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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 – GENERAL PROVISIONS**; CHAPTER C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES**; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER C, FLU PLAN AMENDMENTS; CHAPTER D, ADMINISTRATIVE PROCESS, CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS**; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs), CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 - USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER C, COMMUNICATION TOWER, COMMERCIAL; **ARTICLE 5 - SUPPLEMENTARY STANDARDS**; CHAPTER A, GENERAL; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; **ARTICLE 6 - PARKING**; CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; **ARTICLE 7 - LANDSCAPING**; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; **ARTICLE 8 - SIGNAGE**; CHAPTER A, GENERAL; CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; CHAPTER H, OFF-SITE SIGNS; **ARTICLE 14 - ENVIRONMENTAL STANDARDS**; CHAPTER C, VEGETATION PRESERVATION AND PROTECTION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

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

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

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

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

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

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

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:**

1           **Section 1. Adoption**

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

- 4            Ordinance Title
- 5            Exhibit A     Art. 2.C, FLU Plan Amendments
- 6            Exhibit B     Art. 5.G, Density Bonus Programs
- 7            Exhibit C     Art. 6, Parking
- 8            Exhibit D     Art. 8, Signage (Wall Signage)
- 9            Exhibit E     Art. 14, Environmental Standards
- 10           Exhibit F     Mobile Home Parks
- 11           Exhibit G     Planned Industrial Park Development (PIPD)
- 12           Exhibit H     Location Criteria - Convenience Store with Gas Sales and Retail Gas Fuel
- 13           Exhibit I     Commercial Parking
- 14           Exhibit J     Location Criteria - Type I Restaurants
- 15           Exhibit K     Elementary or Secondary Schools
- 16           Exhibit L     AGR Tier, Agriculture Marketplace
- 17           Exhibit M     AGR Tier, Institutional Medical Office
- 18           Exhibit N     AGR Tier, Packing Plant in AGR-PUD Preserve Area
- 19           Exhibit O     AGR-PUD, 60/40 Frontage
- 20           Exhibit P     TND Mixed Use
- 21           Exhibit Q     Urban Redevelopment Area Overlay (URAO)
- 22           Exhibit R     Palm Beach International Airport Overlay (PBAIO)
- 23           Exhibit S     Waivers
- 24           Exhibit T     Livestock Keeping
- 25

26           **Section 2. Interpretation of Captions**

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

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

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

34           **Section 4. Severability**

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

40           **Section 5. Savings Clause**

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

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**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.

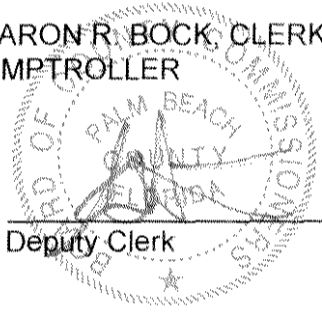
**Section 7. Providing for an Effective Date**

The provisions of this Ordinance shall become effective as follows:

- The effective date for Exhibits M, AGR Tier, Institutional Medical Office and Exhibit N, AGR Tier, Packing Plant in AGR-PUD Preserve Area, shall become effective upon the effective date of text amendments to the Comprehensive Plan for the Agricultural Reserve Institutional Medical and Agricultural Reserve Packing Plants in Round 2012-01; and,
- The effective date for all other exhibits shall be upon filing with the Department of State.

**APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach County, Florida, on this the 23rd day of August, 2012.

SHARON R. BOCK, CLERK & COMPTROLLER



By: \_\_\_\_\_  
Deputy Clerk

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

By: Shelley Vana  
Shelley Vana, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Sharon Bock  
County Attorney

EFFECTIVE DATE for Exhibits A through L and Exhibits O through T: Filed with the Department of State on the 31st day of August, 2012.

EFFECTIVE DATE for Exhibits M and N: Effective Date of the Amendments to the Palm Beach County Comprehensive Plan Amendment Round 2012-01, as related to Agricultural Reserve Institutional Medical and Agricultural Reserve Packing Plants.

EXHIBIT A

ARTICLE 2.C, FUTURE LAND USE (FLU) PLAN AMENDMENTS  
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 2.C.1, General [ Related to FLU Plan Amendments] (pages 33 - 36 of 85), is hereby amended as follows:

CHAPTER C FLU PLAN AMENDMENTS

Section 1 General

A. Purpose

The purpose of this section is to ~~provide a means for changing the boundaries or designations of the FLU by means of site specific amendments to~~ establish a review process for proposed site specific amendments to change Future Land Use (FLU) designations on the Future Land Use Atlas (FLUA) of the Palm Beach County Comprehensive Plan. [Ord. 2009-040]

B. Authority

~~Pursuant to F.S.§163.3184, the BCC may adopt site specific FLUA amendments to change the FLU subject to the provisions of this Section. The BCC may amend the boundaries or designations of the FLU of the Plan upon compliance with the provisions of this Section.~~

C. Initiation

~~An application for a site specific FLUA amendment shall be initiated only by the property owner of the parcel, the authorized agent of the property owner or the BCC. An application for a site specific FLUA amendment may also include a request for an associated text amendment to the Comprehensive Plan subject to an additional fee set by the BCC. In order for the requested text amendment to be processed, it must be initiated by the BCC and the associated FLUA amendment application must be submitted and found sufficient. Site Specific amendments may be proposed by the BCC, the Local Planning Agency (LPA), or the owner of the land to be affected by a proposed amendment.~~ [Ord. 2009-040]

D. Procedure Established Dates and Fees

1. Timing

~~The County accepts applications for Large Scale Amendments up to two times per year and Small Scale Amendments up to four times per year as scheduled by the Planning Director. Scheduled intake dates shall be announced in advance by the Planning Director. Additional amendment intake dates outside the scheduled rounds require approval by a super majority vote of the BCC. An application by a property owner for a site specific amendment shall be accepted for review and processing if determined sufficient, up to two times per year. That date shall be announced in advance by the Planning Director. Exceptions to this timing requirement are provided for in F.S.§163.3187. Small scale amendments may be processed up to four times per year as scheduled by the Planning Director.~~ [Ord. 2009-040]

2. Fees

~~The application for a FLUA amendment, and any associated text amendment, shall be accompanied by a fee established by the BCC. Any request for a refund shall be in writing, based upon the current PZB refund policy, and approval by the Planning Director.~~

E. Pre-Application Conference

~~The purpose of the pre-application conference is to identify issues relating to the proposed application prior to the intake date. A pre-application conference is optional with the exception of projects which consist of a FLUA amendment with concurrent application in the Zoning Division. Concurrent applications require a pre-application conference with both Planning and Zoning Division staff prior to the FLUA amendment intake date.~~

~~F2.~~ Submission of Application Procedures

An application for a Site Specific amendment shall be submitted to the Planning Director along with a nonrefundable application fee that is established by the BCC.

1.a. Concurrent Small Scale Amendments

If a small scale land use amendment requires a rezoning, conditional use, development order amendment or abandonment application(s), the two applications shall be reviewed and considered by the BCC concurrently. The applicant shall submit a site plan or conceptual site plan as part of the zoning application(s). The complete zoning application must be submitted at a scheduled zoning application intake within 90 calendar days of receipt of the small scale land use amendment application. If a complete zoning application is not submitted, the small scale land use amendment shall be administratively withdrawn immediately. [Ord. 2009-040]

2.3. Contents of Application

a. General

The application shall be submitted in a form established by the Planning Director. The application must contain applicable data and analysis to substantiate any claims made within the application. Failure of an applicant to disclose relevant information shall serve as grounds for postponement by the board holding the public hearing. [Ord. 2009-040]

b. Amendments to the Application

Any information provided by an applicant following the distribution of the staff report to the LPA shall serve as grounds for postponement, as appropriate, of the public hearings by the board holding the public hearing. [Ord. 2009-040]

3.4. Determination of Sufficiency Review

Notes:

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EXHIBIT A

ARTICLE 2.C, FUTURE LAND USE (FLU) PLAN AMENDMENTS  
SUMMARY OF AMENDMENTS

The Planning Director shall determine whether the application is sufficient or insufficient within ten days of submittal by reviewing the information required in the application and any additional and includes data necessary to evaluate the application. The determination of sufficiency ~~shall apply to the submission and~~ shall be based upon whether or not the application responds to all the requested information and meets minimum application criteria, as provided by the Planning Director in the application instructions. [Ord. 2009-040]

a. **Sufficiency**

If the application is determined to be sufficient, it shall be reviewed pursuant to the procedures and standards of this Article.

b. **Insufficiency**

~~If it is determined that the application is not sufficient, If an application is determined to be insufficient, the Planning Director shall provide a~~ written notice ~~shall be delivered~~ to the applicant specifying the deficiencies within ten working days of the receipt of the application. The Planning Director shall take no further action on the application until the deficiencies are remedied. If the deficiencies are not remedied within ten working days of the notice of insufficiency, the application shall be ~~considered~~ withdrawn.

~~b. If or when the application is determined sufficient, the Planning Director will proceed to review the application pursuant to the procedures of this Section. [Ord. 2009-040]~~

**4.5. Review, Report and Recommendation by Planning Director**

When the application is determined sufficient, the Planning Director shall review the application, consult with other agencies, prepare a staff report (which incorporates the comments of the other agencies), and make a recommendation of approval, approval with conditions, or denial based on applicable data and analysis and consistency with the Palm Beach County Comprehensive Plan, ~~F.S. Chapter 163, and Rules 9J-5 and 9J-11, F.A.C.~~ The Planning Director shall send a copy of the staff report to the applicant ~~on the day the staff report is completed which shall be~~ at least five working days prior to the LPA public hearing, ~~along with written notification of the time and place the application will be considered by the LPA.~~ [Ord. 2009-040]

**5.6. Notice Notification**

Notice of a proposed amendment for any public hearing shall be provided by publication of advertisement, mailed or electronically transmitted notice and posting as pursuant to the terms of this Section. The Planning Director shall notify the Intergovernmental Plan Amendment Review Clearinghouse (IPARC) of proposed land use amendments pursuant to the Plan Amendment Coordinated Review Interlocal Agreement. [Ord. 2009-040]

a. **Advertisement Newspaper Publication**

The required advertisements shall meet the requirements of F.S. ~~§163.3184(15)(e)~~ 163.3184(11)(b) and F.S. §.125.66(4)(b)2, as amended from time to time.

b. **Courtesy Notice**

*A copy of such notice shall be kept available for public inspection during regular business hours at the office of PZB. If the property is undergoing a simultaneous land use change and rezoning, the notice for the rezoning may be included in the notice required for the land use change. [Partially Relocated from Art.2.C.1.D.6.b] Courtesy notices shall be mailed a minimum of 15 calendar days prior to the date of the first public hearing by depositing such notice in the mail by first class mail, properly addressed and postage.*

**1) Applicability and Mailing Boundary**

**a) Property Owners**

A courtesy "notice" of a proposed plan amendment shall be sent to all owners of real property located within 500 feet of the periphery of the subject site in the Urban/Suburban, Agricultural Reserve, and Glades Tiers, and within 1000 feet of the periphery of the subject site in the Exurban and Rural Tiers ~~land to be affected by the requested change~~, whose names and addresses are known by reference to the latest published ad valorem tax records of PBC Property Appraiser, except that when real property consists of a condominium, the courtesy notice shall be given to the condominium association and all real property owners living within 500 feet. If the area within 500 feet is owned by the applicant or partner in interest, the 500 foot notification boundary shall be extended from these parcels. Notification shall be sent to each owner as the ownership appears on the last approved tax roll. Such property notice shall be given approximately 15 to 30 calendar days prior to the date set for the first public hearing by depositing such notice in the mail by certified or first class mail, properly addressed and postage prepaid, to each owner as the ownership appears on the last approved tax roll. ~~A copy of such notice shall be kept available for public inspection during regular business hours at the office of PZB. If the property is undergoing a simultaneous land use change and rezoning, the notice for the rezoning may be included in the notice required for the land use change. All POA's and cooperatives within the area as well as all counties and municipalities within one mile of the area shall be notified. Areas that a municipality has identified as a future annexation area shall also give notice to the municipality. Such notice shall also be sent approximately 15 to 30 calendar days prior to the date set for the first public~~

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EXHIBIT A

ARTICLE 2.C, FUTURE LAND USE (FLU) PLAN AMENDMENTS  
SUMMARY OF AMENDMENTS

1 ~~hearing. All notices shall state the substance of the proposal and shall set a date,~~  
2 ~~time and place for the public hearing. The notice shall contain a location map clearly~~  
3 ~~indicating the area covered by the proposal including major streets, and a statement~~  
4 ~~that interested parties may appear at the public hearing and be heard regarding~~  
5 ~~transmittal or adoption of the amendment. [Ord. 2009-040]~~

6 **b) POA's and Cooperatives**

7 All POA's and cooperatives located within 500 feet of the periphery of the subject  
8 site in the Urban/Suburban, Agricultural Reserve, and Glades Tiers, and within  
9 1000 feet of the periphery of the subject site in the Exurban and Rural Tiers, shall  
10 be notified.

