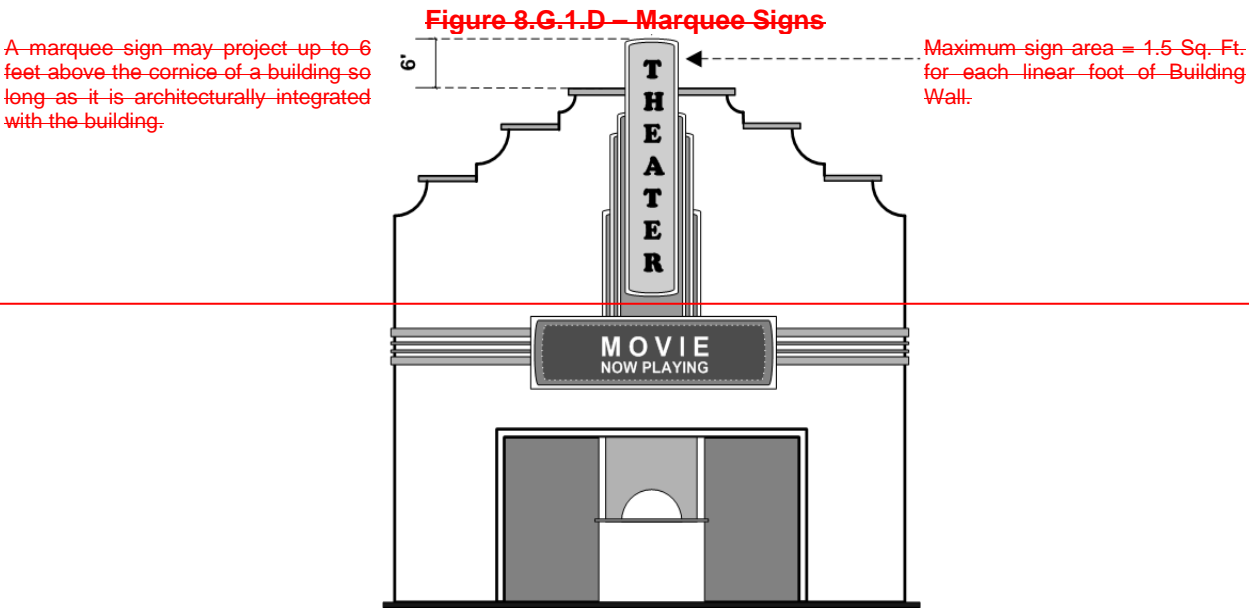
CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

Section 1 Building-Mounted Signs

D. Marquee Signs

Marquee signs are allowed for theaters, stadiums, auditoriums, and similar uses subject to Class A Conditional Use approval. Marquee signs are not subject to wall sign area limits, but the maximum sign area shall not exceed one square foot for each foot of building wall. Marquee signs may be ~~electronic message signs, subject to Art. 8.G.3.B, Electronic Message Signs, and have changeable copy. A marquee sign may project a maximum of six feet above the cornice of a building provided that it is architecturally integrated with the building~~Changeable Copy. [Ord. 2012-027] [Ord. 2014-025] [Ord. 2018-002]

- 1. Marquee signs shall be located only above the principal public entrance of a building facing a public street or parking lot.
- 2. No Marquee sign shall be wider than the entrance it serves, plus two feet on each side thereof.
- 3. No Marquee sign shall extend within three (3) feet of the curb of a drive aisle or street.
- 4. Sign Height
 - a. No portion of a Marquee sign shall extend vertically above the eave line.
 - b. The lowest edge of the Marquee sign shall be at least ten feet above the finished grade.



[Ord. 2012-027]

Part 9. ULDC Art. 8.G.3, Signage, Standards for Specific Sign Types, Other Sign Types (pages 27-30, Supplement 24), is hereby amended as follows:

CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

Section 2 Ground-Mounted Signs

Section 3 Other Sign Types

The following signs are permitted subject to their own specific maximum allowable sign area and standards.

A. Mobile Signs

“A”-frame-type signs are allowed at business entrances on arcaded sidewalks in the U/S ~~†~~Tier and in front of commercial or mixed-use buildings in TDD’s.