11 **c) Municipalities and Counties**

12 All municipalities and counties within one mile of the subject site shall be notified.  
13 If a site is located within a future annexation area as identified in a municipality's  
14 Comprehensive Plan, the associated municipality shall be notified.

15 **d) Interested Parties**

16 A courtesy notice of all public hearings may be sent upon request to all  
17 organizations, associations, and other interested persons or groups known to the  
18 Planning Director. An annual fee may be assessed to defray the cost.

19 **2) Notice Content**

20 All notices shall include the following information:

- 21 a) a general summary of the application;  
22 b) a date, time and place for the public hearings;  
23 c) a general location map indicating the subject site including major streets; and  
24 d) a statement that interested parties may appear at the public hearing and be  
25 heard regarding the amendment.

26 **3) Failure to Receive Courtesy Notice**

27 Failure to receive a courtesy notice shall not be deemed a failure to comply with this  
28 requirement.

29 **c. Posting Signs**

- 30 **1)** The land subject to the application shall be posted with a notice of the public hearing  
31 by the applicant on a sign provided by the meeting standards and specifications  
32 issued by the County at least 15 calendar days in advance of any public hearing.  
33 One sign shall be posted for each 400 500 feet of frontage along a street up to a  
34 maximum of ten signs. All signs shall be:

- 35 a) Evenly evenly spaced along the street or in a location acceptable to the Planning  
36 Director.  
37 b) Setback All signs shall be setback no more than 25 feet from the street.  
38 c) Erected All signs shall be erected in full view of the public.

39 Signs shall be posted in a location acceptable to the Planning Director, where the  
40 land does not have significant frontage on a street. The signs shall be removed by  
41 the applicant after the BCC transmittal hearing date (adoption hearing date for small  
42 scale development amendments). The failure of any such posted notice to remain in  
43 place after the notice has been posted shall not be deemed a failure to comply with  
44 this requirement, or be grounds to challenge the validity of any decision made by the  
45 BCC. The applicant shall ensure the signs have been removed no later than five days  
46 after the final hearing.

47 **d. Other Courtesy Notice**

48 ~~A courtesy notice of all public hearings may be sent upon request to all organizations,~~  
49 ~~associations, and other interested persons or groups known to the Planning Director. An~~  
50 ~~annual fee may be assessed to defray the cost. Prior to the initiation of a County site~~  
51 ~~specific FLUA amendment, property owners shall receive a courtesy notice provided by~~  
52 ~~the County of the proposed FLUA amendment for their property. This shall occur only for~~  
53 ~~amendments presented to the BCC at time of formal round initiation. Those amendments~~  
54 ~~not included during a formal round initiation shall be provided notice within 15 business~~  
55 ~~days following BCC initiation. When the notice requirements would result in an~~  
56 ~~extraordinary number of courtesy notices, staff will utilize an alternate means to provide~~  
57 ~~notification to property owners. [Ord. 2009-040]~~

58 **e. Exceptions to Mailing and Posting**

59 The mailing and posting notice requirements shall not apply to actions by the BCC  
60 initiating any of the following: a site specific FLUA amendment for a land use change to a  
61 Conservation (CON) designation following acquisition by a public agency.

- 62 1) A land use change to a Conservation (CON) designation following acquisition by a  
63 public agency;  
64 2) A site-specific land use change initiated by the BCC, to reflect existing conditions;  
65 3) A site-specific land use change initiated by the BCC, to comply with previous  
66 approved projects; and  
67 4) A site-specific land use change as deemed appropriate by the BCC.

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EXHIBIT A

ARTICLE 2.C, FUTURE LAND USE (FLU) PLAN AMENDMENTS  
SUMMARY OF AMENDMENTS

~~At the time the land use change is initiated by the BCC, the Planning Director shall make a recommendation as to the level of notification for the specific change. The BCC shall direct the Planning Director to notice the land use change, as deemed appropriate, by advertisement, mail or posting in accordance with the terms herein.~~

**6.7. Action by the Planning Commission Sitting as the Local Planning Agency (LPA)**

The LPA public hearing shall be advertised in a newspaper of general circulation in accordance with requirements set forth in ~~F.S. §163.3164(18)~~ 163.3164(39), as amended from time to time. The LPA shall conduct a public hearing on the application pursuant to the procedures in Article ~~2.C.1.D.9~~ 2.C.1.F.8, Conduct of Hearing, and make recommendations regarding the proposed amendments to the BCC. At the public hearing, the LPA shall review the application, the staff report, the relevant support materials, and public testimony given at the hearings. At the close of the public hearing, the LPA shall vote on its recommendations (approval, approval with conditions or denial). [Ord. 2009-040]

**7.8. Action by BCC**

Action by the BCC shall be governed by F.S. §163.3184, as amended from time to time.

**a. Transmittal Public Hearing**

Large scale amendments require a transmittal public hearing. The transmittal public hearing shall be held on a weekday at least seven calendar days after notice is published pursuant to F.S. §~~163.3184(15)(b)1~~ 163.3184(11)(b)1, as amended from time to time. ~~Prior to transmittal to DCA, the BCC shall conduct one transmittal public hearing on the application~~ pursuant to the procedures in Article ~~2.C.1.D.9~~ 2.C.1.F.8, Conduct of Hearing. At the public hearing, the BCC shall consider the application, the staff report, the relevant support materials, the recommendations of the LPA, and the public testimony given at the public hearing, and by an affirmative vote of a majority of the members of the BCC present at the hearing, vote to approve, approve with conditions, or deny the transmittal of the application. Failure of the BCC to approve the transmittal of an application for a site-specific amendment shall be deemed a denial of the proposed site-specific amendment. [Ord. 2009-040]

**b. Adoption Public Hearing**

The adoption public hearing shall be on a weekday at least five calendar days after the day the notice for the public hearing is published pursuant to F.S. §~~163.3184(15)(b)(2)~~ 163.3184(11)(b)(2), as amended. ~~Pursuant to the time frames in F.S. §163.3184(15)(b)(2) the BCC shall conduct at least one adoption public hearing on the application~~ pursuant to the procedures in Article ~~2.C.1.D.9~~ 2.C.1.F.8, Conduct of Hearing. At the public hearing, the BCC shall consider the application, the staff report, the relevant support materials, the DCA State Land Planning Agency comments, and the public testimony given at the public hearing, vote to adopt, adopt with conditions, or not to adopt an ordinance making a site specific amendment. A decision to adopt an ordinance making a site specific amendment shall require a majority vote of the members of the BCC present at the hearing. *Small Scale Development Amendments shall require only one public hearing before the BCC, which shall be an adoption public hearing, pursuant to F.S. § 163.3187(2), and content provisions of F.S. §125.66(4)(a) as amended from time to time. Actions approving Site Specific Plan amendments shall be adopted by Ordinances pursuant to F.S. § 163.3187, as amended from time to time.* [Ord. 2009-040] [Partially relocated from below Art. 2.C.1.F.8.c.]

**c. Small Scale Development Amendments**

~~Small Scale Development Amendments shall require only one public hearing before the BCC, which shall be an adoption public hearing, pursuant to F.S. §163.3187(1)(c)(3), and content provisions of F.S. §125.66(4)(a) as amended from time to time.~~

~~**d. Actions by the BCC**~~

~~Actions approving Site Specific Plan amendments shall be adopted by Ordinances pursuant to F.S. § 163.3187, as amended from time to time.~~

**8.9. Conduct of Hearing**

~~....~~  
**c. Continuation or Postponement of Public Hearing for Small Scale Amendments**

**1) Entitlement Continuances Administrative Postponements**

**a)** An applicant shall have the right to request and be granted one administrative postponement entitlement continuance, of no more than 60 days, of the LPA public hearing without an additional fee; provided that the request is made in writing at least 20 working days prior to the hearing and is submitted along with an additional set of the required five-hundred foot public notice envelopes.

**b)** An Additionally, an applicant shall have the right to request and be granted one entitlement continuance, of no more than 60 days, of the BCC Adoption public hearing; provided that the request is made in writing at least 20 working days prior to the hearing and is submitted along with an additional set of the required five-hundred foot public notice envelopes. ~~The Planning Division will honor entitlement continuances administratively.~~ [Ord. 2009-040]

**2) Non-Entitlement LPA or BCC Public Hearing Continuances**

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EXHIBIT A

ARTICLE 2.C, FUTURE LAND USE (FLU) PLAN AMENDMENTS  
SUMMARY OF AMENDMENTS

The body conducting the public hearing may by its own motion, or at the request of any applicant or the Planning Director, continue the public hearing or meeting to a fixed date, time and place. ~~All non-entitlement~~ Such continuances shall be granted at the discretion of the body conducting the hearing only upon good cause shown. The applicant may be required to provide an additional set of the required courtesy notice envelopes and may shall be subject to a fee as established by the BCC ~~upon the second non-entitlement continuance.~~ [Ord. 2009-040]

**3) Concurrent Rezoning Petitions**

~~Delays in zoning applications being certified by the DRO shall result in an administrative postponement of the BCC public hearing until such time that the item is certified.~~

**d. Continuation or Postponement of Large Scale Amendments**

**1) Entitlement Continuances Administrative Postponements**

An applicant shall have the right to request and be granted one administrative postponement entitlement continuance, to a subsequent amendment round and will be subject to a fee as established by the BCC; provided that the request is made in writing at least 20 working days prior to the LPA public hearing. In order to provide most current data, the applicant of an amendment postponed to the next round shall ~~be required to~~ submit the fee with an updated application including a new traffic analysis on the intake date of the next round, along with a new set of courtesy notices. Failure to submit the fee and an updated application will result in the amendment being administratively withdrawn. [Ord. 2009-040]

**2) Non-entitlement Continuances**

~~Only one non-entitlement continuance into the next amendment round shall be permitted and will be subject to a fee as established by the BCC.~~ The body conducting the public hearing may, on its own motion, or at the request of any applicant or the Planning Director, postpone the amendment to the next round. All ~~non-entitlement continuances postponements~~ shall be granted at the discretion of the body conducting the hearing and shall be subject to a fee established by the BCC only upon good cause shown. In order to provide the most current data, the applicant of an amendment postponed to the next round shall be required to submit a revised application with new traffic ~~and market~~ analysis upon the intake date of the next round, along with a new set of courtesy notices. Failure to submit the fee and an updated application will result in the amendment being administratively withdrawn window closing date.

**3) Administrative Withdrawal**

~~Any application not heard by the BCC in the following amendment round will be administratively withdrawn by the Planning Director, unless otherwise determined by the BCC.~~

**9.e. Withdrawal of Applications**

An applicant shall have the right to withdraw an application for a site specific amendment at any time prior to the advertised adoption public hearing by the BCC. ~~Applicants shall not be entitled to the return of application fees.~~ Any request for a refund shall be in writing, based upon the current PZB refund policy, and approval by the Planning Director. Additionally, applicants shall not be entitled to the return of application materials. [Ord. 2009-040]

Part 2. ULDC Art. 2.G.3.K.2, Power and Duties [Related to Planning Commission] (page 78 of 85), is hereby amended as follows:

CHAPTER G DECISION MAKING BODIES

Section 3 APPOINTED BODIES

K. Planning Commission

2. Powers and Duties

The PLC shall have the following powers and duties under the provisions of this Code: [Ord. 2008-003]

- a. to serve as the Local Planning Agency (LPA) per F.S.§ 163.3174, and to provide recommendations on the preparation of the Plan, or any element or portion thereof, and any text amendments thereto to the BCC;
- b. to initiate, review, hear, consider and make recommendations to the BCC to approve, approve with conditions, or deny applications to amend the Plan, including Site Specific (Future Land Use Map) amendments to the Plan;
- ~~c. to initiate, review, hear, consider and make recommendations to the BCC to approve, approve with conditions, or deny applications for the VDB Program;~~

[Renumber accordingly]

Notes:

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



EXHIBIT B

ARTICLE 5.G, DENSITY BONUS PROGRAM  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 5.G.1.I.1, Sales and Rental Prices of WHP Units (page 69 of 91), is hereby  
3 amended as follows:

4 CHAPTER G DENSITY BONUS PROGRAMS

5 Section 1 Workforce Housing Program (WHP)

6 I. Affordability Requirements

7 1. Sales and Rental Prices of WHP Units

8 All required WHP units shall be offered for sale or rent at an attainable housing cost for each  
9 of the targeted income ranges. The sale and rent prices shall be updated annually by the  
10 Planning Director, or designee, with the sale prices based on the Area Median Income (AMI),  
11 and the household income limits for PBC (West Palm Beach/Boca Raton metropolitan  
12 statistical area) for a family of four, which pricing shall not be adjusted based on the number  
13 of occupants, as published annually by HUD (sale price: household income figure multiplied  
14 by three and priced at the middle of each of the four WHP income categories), and rental  
15 prices based on the annual Florida Housing Finance Corporation Multi-Family Rental Figures  
16 as adjusted for number of bedrooms in WHP rental units. The minimum WHP price initially  
17 established at the time of approval for each for sale unit within each WHP category range will  
18 be the sales floor. This sales floor shall serve as the minimum sales price point required  
19 throughout the applicable deed restriction time frame. The minimum WHP price initially  
20 established at the time of approval for each rental unit within each WHP income category  
21 range will be the rental floor. This rental floor shall serve as the minimum rental price point  
22 required throughout the thirty (30) year term of this Covenant. Any utility allowances applied  
23 against gross maximum WHP unit rents shall also be adjusted based on a number of  
24 bedrooms in WHP rental units. A chart with the sales and rent prices will be maintained and  
25 updated annually by the County. [Ord. 2006-055] [Ord. 2010-005] [Ord. 2012-003]  
26  
27

28 Part 2. ULDC Art. 5.G.1.I.5, Release of Obligation to Construct WHP For Sale Units (page 70 of  
29 91), is hereby amended as follows:

30 CHAPTER G DENSITY BONUS PROGRAMS

31 Section 1 Workforce Housing Program (WHP)

32 I. Affordability Requirements

33 5. Release of Obligation to Construct WHP For-Sale Units

34 It is not the intent of the WHP provisions to require a developer to commence construction on  
35 any WHP for sale unit for which a valid and binding contract for purchase between developer  
36 and buyer has not been executed. It is intended that all WHP units will be marketed in the  
37 same manner as the market-rate units within a development. In the event a WHP unit eligible  
38 for contract: (i) has been available for purchase for a period not less than 180 days and no  
39 contract to purchase that unit has been executed during the 180 day period; ~~or and, (ii)~~ is  
40 located within a development pod/phase in which not less than 80 percent of the for sale  
41 market rate units (i.e. non WHP units) have binding purchase contracts; then ~~upon the later of~~  
42 ~~the two aforementioned requirements having been met,~~ that specific WHP unit is eligible to  
43 be released from the WHP obligations ~~indicated in inclusive of release from~~ the Covenant.  
44 [Ord. 2006-055] [Ord. 2010-005]  
45  
46

47 Part 3. ULDC Art. 5.G.1.I.5.a, For Sale Units [Related to Release of Obligation to Construct  
48 WHP For Sale Units] (page 70 of 91), is hereby amended as follows:

49 CHAPTER 5 G DENSITY BONUS PROGRAMS

50 Section 1 Workforce Housing Program (WHP)

51 I. Affordability Requirements

52 5. Release of Obligation to Construct WHP For-Sale Units

53 a. For Sale Units

54 ....  
55 Upon payment of the required In-Lieu cash payment, the WHP unit/lot shall thereafter be  
56 released from any and all obligations of the WHP requirements of the ULDC and the County  
57 shall provide written confirmation that the unit/lot has been released, inclusive of release from  
58 the Covenant. ~~Units which are not required to be constructed pursuant to Art. 5.G.1.B.3,~~  
59 ~~Income Ranges are not eligible for this reduced in-lieu payment. These units must provide~~  
60 ~~in-lieu payment consistent with Art. 5.G.1.G.4, Option 4 — In-Lieu Cash Payment.~~ The County

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EXHIBIT B

ARTICLE 5.G, DENSITY BONUS PROGRAM  
SUMMARY OF AMENDMENTS

1 shall utilize cash payments for the express purpose of providing down payment assistance to  
2 eligible households seeking to purchase WHP units. To the greatest extent possible, the  
3 down payment assistance provided by the County shall be utilized for the purchase of WHP  
4 units from the project from which the cash payment was provided. The payment shall be  
5 deposited in a WHP Trust Fund maintained by the PBC Department of HCD, and designated  
6 for the above referenced purpose. **[Ord. 2010-005]**  
7  
8

9 **Part 4. ULDC Art. 5.G.3.G.4.b, The Application, Sale, and Value of Development Rights, (page**  
10 **80 of 91), is hereby amended as follows:**

11 **CHAPTER G DENSITY BONUS PROGRAMS**

12 **Section 3 Transfer of Development of Rights (TDRs) – Special Density Program**

13 **G. Transfer of Development Rights (TDRs) Bank**

14 **4. The Application, Sale, and Value of Development Rights**

15 b. The value and price of a development right shall be set annually by the BCC. No TDR  
16 price or price reduction other than those included in this Section shall be permitted. The  
17 County shall utilize the median sales price data established by the ~~Florida Realtors~~  
18 ~~Association (FRA) for Palm Beach County Realtors Association of the Palm Beaches,~~  
19 using data for the month of March to set the price each year: **[Ord. 2011-001]**

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EXHIBIT C

ARTICLE 6 – PARKING  
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 1.I.2, Definitions (page 74 of 115), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

49. Module – For the purposes of Article 6, Parking, a portion of a parking facility containing a central drive aisle with parking spaces on each side of the aisle.  
[Renumber Accordingly]

Part 2. ULDC Table 6.A.1.D – Minimum Parking Dimensions for Nonresidential Uses and Residential Uses with Shared Parking Lots (page 22 of 39), is hereby amended as follows:

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

A Angle	Use (1)	B Space Width (feet)	C Space Depth (feet)	D (3) Aisle Width (feet)	E Curb Length (feet)	F Wall-to-Wall Module Width (feet)	G Interlock-to-Interlock Width (feet)	H Space-Depth to Interlock (feet)
45	General	9.0	17.5	12.0	12.5	47.0	43.0	15.5
	Retail	9.5	17.5	12.0	13.5	47.0	43.0	15.5
	Handicapped	12.0	17.5	12.0	17.0	47.0	43.0	15.5
60	General	9.0	19.0	16.0	10.5	<del>55.0</del> 54.0	51.0	17.5
	Retail	9.5	19.0	15.0	11.0	<del>54.0</del> 53.0	50.0	17.5
	Handicapped	12.0	19.0	14.0	14.0	<del>53.0</del> 52.0	49.0	17.5
70	General	9.0	19.5	19.0	9.5	58.0	56.0	18.5
	Retail	9.5	19.5	18.0	10.0	57.0	55.0	18.5
	Handicapped	12.0	19.5	17.0	12.5	56.0	54.0	18.5
75	General	9.0	19.5	23.0	9.5	62.0	60.0	18.5
	Retail	9.5	19.5	22.0	10.0	61.0	59.0	18.5
	Handicapped	12.0	19.5	21.0	12.5	60.0	58.0	18.5
80	General	9.0	19.5	24.0	9.0	63.0	62.0	19.0
	Retail	9.5	19.5	23.0	9.5	62.0	61.0	19.0
	Handicapped	12.0	19.5	22.0	12.0	61.0	60.0	19.0
90	General	9.0	18.5	26.0	9.0	63.0	63.0	18.5
	Retail	9.5	18.5	25.0	9.5	62.0	62.0	18.5
	Handicapped	12.0	18.5	24.0	12.0	61.0	61.0	18.5
90	Low Speed Electric Vehicle (LSEV)	Min. 6.0 Max. 7.0	Min. 12.0 Max. 13.0	Min. 15.0 Max. 17.0 (2)	Min. 6.0 Max. 7.0	Min. 39.0 Max. 43.0 (2)	Min. 39.0 Max 43.0 (2)	Min. 12.0 Max. 13.0

[Ord. 2005-002]

Notes:

- Use – See Art. 6.A.1.D.14, Design and Construction Standards
- 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.
- 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.

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Notes:

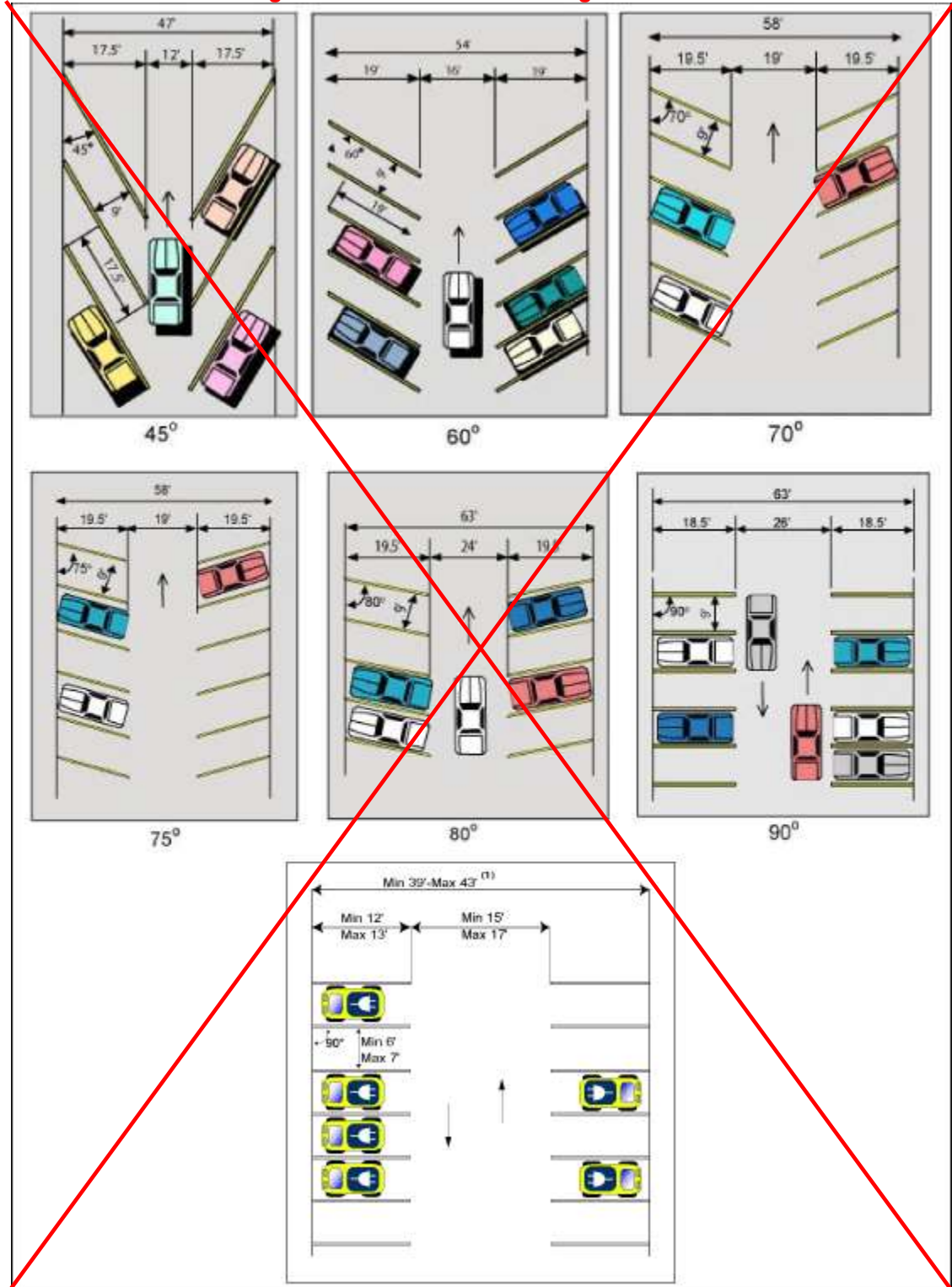
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EXHIBIT C