B. Electronic Message Signs

1. Applicability and Approval Process

Electronic message signs shall only be allowed as follows: [Ord. 2015-031]

Table 8.G.3.B, Electronic Message Sign Types and Approval Process

Sign Type	Permitted Content	Approval Process
Type 1	At regional facilities as defined in Art. 1, to include events or activities scheduled.	Class A Conditional Use approval (1)
Type 2 (2)	Reserved for Future Use	N/A
Type 3	Time and temperature	Building Permit
Type 3	Fuel prices	Building Permit
Type 3	Informational signs within residential Planned Unit Development (PUD)	DRO
[Ord. 2010-022] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-020] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2017-025] [Ord 2018-002]		
Notes:		
1. Unless exempt under Art. 8.B, EXEMPTIONS		

2, Signs approved pursuant to the provisions of the Type 2 Electronic Changeable Copy Message Sign (PRA Pilot Program) shall be considered conforming, where in compliance with all of the standards established for the Pilot Program in Ord. 2016-020.

2.—Prohibited Elements

- a.—Electronic message signs in windows and externally visible; [Ord. 2014-025]
- b.—~~Message units that change copy, light, intensity, words or graphics more than once per eight seconds for Type 1 or Type 3 Electronic Message Signs. Any change in message shall be completed instantaneously. There shall be no special effects in-between messages; [Ord. 2014-025] [Ord. 2016-020] [Ord. 2017-025] [Ord. 2018-002]~~ [Partially relocated to: Art. 8.C.15.A]
- c.—~~Reflectorized lamps; [Ord. 2015-031]~~ [Relocated to: Art. 8.C.15.B]
- d.—~~Lamps, light emitting diodes or bulbs in excess of the amount and intensity of light generated by a 30-watt incandescent lamp or 300 lumens, whichever is less; and, [Ord. 2014-025] [Ord. 2015-031]~~ [Relocated to: Art. 8.C.15.C]
- e.—~~The message shall be static. There shall be no animation, flashing, scintillating lighting, movement, or varying of light intensity during the message. Messages shall not scroll, undulate, pulse, blink, expand, contract, bounce, rotate, spin, twist, or otherwise give the appearance of optical illusion or movement as it comes onto, is displayed on, or leaves the sign board. [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-020]~~ [Relocated to: Art. 8.C.15.D]

3.—General Standards

- Electronic message signs are subject to the following: [Ord. 2014-025] [Ord. 2015-031]
- a.—~~Each sign shall have a light sensing device that automatically adjusts brightness as ambient light conditions change in order to ensure that the message meets the standard for maximum brightness; [Ord. 2014-025]~~ [Relocated to: Art. 8.F.5.C.1]
 - b.—~~The maximum brightness shall be 0.2 foot candles above ambient light measured 150 feet perpendicular from the sign face area from a height of six feet. No sign shall display light of such intensity to cause glare or otherwise impair the vision of a driver, or interferes with the effectiveness of an official traffic sign, signal or device; [Ord. 2014-025]~~ [Relocated to: Art. 8.F.5.C.2]
 - c.—~~The sign shall be equipped with a default mechanism or setting that will cause the sign to turn off or show a full black or similar image if a visible malfunction or failure occurs; and, [Ord. 2014-025] [Ord. 2015-031]~~ [Relocated to: Art. 8.F.5.C.3]

4.—Standards for Type 1 Electronic Message Signs

- a.—Height, Sign Face Area and Setbacks
Type 1 Electronic Message Signs are subject to the height standards for freestanding signs in Table 8.G.2.A, Freestanding Signs: Maximum Height, and the following: [Ord. 2015-031]

Table 8.G.3.B — Type 1 Electronic Message Sign Face Area and Setbacks

Maximum Sign Area	The total sign face area, including electronic and static signage, shall not exceed the allowable freestanding sign area (Table 8.G.2.A, Freestanding Sign Standards)
Minimum Setback: Front	15 feet [Relocated to: Art. 8.F.7.G.2.a]
Minimum Setback: Side and Rear	30 feet [Relocated to: Art. 8.F.7.G.2.b]
Minimum Setback: Side Street	50 feet [Partially relocated to: Art. 8.F.7.G.2.c]
[Ord. 2014-025] [Ord. 2015-031] [Ord. 2018-002]	