ARTICLE 6 – PARKING  
SUMMARY OF AMENDMENTS

1 Part 3. ULDC Figure 6.A.1.D – General Parking Schematic (page 23 of 39), is hereby deleted in  
2 entirely and replaced with new Figure 6.A.1.D – Typical Example of General Parking  
3 Schematic, as follows:  
4  
5

~~Figure 6.A.1.D – General Parking Schematic~~



~~(1) Where drive aisles in LSEV parking areas are not intended solely for use by LSSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard-sized vehicles.~~

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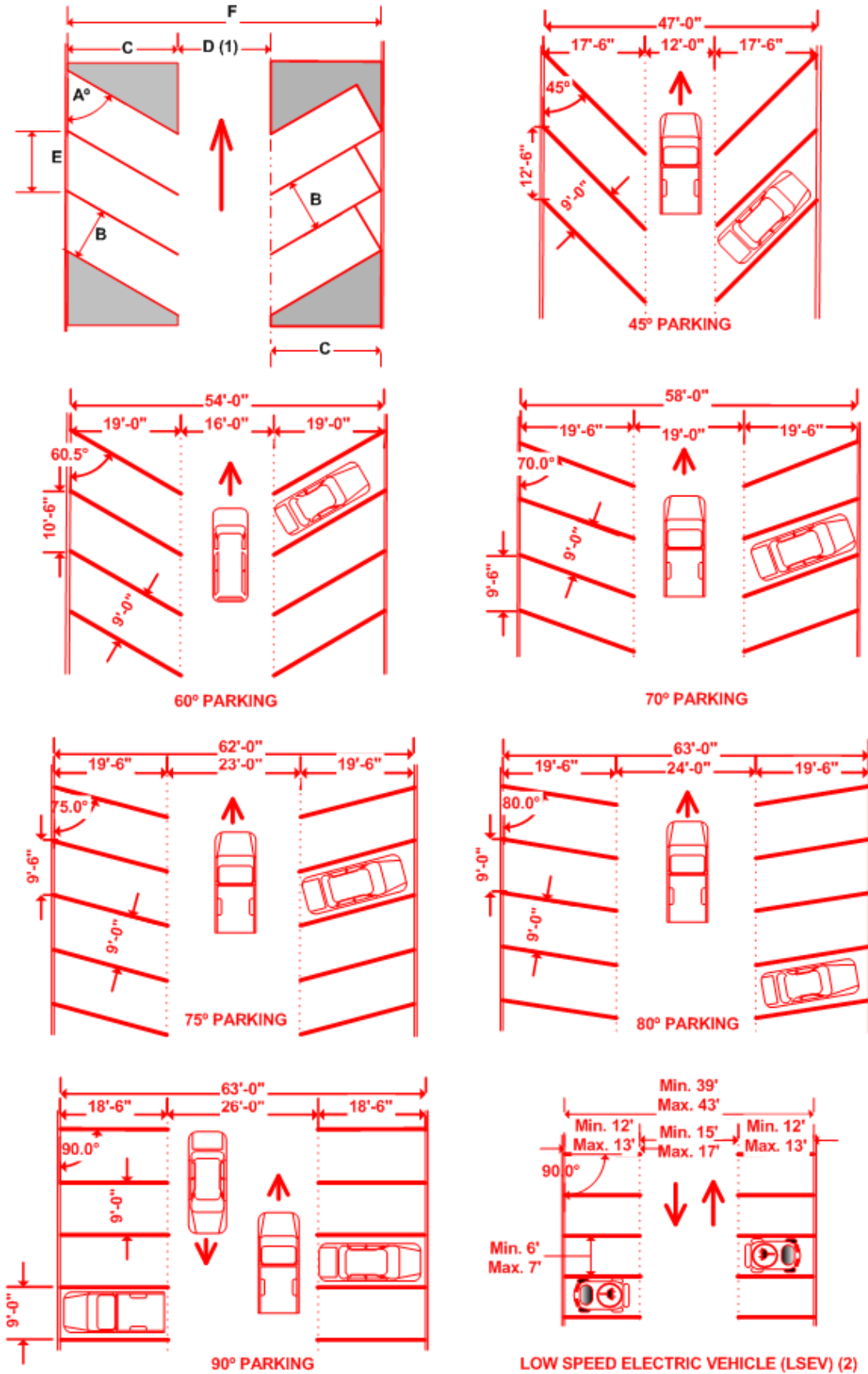
.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT C

ARTICLE 6 – PARKING  
SUMMARY OF AMENDMENTS

1

Figure 6.A.1.D – Typical Example of General Parking Schematic <sup>(1)</sup>



[Ord. 2012 - ]		
<b>Key:</b>		
<b>A</b>	<u>Parking Angle</u>	<b>C</b> <u>Space Depth</u>
<b>B</b>	<u>Space Width</u>	<b>D</b> <u>Aisle Width (1)</u>
		<b>E</b> <u>Curb Length</u>
		<b>F</b> <u>Wall to Wall Width</u>
<b>Notes:</b>		
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.	

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EXHIBIT D

ARTICLE 8 - SIGNAGE  
SUMMARY OF AMENDMENTS

Part 1. ULDC Table 8.A.1.C, Organization of Sign Regulations (page 7 of 39), is hereby amended as follows:

Table 8.A.1.C – Organization of Sign Regulations

.... CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES	Lists standards for computation of sign area; building <u>frontage wall</u> measurement; materials, illumination, changeable copy, signs that do not reduce allowable sign area; construction and maintenance, abandoned signs, substitution of sign message; encroachment into public street or sidewalk, and for resolving conflict between text and graphics in this Section or with other provisions.
....	

Part 2. ULDC Art. 8.F.3, Building Frontage (page 21 of 39 ), is hereby amended as follows:

CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES

Section 3 Building Frontage-Wall

For the purpose of this Section, a building's frontage wall is considered continuous if projections or recesses in a building wall do not exceed ten feet in any direction. For the purpose of Article 5.C.1.I, Large Scale Commercial Development, a building's frontage wall is considered continuous if projections or recesses in a building ~~or wall are a minimum of ten feet in any direction but do~~ does not exceed 25 feet. [Ord. 2009-040]

Figure 8.F.3 – Building Frontage

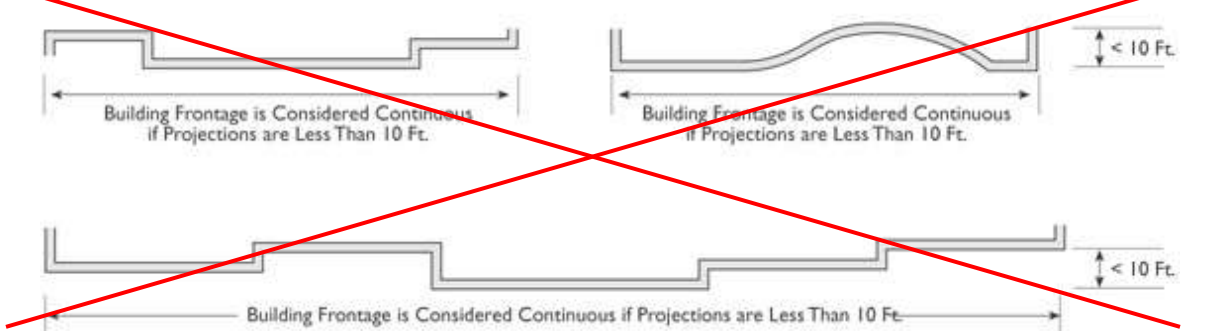
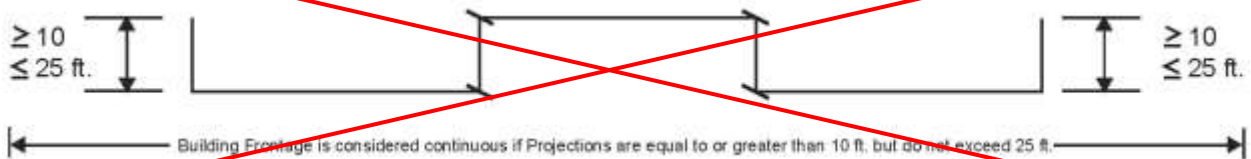
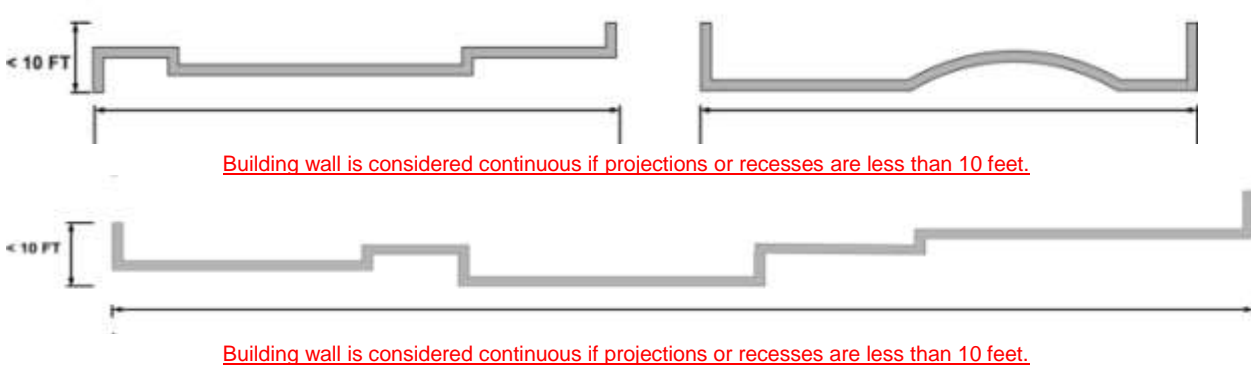


Figure 8.F.3.11.1 – Building Frontage for Large Scale Commercial Development



[Ord. 2009-040]

Figure 8.F.3 – Building Wall



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EXHIBIT D

ARTICLE 8 - SIGNAGE  
SUMMARY OF AMENDMENTS

**Figure 8.F.3.– Building Wall for Large Scale Commercial Development**



Building wall is considered continuous if projections or recesses do not exceed 25 feet.

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Part 3. ULDC Art. 8.G.1.A, Wall Signs (page 24 of 39), is hereby amended as follows:

CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

Section 1 Building Mounted Signs

A. Wall Signs

Wall signs, including signs mounted on a mansard roof or parapet, are subject to the standards in Table 8.G.1.A, Wall Sign Standards. No wall sign may cover wholly or partially any required wall opening.