b.—Location

- A Type 1 electronic message sign may be located in the following areas and subject to the following provisions: [Ord. 2014-025] [Ord. 2015-031]
- 1) In a CG, CRE, PO, or IL zoning district or in a non-residential planned development.
 - 2) Shall not be located within 100 feet of a residential zoning district, undeveloped property with a residential FLU designation, or residential use. [Ord. 2014-025]
 - 3) Adjacent to roadways classified as arterials or expressways; [Ord. 2014-025] [Ord. 2018-002]
 - 4) A minimum of 1,000 feet from any signalized intersection or existing electronic message signs; [Ord. 2018-002]
 - 5) No more than one electronic message sign shall be permitted per frontage; and, [Ord. 2014-025] [Ord. 2018-002]
 - 6) Type 1 electronic message signs are prohibited in the WCRAO. [2006-004] [Ord. 2014-025] [Ord. 2015-031]

c.—Additional Standards for Approval

- In addition to the Standards of Art. 2.B.7.B.2, Conditional Uses and Official Zoning Map Amendment (Rezoning) to a PDD or TDD, when considering a Class A Conditional Use for a Type 1 Electronic Message Sign, the BCC shall consider whether or not the following standards have been met: [Ord. 2014-025] [Ord. 2015-031] [Ord. 2017-025]
- 1) The sign will not create confusion or a significant distraction to passing motorists;
 - 2) The sign (including its supporting structure, if any) is consistent with Art. 8.A.1.B, General Design Principles; [Ord. 2017-025]
 - 3) The sign will not be a nuisance to occupants of adjacent and surrounding properties; and

4) ~~The sign is accessory to a use regional in scale and attraction that, by its nature, demonstrates a unique need to communicate more information than is ordinarily needed for an attraction. [Ord. 2017-025]~~

d. Conditions of Approval

In reviewing an application for a Type 1 electronic message sign, the BGC may impose conditions to assure the sign is compatible with and minimizes adverse impacts on the area surrounding the proposed sign. [Ord. 2014-025] [Ord. 2015-031]

5. Standards for Type 3 Electronic Message Signs

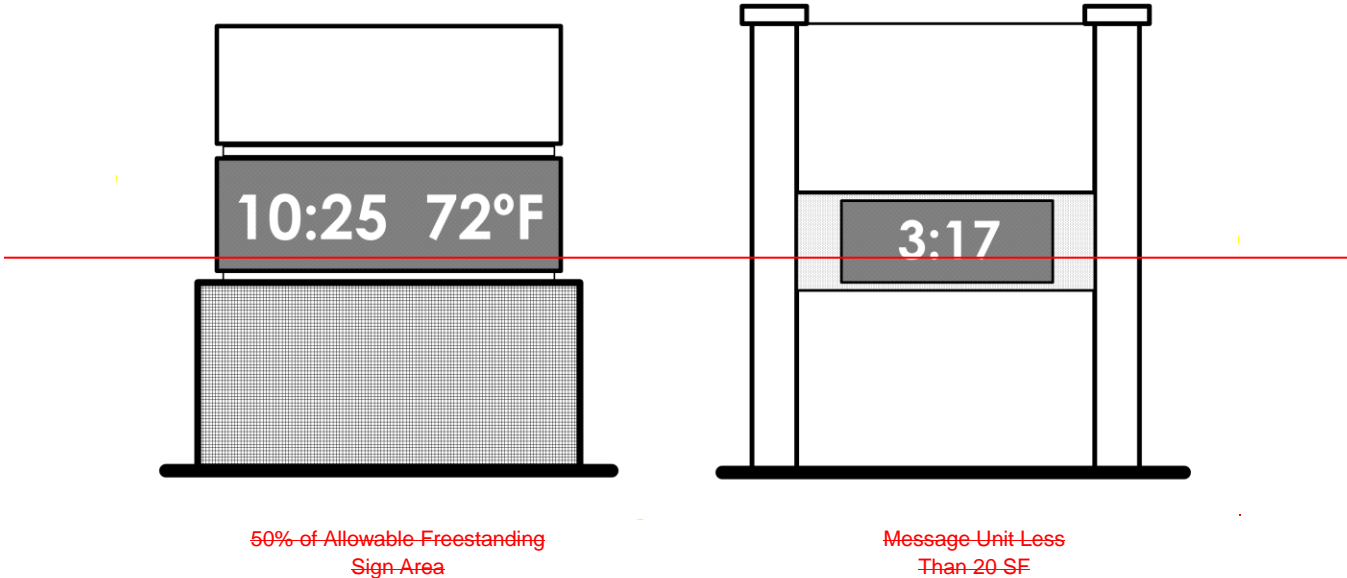
a. Non-residential Zoning Districts

The following signs may be located in a freestanding or outparcel identification sign in non-residential Zoning districts, including the Commercial Pod of a PUD, but shall not be located within 100 feet of a residential zoning district, undeveloped property with a residential FLU designation, or residential use. [Ord. 2014-025] [2015-031]