Table 8.G.1.A - Wall Sign Standards

	U/S Tier(3)	AG-R AGR Tier	Exurban, Rural, and Glades Tiers(3)
Maximum Sign Area (per linear ft. of the wall to which the sign is attached)	1.0 sq. ft. along <u>any one side of the building frontage, a minimum of 24 square feet.</u> (1)	0.75 sq. ft. along <u>any one side of the building frontage, a minimum of 24 square feet.</u> (1)	0.5 sq. ft. along <u>any one side of the building frontage, a minimum of 24 square feet.</u> (1)
	0.5 sq. ft. along <u>the side and rear walls any of the remaining sides of the building; or 0.25 sq. ft. for walls adjacent to a residential zoning district or use</u> (4)		
	<u>0.25 sq. ft. for walls facing a residential zoning district</u>		
<u>Minimum wall sign per side or tenant space</u>	<u>24 square feet</u>	<u>24 square feet</u>	<u>24 square feet</u>
Minimum Horizontal and Vertical Separation Between Signs	3 ft.	3 ft.	3 ft.
Maximum Projection from Surface of Building (2)	24 in.	24 in.	24 in.
Minimum Vertical Separation Between Sign and Roof Line	6 in.	6 in.	6 in.
Minimum Horizontal Separation Between Sign and Wall Edge	6 in.	6 in.	6 in.
<b>[Ord. 2005-002] [Ord. 2009-040] [Ord. 2010-022]</b>			
<b>Notes:</b>			
1. Projects that are not subject to an MSP approval under Art. 8.E.3, Master Sign Plan, the maximum wall sign area for the storefront shall be one and a half times the length of the storefront wall, building bay, or tenant space occupied by the <del>retail</del> business. <b>[Ord. 2005-002]</b>			
2. Signs that project more than 24 inches are considered projecting signs, subject to Art. 8.G.1.C, Projecting Signs.			
3. Development within the Suburban Transect Zone of an AGE may apply the U/S Tier standards. <b>[Ord. 2010-022]</b>			
4. <u>This provision does not apply to a building separated from residential by a 110 feet R-O-W; buildings completely screened from view from another building of similar height; or a civic pod, a recreational pod or open space greater than 110 feet in width.</u>			

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Part 4. ULDC Art. 8.G.1.D, Marquee Signs (page 25 of 39), 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 BCC 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 frontage wall. Marquee signs may be electronic message center signs, subject to Article 8.G.3.B, Electronic Message Center 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.

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EXHIBIT D

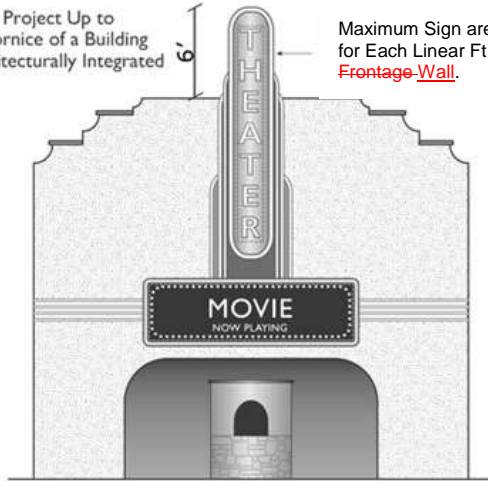
ARTICLE 8 - SIGNAGE  
SUMMARY OF AMENDMENTS

1

Figure 8.G.1.D - Marquee Signs

A Marquee Sign May Project Up to 6 Feet Above the Cornice of a Building so Long as it is Architecturally Integrated with the Building

Maximum Sign area = 1.5 Sq. Ft. for Each Linear Ft of Building ~~Frontage Wall.~~



2

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EXHIBIT E

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 14.C.7.A, Approval of Initial Construction of Single Family Residential  
3 Parcels (page 33 of 52), is hereby amended as follows:

4 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

5 Section 7 Application, Process, and General Standards

6 A. ~~Approval of Initial Construction of Single Family Dwellings Residential Parcels~~

7 All newly constructed single family ~~dwellings residential parcels in a residential subdivision which~~  
8 ~~are less than two and one-half acres in gross size~~ will automatically receive a VRN Building  
9 Division Residential 1 & 2 Family Checklist with standard vegetation removal conditions ~~are~~ as  
10 part of the building permit process. For the purposes of this Chapter, a single family residential  
11 parcel also includes single two unit (duplex) residences and associated accessory structures, and  
12 shall comply with the following standards: **[Ord. 2008-040]**  
13  
14

15 Part 2. ULDC Art. 14.C.7.B.2.f, [Related to Standards for Approval of Development for  
16 Commercial Projects, Government Projects, Schools, New Construction of Utilities,  
17 Road Right-of-Way Projects, Projects Requiring DRO Review and Agriculture of 10  
18 Acres in Size or Greater] (page 35 of 52), is hereby amended as follows:

19 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

20 Section 7 Application, Process, and General Standards

21 B. Approval of Development for Commercial Projects, Government Projects, Schools, New  
22 Construction of Utilities, Road Right-of-Way Projects, Projects Requiring DRO Review and  
23 Agriculture of 10 Acres in Size or Greater

24 2. Standards of Approval

25 ....

26 f. ERM shall also consider: **[Ord. 2005-002] [Ord. 2008-003]**

27 ....

28 ~~6) Off-site replacement shall be allowed only if on-site planting is not feasible due to~~  
29 ~~unsuitable parcel conditions. Off-site planting shall be in or adjacent to a public park~~  
30 ~~parcel or native upland area; **[Ord. 2006-036] [Ord. 2008-040]**~~

31 7) In lieu of replacement planting, when on-site ~~and off-site~~ mitigation has been  
32 exhausted or is unavailable, a donation may be made to PBC for the Natural Areas  
33 Fund, ~~unless an alternative plan that meets the purpose and intent of this Chapter~~  
34 has been approved by the Director of ERM. The donation amount shall be based on  
35 the average cost of the purchase, installation and maintenance for one year of an  
36 equivalent number of replacement trees; and, **[Ord. 2006-036] [Ord. 2008-037]**  
37 **[Renumber accordingly.]**  
38  
39

40 Part 3. ULDC Art. 14.C.7.B.5, Mitigation or Restoration [Related to Approval of Development  
41 for Commercial Projects, Government Projects, Schools, New Construction of Utilities,  
42 Road Right-of-Way Projects, Projects Requiring DRO Review and Agriculture of 10  
43 Acres in Size or Greater] (page 38 of 52), is hereby amended as follows:

44 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

45 Section 7 Application, Process, and General Standards

46 B. Approval of Development for Commercial Projects, Government Projects, Schools, New  
47 Construction of Utilities, Road Right-of-Way Projects, Projects Requiring DRO Review and  
48 Agriculture of 10 Acres in Size or Greater

49 5. Mitigation or Restoration

50 a. When native trees are removed or damaged ~~without prior~~ contrary to written approval by  
51 ERM approval or when trees that were to be preserved in place or relocated are  
52 damaged or destroyed during activities conducted with ERM approval, they shall be  
53 replaced at double the rate shown in the Table 7.D.2.D Tree Credit and Replacement.  
54 For replacement vegetation which dies other than by damage or destruction, the  
55 replacement value shall be that in Table 7.D.2.D, Tree Credit and Replacement. Should  
56 replacement values not be found in the Table, the vegetation shall be replaced like size  
57 for like size. ERM may approve the planting of native vegetation equivalents other than  
58 the replacement values specified in Table 7.D.2.D, Tree Credit and Replacement. **[Ord.**  
59 **2008-040] [Ord. 2009-040]**  
60

61 ....

62 g. Any clearing activity after 1986 which cannot provide evidence of approval will be  
required to restore nine trees per 1500 square feet of cleared ~~area~~ native vegetation.

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EXHIBIT E

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS

1           The restoration may be accomplished through on-site planting of native trees or  
2           equivalent native vegetation approved by ERM, a contribution to the Palm Beach County  
3           Natural Areas Fund that is equivalent to nine trees per 1500 square feet of removed  
4           native vegetation, or the dedication of equivalent upland quality land area. [Ord. 2008-  
5           040] [Ord. 2009-040]

7  
8   Part 4.     ULDC Art. 14.C.8, Exemptions [Related to Vegetation Preservation and Protection]  
9           (page 38 of 52), is hereby amended as follows:

10   CHAPTER C   VEGETATION PRESERVATION AND PROTECTION

11   Section 8     Exemptions

12     A.   Botanical Gardens, Botanical Research Centers, Licensed Commercial Nurseries, or  
13     Bonafide Agricultural Operations

14     Vegetation alteration associated with subsequent harvesting activities, except within preserve  
15     areas or vegetated buffers, that are part of the on going activities of the existing operation, the  
16     harvesting or alteration of vegetation previously planted and cultivated for production as part of an  
17     ongoing botanical garden, botanical research center, nursery or bona fide agricultural operation is  
18     an exempt activity. Initial clearing of a parcel is ~~not~~ an exempt activity on parcels less than 10  
19     acres, providing that the level of clearing does not exceed the area for crop production.

20     ....

21     N. Minor Vegetation Removal

22     Removal of native vegetation with a replacement value of four trees or less, as defined in Table  
23     7.D.2.D-4 Tree Credit and Replacement.

24     O. Minor Vegetation Relocation

25     Relocation of up to ten native palm trees, providing that the trees are relocated using best  
26     industry standards and provided with mulch, irrigation and required maintenance to ensure  
27     survival. The planting location must be depicted on a site plan, survey or other document format  
28     acceptable to ERM.

29  
30  
31   Part 5.     ULDC Art. 14.C.12.D, Restorations [Related to Violations of Vegetation Preservation  
32           and Protection (page 41 of 52), is hereby amended as follows:

33   CHAPTER C   VEGETATION PRESERVATION AND PROTECTION

34   Section 12    Violations

35     D.   Restoration

36     Properties cleared after 1986 without ~~evidence of or in contradiction to an~~ approval will be  
37     required to restore 9 trees per violation. The restoration may be accomplished through on-site  
38     planting of native trees or equivalent native vegetation approved by ERM, a contribution to the  
39     Palm Beach County Natural Areas Fund that is equivalent to nine trees per violation, or the  
40     dedication of equivalent upland quality land cleared. [Ord. 2008-040]

Notes:

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EXHIBIT F

MOBILE HOME PARKS  
(RESIDENTIAL MANUFACTURED BUILDING OR SINGLE FAMILY DWELLING UNIT)  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 1.1.2.M, Definitions (pages 71, 73 and 74 of 115), is hereby amended as  
3 follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

7  
8 11. **Manufactured Building** –

9 a. a closed structure, building assembly, or system of subassemblies, which may include  
10 structural, electrical, plumbing, heating, ventilating, or other service systems  
11 manufactured with or without other specified components, as a finished building or as  
12 part of a finished building, which is used as a dwelling unit or residence or office. This  
13 definition does not apply to mobile homes. Manufactured building may also mean, at the  
14 option of the manufacturer, any dwelling unit or residence of open construction made or  
15 assembled in manufacturing facilities away from the building site for installation, or  
16 assembly and installation, on the building site.

17 b. For the purposes of Articles 3 and 4, a Residential Manufactured Building (aka Modular  
18 Home) may also be considered a Mobile Home, where required by F.S. 553.382,  
19 Placement of Certain Housing.

20  
21 47. **Mobile Home Dwelling** - for the purposes of Art. 3 or Art. 4, the use of a lot or a unit for one  
22 mobile home or manufactured home.

23  
24  
25 Part 2. ULDC Art. 3.D.2, PDRs for Specific Housing Types (page 128 of 228), is hereby  
26 amended as follows:

27 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

28 Section 2 PDRs for Specific Housing Types

29 A. Townhouse

30  
31 B. Zero Lot Line (ZLL)

32  
33 C. ZLL Design Standards

34  
35 D. Mobile Home Parks

36 1. Purpose and Intent

37 To recognize Florida State laws pertaining to the placement of Residential Manufactured  
38 Buildings (aka Modular Homes) in mobile home park communities, to provide additional  
39 flexibility to allow for the redevelopment of fee simple Mobile Home Park lots with either  
40 modular homes or traditional Single-Family Dwelling Units.

41 2. Applicability

42 The provisions of this section shall only apply to:

43 a. Existing Mobile Home Parks identified in PZ&B PPM #MD-RI-003, Mobile Home Parks in  
44 Unincorporated Palm Beach County; and,

45 b. Provisions allowing for alternative PDRs and related requirements for Residential  
46 Manufactured Buildings or Single-family Dwellings shall only be permitted for existing fee  
47 simple Mobile Home Subdivisions.

48 3. Residential Manufactured Building (Modular Home)

49 An existing Mobile Home may be replaced with a Modular Home subject to the following:

50 a. Requirements of PZ&B PPM #MD-RI-003; and,

51 b. Where applicable, subject to prior written approval of the Mobile Home Park owner in  
52 accordance with F.S. 553.382, Placement of Certain Housing.