1) Time and Temperature

Signs that only display time or temperature where the message unit is 50 percent of the sign face area, not to exceed more than 20 square feet in sign face area, whichever is less; [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-020]

Figure 8.G.3.B - Typical Example of Time and Temperature Electronic Sign



[Ord. 2014-025]

2) Fuel Prices

~~Signs that only display words for cash or credit, fuel grades, and numerals for fuel prices. [Ord. 2014-025] [Ord. 2015-031] [Partially relocated to: Art. 8.A.2.A.11.a.29)]~~

bB. PUD or Residential Subdivision Informational Signs

~~Signs that are owned and maintained by a Property Owner Association (POA) to provide notice to residents of upcoming events, may be allowed within a PUD, subject to the following: A Planned Unit Development or Residential Subdivision Informational sign shall be permitted through the Building Permit process and procedures. [Ord. 2015-031] [Partially relocated to: Art. 8.A.2.A.11.a.56)]~~

~~1) Freestanding Type: a ground-mounted sign, s shall be monument-style only, with Message Center a maximum height of six feet; [Ord. 2015-031] [Partially relocated to: below]~~

~~2) Height: maximum six feet; [Partially relocated from: above]~~

~~3) Maximum sign face area per side: 24 square feet; [Ord. 2015-031]~~

~~4) Shall not be located within 100 feet of any residential structure or lot line, unless approved as a Type 1 Waiver where it is demonstrated that the sign is either oriented away from, or screened from view of the affected residential uses; [Ord. 2015-031]~~

~~5) Shall not be visible from outside of the PUD or residential subdivision, including any public roadways that bisect the development; and, [Ord. 2015-031]~~

~~6) Shall not advertise any information, services, or activities relating to any product or commercial activity external to the development. [Ord. 2015-031]~~

6. Building Permit Requirements

~~All building permit applications that include electronic message signs shall include the following: [Ord. 2014-025] [Ord. 2015-031]~~

~~a. Manufacturer's cut sheets that provide a description of all devices and compliance with the Prohibited Elements and General Standards listed above; and, [Ord. 2014-025] [Ord. 2015-031]~~

~~b. A Certificate of Compliance signed and sealed by a licensed engineer, architect or landscape architect. [Ord. 2014-025] [Ord. 2015-031]~~

7. Type 2 Waivers for Electronic Message Signs

~~An Applicant may apply for waivers for Electronic Message Sign standards in accordance with Art. 2.B.7.D, Type 2 Waiver, in accordance with Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs, below. The Applicant shall demonstrate in the Justification Statement and provide supporting documents that all applicable criteria in the following Table have been met. [Ord. 2016-020] [Ord. 2018-002]~~

Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs

Article/Table Reference and Title	Maximum Waiver	Criteria
Art. 8.G.3.B.4.a, Standards for Type 1 Electronic Message Signs (Related to Maximum Height)	Additional 15 feet in height.	<ul style="list-style-type: none">▪ Sign is adjacent to a R-O-W with a minimum of 6 existing lanes of vehicle travel.▪ Line of sight analysis is provided to demonstrate that the sign height is necessary to address visibility of the sign.
Art. 8.G.3.B.4.a, Table 8.G.3.B, Standards for Type 1 Electronic Message Signs (Related to Setbacks)	50 percent reduction.	<ul style="list-style-type: none">▪ Demonstrate reduced setback will not adversely impact traffic or pedestrian safety, or residential property, to include:<ul style="list-style-type: none">• Distractions to vehicular traffic caused by frequent message change and proximity to roadways or intersections; and,• Impacts of urban sky glow caused by sign lighting, inclusive of message changes, on residential properties. (1)
Art. 8.G.3.B.4.a, Table 8.G.3.B Standards for Type 1 Electronic Message Signs (Related to Maximum Sign Area)	50 percent increase	<ul style="list-style-type: none">▪ The regional facility annually supports a variety of events and attractions on a frequent basis.▪ Sign is adjacent to a R-O-W with a minimum of 6 existing lanes of vehicle travel.▪ Demonstrate that the sign program related to the use of the site requires more sign area to address the text needed to inform the public of events and programs.
Art. 8.G.3.B.4.b.2) Standards for Type 1 Electronic Message Signs [Related to Location and separation from residential]	Minimum 50-foot setback.	<ul style="list-style-type: none">▪ Demonstrate that combination of sign orientation, location of buildings, walls, or other permanent natural or man-made barriers, additional separations, limits on hours of operation, or other similar measures, will mitigate any glare or light pollution, including urban sky glow, that may adversely impact residential uses. (1)▪ Sign is adjacent to a R-O-W with a minimum of 6 existing lanes of vehicle travel.
Art. 8.G.3.B.4.b.3) Standards for Type 1 Electronic Message Signs (Related to roadway classification)	Allow a Type 1 Sign on an Urban Collector road as classified on Map TE 3.1 Functional Classification of Roads	<ul style="list-style-type: none">▪ The sign shall not be located within 100 feet of a residential use, zoning district or FLU designation.▪ The regional facility annually supports a variety of events and attractions on a frequent basis.
Art. 8.G.3.B.4.b.4) Standards for Type 1 Electronic Message Signs (Related to distance from signalized intersection)	No minimum distance from signalized intersection.	Demonstrate that the reduced separation will not adversely impact vehicular or pedestrian safety, or be a distraction to vehicular traffic.(1)
[Ord. 2018-002]		
Notes:		
(1)	Report must be prepared, signed and sealed by a licensed design professional as defined in Art. 1, with related experience. [Ord. 2018-002]	