53 4. Alternative Provisions for Fee Simple Lots

54 A Modular Home or a Single-family Dwelling shall be permitted to be placed on a fee simple  
55 lot within an existing Mobile Home Subdivision, subject to the following:

56 a. PDRs

57 The following PDRs shall apply to Modular Homes or SFDs. Setbacks for accessory  
58 structures shall be in accordance with Art. 5.B.1.A, Accessory Uses and Structures.

59 1) Minimum lot width: 45 feet.

60 2) Maximum lot coverage: 50 percent.

61 3) Front and side street setback: 20 feet.

62 4) Side setback: seven and one-half (7.5) feet.

Notes:

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EXHIBIT F

MOBILE HOME PARKS  
(RESIDENTIAL MANUFACTURED BUILDING OR SINGLE FAMILY DWELLING UNIT)  
SUMMARY OF AMENDMENTS

- 1                   5) Rear setback: 15 feet  
2                   **b. Garages**  
3                   Garages and carports may be permitted only on the rear portion of the lot. An attached  
4                   garage may be permitted to encroach the front half of the lot, if set back a minimum of 20  
5                   feet from the front façade. Attached carports shall not extend past the front façade.  
6                   **c. Main Entrances and Porches**  
7                   When located on lots less than 50 feet in width, main entrances shall be required to front  
8                   a street, and include a porch a minimum of six feet deep, 12 feet wide and 18 inches  
9                   above grade.  
10                  **d. Changes to Lot Finished Grade**  
11                  Any modifications to a lot that raises the grade for the proposed foundation shall not alter  
12                  the existing grade within the required side setbacks unless demonstrated that such will  
13                  not alter any historical drainage patterns for adjacent lots. Where foundation elevation is  
14                  required, this may require the use of a retaining wall to ensure that existing grade and  
15                  drainage patterns are not adversely impacted.

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**EXHIBIT G  
 PLANNED INDUSTRIAL PARK DEVELOPMENT (PIPD)  
 TO ALLOW: CATERING SERVICE, VOCATIONAL SCHOOL AND FITNESS CENTER  
 SUMMARY OF AMENDMENTS**

1  
 2 **Part 1. ULDC Table 3.E.1.B, PDD Use Matrix (page 140-142 of 228), is hereby amended as**  
 3 **follows:**  
 4

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

Use Type	PUD					MUPD					MXPD		PIPD			LCC		NOTE			
	Pods					FLU					FLU		Use Zone			FLU					
	R E S	C O M	R E C	C I V	A I G / P	C L	C H	C L	C H	C O	I R	I N D S T	C H	C H	I N D /	C O M /	I N D /		M H P D	R V P D	C L
<b>Commercial Uses</b>																					
....																					
Catering Service															<b>D</b>						26
....																					
Vocational School		R				R	P		P		P	D	R	R	<b>R</b>	<b>P</b>	<b>R</b>			R	P
....																					
<b>Recreation Uses</b>																					
....																					
Fitness Center		R	P	R		R	R		R	P			P	P	<b>R</b>	<b>P</b>				R	P
....																					
[Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016] [Ord. 2012-003]																					
<b>Notes:</b>																					
P Permitted by right																					
D Permitted subject to approval by the DRO																					
S Permitted in the district only if approved by Special Permit																					
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																					

5  
 6  
 7 **Part 2. ULDC Art. 4.B.1.A.56, Fitness Center (page 53 of 170), is hereby amended as follows:**

8 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

9 **Section 1 Uses**

10 **A. Definitions and Supplementary Standards for Specific Uses**

11 **56. Fitness Center**

12 An enclosed building or structure containing multi-use facilities for conducting recreational  
 13 activities such as aerobic exercises, weight lifting, running, swimming, racquetball, handball,  
 14 and squash. This use also includes dance studios and karate schools. A fitness center may  
 15 also include the following customary accessory activities as long as they are intended for the  
 16 use of the members of the center and not for the general public: babysitting, food service,  
 17 and the serving of alcoholic beverages consumed on the premises.

18  
 19 **d. PIPD Light Industrial Use Zone**

20 A fitness center in a Light Industrial Use Zone of a PIPD shall primarily serve the  
 21 workforce or residential population within the PIPD.

24 **Part 3. ULDC Art. 4.B.1.A.137, Vocational School (page 106 of 170), is hereby amended as**  
 25 **follows:**

26 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

27 **Section 1 Uses**

28 **A. Definitions and Supplementary Standards for Specific Uses**

29 **137.Vocational School**

30 An establishment offering regularly scheduled instruction in technical, commercial, or trade  
 31 skills such as business, real estate, building and construction trades, electronics, computer

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**EXHIBIT G**  
**PLANNED INDUSTRIAL PARK DEVELOPMENT (PIPD)**  
**TO ALLOW: CATERING SERVICE, VOCATIONAL SCHOOL AND FITNESS CENTER**  
**SUMMARY OF AMENDMENTS**

1 programming and technology, automotive or aircraft mechanics and technology, or other type  
2 of vocational instruction.

3 ....

4 **c. PIPD Industrial Use Zones**

5 A vocational school within a Light or General Industrial Use Zone shall be limited to  
6 educational instruction specifically related to manufacturing, trades that require the use of  
7 heavy machinery such as welding, mechanical or electrical repair, or other similar uses  
8 typically associated with industrial land use zones.

---

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EXHIBIT H

LOCATION CRITERIA - CONVENIENCE STORE WITH GAS SALES AND RETAIL GAS AND FUEL  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 4.B.1.A.37.b, Location Criteria [Related to Convenience Store with Gas  
3 Sales] (page 45 of 170), is hereby amended as follows:

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 Section 1 Uses

6 A. Definitions and Supplementary Standards for Specific Uses

7 37. Convenience Store with Gas Sales

8 A convenience store which includes accessory gasoline retail sales to the general public.

9 c. Location Criteria [Ord. 2006-004]

10 1) Intersection Criteria

11 A maximum of two auto service stations and convenience stores with gas sales, or  
12 any combination thereof, shall be permitted at an intersection pursuant to Article  
13 5.E.2.B, Intersection Criteria. [Ord. 2006-004]

14 2) Separation Criteria

15 A convenience store with gas sales shall be separated from any other auto service  
16 station or convenience store with gas sales pursuant to Art. 5.E.2.C.1. [Ord. 2006-  
17 004]

18 3) U/S Tier

19 A convenience store with gas sales with a CL FLU designation shall also comply with  
20 Art. 5.E.1, Major Intersection Criteria. [Ord. 2006-004]

21 4) Rural, Exurban, Glades and Agricultural Reserve Tiers (AGR)

22 A convenience store with gas sales shall be located at the intersection of one  
23 collector and arterial street, or two arterial streets, as listed in the FDOT PBC Federal  
24 Functional Classification Table. [Ord. 2006-004]

25 5) I-95 Interchange Exemption

26 A parcel with a Commercial High (CH) future land use designation within 0.50 miles  
27 of an I-95 Interchange shall be exempt from the Location Criteria for 1) Intersection  
28 Criteria, and 2) Separation Criteria, listed above.

31 Part 2. ULDC Art. 4.B.1.A.18.b, Location Criteria [Related to Retail Gas and Fuel] (page 35 of  
32 170), is hereby amended as follows:

33 CHAPTER B SUPPLEMENTARY USE STANDARDS

34 Section 1 Uses

35 A. Definitions and Supplementary Standards for Specific Uses

36 18. Gas and Fuel, Retail

37 An establishment engaged in the sale of gasoline or motor fuels to the general public. [Ord.  
38 2011-016]

39 b. Location Criteria

40 1) Intersection Criteria

41 A maximum of two Retail Gas and Fuel, Convenience Store with Gas Sales, or any  
42 combination thereof, may be permitted at an intersection pursuant to Art. 5.E.2.B,  
43 Intersection Criteria. [Ord. 2006-004] [Ord. 2011-016]

44 2) Separation Criteria

45 Retail Gas and Fuel shall be separated from any other Retail Gas and Fuel, or  
46 Convenience Store with Gas Sales pursuant to Art. 5.E.2.C.1. [Ord. 2006-004] [Ord.  
47 2011-016]

48 3) CL FLU in U/S Tier

49 Where permitted in a Use Matrix, Retail Gas and Fuel with a CL FLU designation  
50 shall comply with Article 5.E.1, Major Intersection Criteria. [Ord. 2006-004] [Ord.  
51 2011-016]

52 4) CL FLU in Rural, Exurban, Glades and Agriculture Reserve Tiers

53 Where permitted in a Use Matrix, Retail Gas and Fuel shall be located within 1,000  
54 feet of the intersection of one collector and arterial street, or two arterial streets, as  
55 listed in the Florida Department of Transportation (FDOT) PBC Federal Functional  
56 Classification Table. [Ord. 2006-004] [Ord. 2011-016]

57 5) WCRA Overlay

58 Retail Gas and Fuel is prohibited in the NR, NRM, and NG sub-areas, as per Table  
59 3.B.14.E – WCRAO Sub-area Use Regulations. [Ord. 2006-004] [Ord. 2011-016]

60 6) I-95 Interchange Exemption

61 A parcel with a Commercial High (CH) future land use designation within 0.50 miles  
62 of an I-95 Interchange shall be exempt from the Location Criteria of 1) Intersection  
63 Criteria, and 2) Separation Criteria, listed above.

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EXHIBIT I  
COMMERCIAL PARKING  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 4.B.1.A.96, Parking Lot Commercial (pages 72 - 73 of 170), are hereby  
3 amended as follows:

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 Section 1 Uses

6 A. Definitions and Supplementary Standards for Specific Uses

7 96. Parking Lot, Commercial

8 A lot used for temporary parking or storage for motor vehicles as a principal use for a fee and  
9 subject to:

10 ~~a. Parking~~

11 ~~Design standards of Art. 6.A, PARKING; and~~

12 ~~b. Landscaping~~

13 ~~Article 7.G, Landscape — Off-Street Parking Requirements.~~

14 ae. Principal Use

15 Parking spaces may be rented for daily parking. No other business of any kind shall be  
16 conducted on the lot, including repair, service, display, or storage of other goods, except  
17 mobile working and detailing.

18 bd. Proximity to Residential

19 A commercial parking lot shall not be located on a parcel adjacent to a residential district.

20 ce. Storage

21 Long trailers storage of vehicles shall be permitted in the IL district if screened from view  
22 in accordance with the outdoor storage standards.

---

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EXHIBIT J

LOCATION CRITERIA - TYPE I RESTAURANT  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 2.D.7, Type I Waiver (pages 45 of 85), is hereby amended as follows:

3 CHAPTER D ADMINISTRATIVE PROCESS

4 Section 7 Type I Waiver

5

**Table 2.D.7.B, Summary of Type I Waivers (1)**

<b>Type I Waiver Summary List</b>
<u>Required Parking for Location Criteria Exception in Type I Restaurant with Drive Through</u>
<u>[Ord. 2012- ]</u>

6

7  
8 Part 2. ULDC Art. 4.B.1.A.109, Restaurant, Type I (page 85 - 86 of 170), is hereby amended as  
9 follows:

10 CHAPTER B SUPPLEMENTARY USE STANDARDS

11 Section 1 Uses

12 A. Definitions and Supplementary Standards for Specific Uses

13 109. Restaurant, Type I

14 An establishment equipped to sell food and beverages in one of the following methods:  
15 drive-through sales to patrons in automobiles for take out who place orders through a window  
16 or remote transmission device; or sales to patrons for take out or dining in, that includes three  
17 or more of the following: food or beverage choices are advertised on a menu board;  
18 countertop sales where payment is made prior to consumption; disposable containers and  
19 utensils; limited service dining facilities with no hostess or waiters; and self service or  
20 prepackaged condiments. Traffic generation rates are normally in the range of 130 to 500  
21 trips per day, per 1,000 square feet of GFA, or as otherwise identified by the Institute of  
22 Traffic and Engineering. Type I restaurants with drive through lanes generate visual impacts  
23 on the surrounding area as well as additional traffic in comparison to a Type I restaurant  
24 without a drive through. However, if in compliance with the exception criteria listed below the  
25 impacts can be mitigated. **Ord. 2006-004]**

26 a. Location Criteria

27 A Type I restaurant with a drive through shall be subject to the following: **[Ord. 2006-004]**  
28 **[Ord. 2007-001]**

29 1) Intersection Criteria

30 A maximum of two Type I restaurants shall be permitted at an intersection in  
31 accordance with Art. 5.E.2.B, Intersection Criteria. **[Ord. 2006-004]**

32 2) Separation Criteria

33 A Type I restaurant shall be separated from any other Type I restaurant ~~subject to~~  
34 ~~these standards~~, in accordance with Art. 5.E.2.C.2. **[Ord. 2006-004] [Ord. 2009-040]**

35 3) Exception

36 A Type I restaurant may be exempt from the location criteria if the site that is  
37 designed to: address the additional trips associated with a drive through restaurant;  
38 as well as enhances pedestrian circulation, safety and accessibility while limiting  
39 vehicular circulation using exemplary site design and architectural treatment that  
40 incorporates the following, ~~may be exempt from intersection and separation criteria:~~  
41 **[Ord. 2006-004]**

42 ~~a) Required sidewalks and related pedestrian connections fronting on the façade~~  
43 ~~supporting the primary entrance shall be increased to eight feet in width; [Ord.~~  
44 ~~2006-004]~~

45 ~~b) Dumpster enclosures shall be physically connected to and architecturally~~  
46 ~~consistent with the building and shall not be freestanding; [Ord. 2006-004]~~

47 ~~c) No reductions in the width of required foundation planting areas shall be~~  
48 ~~permitted; [Ord. 2006-004]~~

49 ~~d) Wall signage is limited to one façade of the restaurant; [Ord. 2006-004]~~

50 ~~e) Landscape plans and architectural elevations shall be required as part of any~~  
51 ~~application for a Conditional or Requested Use, or any DOA affecting the items~~  
52 ~~listed herein. [Ord. 2006-004] [Relocated to Art. 4.B.1.A.109.a.3).e). below]~~

53 ~~a) Where applicable, a drive through Drive through facilities, including queuing and~~  
54 ~~by-pass lanes that run parallel and are shall not visible from adjacent public~~  
55 ~~streets, shall provide additional landscaping to mitigate views of the vehicular use~~  
56 ~~areas. This may be accomplished by the use of a Type 3 Incompatibility Buffer;~~

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EXHIBIT J

LOCATION CRITERIA - TYPE I RESTAURANT  
SUMMARY OF AMENDMENTS

- 1 ~~exemplary architectural design that incorporates walls or other visual barriers a~~
- 2 ~~minimum of six feet in height, or a combination of the two; [Ord. 2006-004]~~
- 3 ~~bg) If located in a non-residential Planned Development District or a commercial pod,~~
- 4 ~~all the required parking spaces shall be located in close proximity to the~~
- 5 ~~restaurant that they serve. Required parking shall not be separated from the~~
- 6 ~~restaurant main entrances by a distance of more than 150 feet. The applicant~~
- 7 ~~may request an increase to this distance up to a maximum of ten percent of the~~
- 8 ~~dimensional requirement through a Type I Waiver by any means of vehicular~~
- 9 ~~circulation with exception of drive isles used to access those parking spaces;~~
- 10 ~~[Ord. 2006-004]~~
- 11 ~~c) If located in standard Zoning Districts and required by the Zoning Director, cross-~~
- 12 ~~access shall be provided to all abutting parcels that have Commercial FLU~~
- 13 ~~designation. If required, the cross-access easement shall be recorded prior to~~
- 14 ~~Final Approval by the DRO. The Zoning Director may elect not to require the~~
- 15 ~~cross-access easement based on review of the existing or approved use for the~~
- 16 ~~abutting property.~~
- 17 ~~h) The restaurant shall not have continuous vehicular circulation on all four sides.~~
- 18 ~~For the purposes of this Section, vehicular circulation shall include drive ways,~~
- 19 ~~drive aisles, or other means of internal vehicular circulation located within 50 feet~~
- 20 ~~or less of the building. Vehicular circulation shall not include customer parking~~
- 21 ~~provided for the restaurant, one-way drive-through lanes and related by-pass~~
- 22 ~~lanes serving the restaurant. [Ord. 2006-004]~~
- 23 ~~d) Consideration shall be given to site design that promotes a safe pedestrian~~
- 24 ~~environment and addresses vehicular circulation and maneuvering. A restaurant~~
- 25 ~~located on a single parcel with a standard Zoning District is allowed continuous~~
- 26 ~~vehicular circulation:~~
- 27 ~~1) on all four sides of the building if the site is limited to only one access point to~~
- 28 ~~the subject property; or,~~
- 29 ~~2) on all three sides of the building if site is limited to two access points to the~~
- 30 ~~subject property.~~
- 31 ~~e) Landscape plans and architectural elevations shall be required as part of any~~
- 32 ~~application for a Conditional or Requested Use, or any DOA affecting the items~~
- 33 ~~listed herein. [Ord. 2006-004] [Relocated from Art. 4.B.1.A.109.a.3).e). above]~~
- 34 ~~....~~

37 Part 3. ULDC Art. 5.C.1.B 1, General [Related to Architectural Guidelines Thresholds] (page 33  
38 of 91), is hereby amended as follows:

39 CHAPTER C DESIGN STANDARDS

40 Section 1 Architectural Guidelines

41 B. Thresholds

42 This Chapter shall apply to the following projects, buildings and related signs:

43 1. General

44 ....

- 45 e. The following uses, regardless of building size: [Ord. 2006-036]
- 46 1) Automotive paint or body shop; [Ord. 2006-036]
- 47 2) Repair and maintenance, general; ~~and~~ [Ord. 2006-036]
- 48 3) Retail sales, automotive parts and accessories; ~~and,~~
- 49 4) Type I restaurants with drive through requesting location criteria exception pursuant
- 50 to Art.4.B.1.A.109, Restaurant, Type I. [Ord. 2006-036]
- 51 ....

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EXHIBIT K

ELEMENTARY OR SECONDARY SCHOOL  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 1.I.2, Definitions (pages 89 of 115) is hereby amended as follows:

3 CHAPTER I DEFINITIONS & ACRONYMS

4 Section 2 Definitions

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

6 ~~14. School, Private~~ for the purposes of Art. 4.B.

7 ....  
8  
9

10 Part 2. ULDC Art. 4.B.1.A.118, Elementary or Secondary Schools (pages 92 – 95 of 170) is  
11 hereby amended as follows:

12 CHAPTER B SUPPLEMENTARY USE STANDARDS

13 Section 1 Uses

14 A. Definitions and Supplementary Standards for Specific Uses

15 118.School, Elementary or Secondary

16 An institution of learning, whether public, private or charter, which conduct regular classes  
17 and courses of study required for accreditation as an elementary or secondary school  
18 approved by the Department of Education.

19 a. General

20 1) Setbacks

21 All schools shall comply with the Zoning District setbacks unless stated otherwise  
22 herein. No setback shall be less than 25 feet regardless of the Zoning District.

23 2) Agricultural Reserve Tier

24 A school shall not be located west of SR 7/US 441. [Relocated from Art.  
25 4.B.1.A.118.a.11.]

26 3) South Florida Water Management District (SFWMD)

27 Boardwalks and education learning stations may be constructed within wetland areas  
28 subject to approval by the SFWMD. [Relocated from Art. 4.B.1.A.118.a.9.]

29 a) Preservation

30 Prior to commencement of construction, lot clearing or any other site  
31 development, preparation, all applicable permits shall be obtained in  
32 conformance with Article 9, ARCHAEOLOGICAL AND HISTORIC  
33 PRESERVATION. [Relocated from Art. 4.B.1.A.118.a.9.a.]

34 b) Wetlands Permits

35 On site wetlands required by the SFWMD shall be preserved. Boardwalks and  
36 education learning stations may be constructed within wetland areas subject to  
37 approval by the SFWMD. [Relocated from Art. 4.B.1.A.118.a.9.b.]

38 c) Construction Documents

39 Prior to site plan approval by the DRO review, construction documents for  
40 wetland restoration, landscaping, and vegetation restoration shall be reviewed  
41 and approved by ERM. [Relocated from Art. 4.B.1.A.118.a.9.c.]

42 4) Airport Zoning Overlay

43 New schools shall not be located within five miles of either end of a runway, pursuant  
44 to Article 16, AIRPORT REGULATIONS, and F.S. [Relocated from Art.  
45 4.B.1.A.118.a.10.]

46 b. Private School

47 The following standards shall apply to all private schools:

48 1) Pedestrian Access/Bike Path

49 Pedestrian access, bike paths and crosswalks showing access to the school site from  
50 surrounding neighborhoods shall be shown on the site plan.

51 2) Vehicular Circulation

52 Designated bus and parental drop off/pick up areas, shall be provided. Pathways,  
53 which cross-vehicular use areas, shall be defined by special paving, brick, striping, or  
54 other methods acceptable to the DRO.

55 3) Approval Process

56 This use shall be subject to the applicable approval process pursuant to the use  
57 matrices of Article 3 and Article 4.

58 Dumpsters

59 ~~Dumpster and trash receptacles shall be located a minimum of 75 feet from~~  
60 ~~residential property and screened in accordance with Article 5.B, ACCESSORY AND~~  
61 ~~TEMPORARY USES.~~

62 4) Signalization

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EXHIBIT K

ELEMENTARY OR SECONDARY SCHOOL  
SUMMARY OF AMENDMENTS

Signalization, in the form of a mast arm, shall be installed at the primary entrance to the school site if warranted, as determined by the County Engineer. Should signalization not be warranted within 12 months of the final certificate of occupancy for private or charter schools, or school opening for public schools, the property owner/ School Board shall be relieved of this requirement.

~~5) Setbacks~~

~~a) Residential Districts~~

Setbacks for schools in all residential districts shall be consistent with Table 4.B.1.A, AR-District in the RSA, or the following, whichever is more restrictive.

**Table 4.B.1.A – Minimum Building Setbacks**

Front	Side	Corner	Rear
25	25	25	25

~~b) Non-residential Districts~~

Setbacks for schools in all non-residential zoning districts shall be consistent with the district standards.

~~6) Maximum Building Height~~

Structures higher than 35 feet shall be subject to approval on a Class A conditional use, unless otherwise stated in this Section.

~~7) Outdoor Activity Areas~~

Outdoor activity areas shall comply with Article 5.B, ACCESSORY AND TEMPORARY USES.

~~8) Lighting~~

Security and recreation lighting (i.e. outdoor activity areas, ball fields, tennis courts, etc.) shall comply with Article 5.E, PERFORMANCE STANDARDS.

~~9) South Florida Water Management District (SFWMD)~~

~~Boardwalks and education learning stations may be constructed within wetland areas subject to approval by the SFWMD. [Relocated under section 4.B.1.A.118.a.3]~~

~~a) Preservation~~

~~Prior to commencement of construction, lot clearing or any other site development, preparation, all applicable permits shall be obtained in conformance with Article 9, ARCHAEOLOGICAL AND HISTORIC PRESERVATION. [Relocated under section 4.B.1.A.118.a.3.a]~~

~~b) Wetlands Permits~~

~~On site wetlands required by the SFWMD shall be preserved. Boardwalks and education learning stations may be constructed within wetland areas subject to approval by the SFWMD. [Relocated under section 4.B.1.A.118.a.3.b.]~~

~~c) Construction Documents~~

~~Prior to site plan approval by the DRO review, construction documents for wetland restoration, landscaping, and vegetation restoration shall be reviewed and approved by ERM. [Relocated under section 4.B.1.A.118.a.3.c.]~~

~~10) Airport Zoning Overlay~~

~~New schools shall not be located within five miles of either end of a runway, pursuant to Article 16, AIRPORT REGULATIONS, and F.S. [Relocated under section 4.B.1.A.118.a.4]~~

~~11) Agricultural Reserve Tier~~

~~A school shall not be located west of SR 7/US 441. [Relocated under section 4.B.1.A.118.a.2]~~

**c b Charter Schools**

Charter schools are subject to the same standards and approval processes applicable to private schools. If constructed by the PBC School Board or otherwise considered a public school facility pursuant to F.S. Chapter 1013, the use shall be treated as public schools for the purposes of this Code. Charter schools with 200 or fewer students in a commercial, industrial, or nonresidential planned development district shall be subject to DRO approval and the standards in Article 4.B.1.A.118.a, General, and Article 2.D, ADMINISTRATIVE PROCESS.