EXHIBIT 2

ARTICLE 5 – SUPPLEMENTARY STANDARDS TRANSFER OF DEVELOPMENT RIGHTS FOR WORKFORCE HOUSING UNITS CR-2022-0002

Revision Key: Proposed revisions are shown with new text as underlined, deleted text in strike-out, and relocated text italicized. *Stricken and italicized* means text to be totally or partially relocated. Relocation notes are shown in brackets as [Relocated to:] or [Relocated from:]. Unaltered text omitted for brevity is indicated by a series of four bolded ellipses....

Part 1. ULDC Art. 5.G.3.G.4, Supplementary Standards, Density Bonus Programs, Transfer of Development Rights (TDRs) – Special Density Program, Transfer of Development Rights (TDR) Bank, The Application, Sale, and Value of Development Rights (page 98, Supplement 30), is hereby amended as follows:

1 CHAPTER G DENSITY BONUS PROGRAMS

2

3 Section 3 Transfer of Development Rights (TDRs) – Special Density Programs

4

5 G. Transfer of Development Rights (TDR) Bank

6

7 4. ~~The Application, Pricing and Sale, and Value~~ of TDR Bank Development Rights

8 PBC may sell development rights to Property Owners who meet the receiving area criteria
9 pursuant to this Chapter.

10 a. A Property Owner seeking an increase in density must apply to become a receiving area
11 and submit a draft Contract for Sale and Purchase of Development Rights. [Ord. 2011-
12 001]

13 b. The ~~value and~~ price of a development right shall be set annually pursuant to a methodology
14 approved by the BCC. No TDR price or price reduction other than those included in this
15 Section shall be permitted. The County shall utilize the median sales price data for Palm
16 Beach County, as established-published by the Broward, Palm Beaches and St. Lucie
17 Realtors Association-of the Palm Beaches, using data for the month of March to set the
18 price each year: [Ord. 2011-001] [Ord. 2012-027]

19 1) For Single Family units (Single Family, ~~and~~ Zero Lot Line, ~~and Townhouse~~) the full
20 price shall be ten percent of the median sales price of ~~FRA~~ single-family, existing
21 homes ~~data~~. [Ord. 2011-001]

22 2) For Multifamily units, the full price shall be ten percent of the median sales price of
23 ~~FRA~~ existing condominiums ~~data and townhouses~~. For TDR pricing purposes, the
24 Multifamily price applies to Townhouses, Cottage Homes, and CLF units. [Ord. 2011-
25 001]

26 c. For proposals including a mix of Single Family and Multifamily units, the pricing of TDR
27 units shall proportionally reflect the proposal's unit type mix ~~of the non-TDR units~~. [Ord.
28 2011-001]

29 d. Additional prices adjustments are available for TDR ~~units shall be as follows~~ as indicated
30 below: [Ord. 2011-001]

31 1) For TDR ~~units-receiving areas~~ located within an area that has a BCC-accepted
32 Neighborhood Plan pursuant to FLUE Policy 2.4-b, and the proposed density ~~increase~~
33 is identified within ~~or and~~ supported by the Neighborhood Plan, the TDR price shall be
34 75 percent of full TDR price ~~as established in Art. 5.G.3.G.4.b.1) and Art.~~
35 ~~5.G.3.G.4.b.2) above~~; [Ord. 2011-001] [Ord. 2012-003]

36 2) For TDR ~~units-receiving areas~~ located within ~~a CCRT area~~ the RRIO as depicted on
37 Map LU 1.1, Managed Growth Tier System, in the Map Series of the Plan, the TDR
38 price shall be 25 percent of full TDR price ~~as established in Art. 5.G.3.G.4.b.1) and Art.~~
39 ~~5.G.3.G.4.b.2) above~~; [Ord. 2011-001]

40 3) The price of TDRs used to provide Workforce Housing ~~TDR~~ units on site shall be five
41 percent of ~~full the applicable~~ TDR price as established in Art. 5.G.3.G.4.b.1) or Art.
42 5.G.3.G.4.b.2), and or Art. 5.G.3.G.4.~~bd~~.1) or Art. 5.G.3.G.4.d.2) above. This discount
43 is not available for TDRs purchased for CLF purposes; and, [Ord. 2011-001]

44 4) Affordable Housing TDR units are required to be provided on site and shall be priced
45 at one percent of ~~full the applicable~~ TDR price as established in Art. 5.G.3.G.4.b.1) or
46 Art. 5.G.3.G.4.b.2), and or Art. 5.G.3.G.4.~~bd~~.1) or Art. 5.G.3.G.4.d.2) above. This
47 discount is not available for TDRs purchased for CLF purposes. The dollar difference
48 between the TDR price and the Affordable Housing TDR price can be used as a price
49 waiver to be counted as part of the Local Government contribution for housing funding
50 application purposes. [Ord. 2011-001]

~~e. Applicants may request Workforce Housing TDR units at greater than the required percentage (34 percent), however in order to receive the Workforce Housing TDR price, those additional Workforce Housing TDR units (greater than 35 percent) must be priced for WHP Low-Income (60 to 80 percent of AMI) households only. [Ord. 2011-001] [Ord. 2019-033]~~

Part 2. ULDC Art. 5.G.3.I, Supplementary Standards, Density Bonus Programs, Transfer of Development Rights (TDRs) – Special Density Program, Transfer of Development Rights (TDR) Bank, The Application, Sale, and Value of Development Rights (page 98, Supplement 30), is hereby amended as follows:

Section 3 Transfer of Development Rights (TDRs) – Special Density Programs

~~I. TDR Density Bonus Limitations Housing Program Requirements~~

~~1. WHP 34 Percent Requirement~~

~~In accordance with FLUE Policy 2.4-a.5 of the Plan, 34 percent of all TDR density bonus units acquired from the TDR Bank shall be provided as WHP units have a workforce housing obligation of 34 percent. These units shall be constructed on site; comply with the affordability range requirements of this Chapter; and, Art. 5.G.1.A.3.h, Design Standards. The project shall only be eligible to apply for the following WHP incentives: Art. 5.G.1.B.2.f.1), Traffic Performance Standards Mitigation; Art. 5.G.1.B.2.f.2), Expedited Review; and, Art. 5.G.1.B.2.f.3), Flexibility in Property Development Regulations. The 34 percent requirement does not apply to TDRs used for CLF purposes. All WHP units resulting from TDRs shall comply with the requirements of Art. 5.G.1, Workforce Housing Program (WHP). [Ord. 2008-003] [Ord. 2011-001] [Ord. 2019-033]~~

~~2. AHP 100 Percent Requirement~~

~~When using the voluntary AHP, all TDR density bonus units shall be provided as AHP units. These AHP units shall be constructed on site; and shall comply with the affordability range requirements of Table Art. 5.G.2.B, Affordable Housing Program (AHP) and Art. 5.G.2.F, Affordability Requirements; and, Art. 5.G.2.C, Design Requirements. The project shall only be eligible to apply for the following AHP incentives: Art. 5.G.2.D.2, Traffic Performance Standards Mitigation; Art. 5.G.2.D.3, Expedited Review; and, Art. 5.G.2.D.4, Density Bonus Development Options. [Ord. 2009-040]~~



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

November 2, 2022

Honorable Joseph Abruzzo
Clerk of the Circuit Court and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Attn: Tracey Powell

Dear Honorable Joseph Abruzzo:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2022-029, which was filed in this office on November 2, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/rra