**d e Public Schools**

- 1) ~~A use and attendant buildings operated by the PBC School District for educational or training purposes, as follows:~~
  - a) ~~an elementary school;~~
  - b) ~~a middle school;~~
  - c) ~~a high school;~~
  - d) ~~a vocation or technical school.~~

**12) Applicability**

**a) General**

This Section shall apply only to public schools built and operated by the PBC School Board. Public Schools are subject to site requirements contained in Section 423 of

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EXHIBIT K

ELEMENTARY OR SECONDARY SCHOOL  
SUMMARY OF AMENDMENTS

1 the Florida Building Code per F.S. 1013.37. Public schools are not subject to the  
2 approval process contained in the Use Matrices of this Code unless specified herein.  
3 Other types of School Board developments, such as administrative offices,  
4 warehouse buildings, etc., shall comply with the regulations of the applicable zoning  
5 district.

6 **2b) Previous Approvals and Future Amendments**

7 Public schools approved prior to June 16, 1992 shall be considered conforming uses.  
8 ~~Future amendments to these schools shall be subject to the requirements of this~~  
9 ~~Section and Article 2, Development Review Process and Article 2.D.1, DRO. [Ord.~~  
10 ~~2005-002]~~

11 **3) Approval Process Review by Zoning**

12 **a) Development Review Officer**

13 Applications for site plan approval shall include the following: ~~[Ord. 2005-002]~~

14 ~~(1) DRO Application~~

15 A completed application, which meets the standards of this Section and Art.  
16 2.D.1, DRO.

17 **a(2) School Site Acquisition**

18 Comply with the Proof of compliance with the School Site Acquisition Review  
19 procedures required established by the Intergovernmental Agreement R-93-  
20 1600D adopted on 12-7-93, as amended from time to time.

21 **b(3) DRO Development Review Officer (DRO) Administrative Review**

22 Application shall comply with the DRO Administrative Review process as stated  
23 in Article 2.D, Administrative Process. All items shall be submitted in accordance  
24 with the Zoning Division calendar. Agency comment shall be provided to the  
25 School District at the next scheduled DRO meeting.

26 ~~(4) Standards~~

27 Applications submitted pursuant to this Section shall be reviewed and  
28 approved by the DRO after a finding that the procedures and standards of  
29 this Section and Art. 2.D, Administrative Process – DRO, are satisfied.

30 ....  
31 **5) Property Development Regulations (PDRs)**

32 If a conflict exists between this Section and regulations found elsewhere in this Code,  
33 the regulations of this Section shall apply.

34 **a) Maximum Building Height**

35 Structures higher than 35 feet shall provide one additional foot setback for each  
36 one foot in height exceeding 35 feet.

37 **b) Lot Size**

38 The minimum lot size shall be governed by the most recent standards adopted  
39 by the School Board and only to new public schools.

40 **c) Building Setbacks**

41 Setbacks for public schools shall be a minimum of 25 feet, consistent with Florida  
42 Statutes as indicated in Table 4.B.1.A, Minimum Building Setbacks, above. [Ord.  
43 2005-002]

44 **6) Supplemental Design Standards**

45 The following design standards shall apply to new school sites and any improvement  
46 to previously approved school sites.

47 **a) Parking**

48 The site plan shall indicate the student capacity, number of employees the  
49 amount of required and provided parking spaces, and comply with the minimum  
50 parking required by applicable State Statutes.

51 **b) Landscape Buffer**

52 The DRO shall require R-O-W buffers and interior parking area landscaping  
53 consistent with Art. 7, Landscaping, Adjacent properties with existing residential  
54 use or FLU designation shall be protected from the school's loading, utility, and  
55 outdoor active recreation areas by incompatibility buffers. Landscaping material  
56 shall comply with the applicable F.S. **[Ord. 2005-002]**

57 a) All fences height shall be in compliance with Art. 5, Supplementary Standards  
58 and Art. 7, Landscaping.

59 b) Landscape shall comply with State Statutes 1013.64(5)(a).

60 **c) Accessory Recreation**

61 Accessory Outdoor recreation areas shall be subject to Art. 5.B, Accessory and  
62 Temporary Uses, recreation, or provide a Type 3 Incompatibility Buffer, as  
63 defined in Art. 7, Landscaping, with a minimum width of 25 feet.

64 **cd) R-O-W Dedication**

65 Within six months of a request by the County Engineer, site plan approval by the  
66 DRO, the School Board shall convey to the BCC all portions of the site necessary  
67 to achieve the ultimate R-O-W, as required by Article 11, Subdivision, Platting

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EXHIBIT K

ELEMENTARY OR SECONDARY SCHOOL  
SUMMARY OF AMENDMENTS

1 and Required Improvements, or as warranted by the School District's Traffic  
2 Study, as well as additional right of way for ~~plus~~ turn lanes and corner clips, as  
3 determined by the County Engineer and warranted by the School District's Traffic  
4 Study for any affected road ~~on the County Thoroughfare Map.~~ The conveyance  
5 shall include documentation acceptable to the County Engineer that the land is  
6 free of all encumbrances and encroachments and shall be in the form of a  
7 warranty deed acceptable to the County Attorney. Time extension for R-O-W  
8 dedication may be granted if approved by the County Engineer and the School  
9 District.

10 **de) Road Improvements**

11 Prior to school occupancy, the School Board shall fund and construct all road  
12 improvements directly associated with the school such as paving-drainage, turn  
13 lanes, traffic circulation, sidewalks, and driveway connections as determined by  
14 the County Engineer and warranted by the School District's Traffic Study. [Ord.  
15 2005 – 002]

16  
17  
18 **Part 3. ULDC Art. 5.E.4.E.2.e, Deviations [Related to Outdoor Lighting Applicability] (pages 53**  
19 **of 91) is hereby amended as follows:**

20 **CHAPTER E PERFORMANCE STANDARDS**

21 **Section 4 Nuisances**

22 **E. Outdoor Lighting**

23 **2. Applicability**

24 **e. Deviations**

25 Lighting may vary from this Section to the extent necessary to comply with the following:  
26 [Ord. 2005-041]

- 27 1) F.S. 655.962, related to ATM lighting; [Ord. 2005-041]
- 28 2) F.S.812.173, related to Parking lots for Convenience Businesses; [Ord. 2005-041]
- 29 3) Lighting on Public Schools required by FBC Chapter 423 ~~and 424~~, and the SDPBC  
30 Electrical Design Criteria; [Ord. 2005-041]

31 ....

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EXHIBIT L

AGR TIER - AGRICULTURE MARKETPLACE  
(AGRICULTURAL RESERVE [AGR] TIER)  
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 1.C.1.A.2, Interpretation and Application (pages 8 of 115), is hereby amended as follows:

CHAPTER C RULES OF CONSTRUCTION AND MEASUREMENT

Section 1 Rules of Construction

A. General

2. Interpretation and Application

z. Weekend – Friday, Saturday and Sunday.  
[Renumber Accordingly]

Part 2. ULDC Art. 1.I.2, Definitions (pages 34 of 115), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

....  
[Renumber accordingly.]

48. Agriculture Marketplace – A use that is accessory, incidental and subordinate, to a bona-fide agricultural use in the AGR Tier, conducted to allow for the sale of agricultural products or enhanced opportunities for visitors, which generates income for the owner or operator of the bona-fide agricultural use, adding economic viability to farming operations.

[Renumber accordingly.]

Part 3. ULDC Table 4.A.3.A – Use Matrix Continued, Definitions (page 13 of 170), is hereby amended as follows:

Table 4.A.3.A - Use Matrix Continued

Use Type	Zoning District/Overlay																NOTE	
	Agriculture/Conservation			Residential					Commercial					Industry/Public				
	P	A	A	AR	R	R	R	R	C	C	C	C	C	C	I	I		P
C	G	P	R	U	E	T	S	M	N	L	C	H	G	R	L	G	O	P
			A	A						O	O	O	E				F	
<b>Commercial Use</b>																		
....																		
Green Market, <u>Temporary</u>			<u>PS</u>															
Green Market, <u>Permanent</u>											<u>B</u>	<u>B</u>	<u>D</u>					
....																		
<b>Agricultural Uses</b>																		
Agriculture, Bona Fide			P	P	P	A	A	A	A	A	A	A	A	A	A	A	P	A
																		3
[Ord. 2005-002] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2011-016]																		
<b>Key:</b>																		
P Permitted by right																		
D Permitted subject to DRO approval																		
S Permitted subject to Special Permit approval																		
B Permitted subject to Zoning Commission approval																		
A Permitted subject to Board of County Commission approval																		

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EXHIBIT L

AGR TIER - AGRICULTURE MARKETPLACE  
(AGRICULTURAL RESERVE [AGR] TIER)  
SUMMARY OF AMENDMENTS

1 Part 4. ULDC Art. 4.B.1.A3, Bona Fide Agriculture, Supplemental Use Standards (page 29 of  
2 170), is hereby amended as follows:

3 CHAPTER B SUPPLEMENTARY USE STANDARDS

4 Section 1 Uses

5 A. Definitions and Supplementary Standards for Specific Uses

6 3. Agriculture, Bona Fide

7 Any plot of land where the principal use consists of the growing, cultivating and harvesting of  
8 crops; the raising of animals, inclusive of aviculture, aquaculture, horses and livestock; the  
9 production of animal products such as eggs, honey or dairy products; or the raising of plant  
10 material. The determination as to whether or not the use of land is considered bona fide  
11 agriculture shall be made pursuant to FS 823.14, Florida Right to Farm Act. [Ord. 2009-040]

12 ....

13 h. Accessory Agricultural Uses

14 These uses include "U-Pick-Em" operations; sale of on-site produced products; corrals;  
15 pens; training facilities; dipping vats; processing of raw material; storage sheds; repair,  
16 fabrication, body work and welding of agricultural equipment; freestanding coolers; bulk  
17 storage of petroleum products; shipping containers used for temporary storage; washing,  
18 cutting, and packing of farm products, and canning, dehydration, and basic preparation of  
19 raw food products prior to shipment, and outdoor storage of equipment. [Ord. 2005 –  
20 002]

21 i. Agriculture Marketplace

22 A use that is accessory, incidental and subordinate, to a Bona-fide Agricultural use in the  
23 AGR Tier, conducted to allow for the sale of agricultural products or enhanced  
24 opportunities for visitors, which generates income for the owner or operator of the bona-  
25 fide agricultural use, adding economic viability to farming operations.

26 1) Approval Process

27 Class A Conditional Use.

28 2) Location Criteria

29 a) Tier and District

30 AGR Tier and Zoning district only.

31 b) Location

32 The Agriculture Marketplace shall be located adjacent to an arterial road  
33 designated on the PBC Functional Classification of Roads Map.

34 c) Proximity to Residential Uses

35 The parcel or area designated on the Final Site Plan for an Agriculture  
36 Marketplace shall be located at least 500 feet measured from the property line, if  
37 adjacent to existing residential uses, or approvals for PUD or TMD development  
38 areas with residential uses.

39 3) Minimum Acreage and Production

40 May be allowed if the land area has a minimum of 75 contiguous acres. A Unity of  
41 Control shall be required at the time for the approval of the Class A Conditional Use.

42 a) Agriculture Preserve Parcels

43 The minimum acreage requirements may include parcels under an agricultural  
44 conservation easement, identified as an AGR PUD Preserve or AGR TMD  
45 Preserve, or other similar protections, provided that the Agriculture Marketplace  
46 is not located on those parcels.

47 b) Agriculture Production

48 A minimum of 70 percent of the overall land area must meet the requirements for  
49 Bona Fide Agriculture.

50 4) Use Limitations and Sale of Products

51 The area designated as an Agriculture Marketplace shall be limited to the retail sales  
52 of agricultural products such as fruits, vegetables, flowers, containerized house  
53 plants and other agricultural food products such as jelly, jam, honey and juice. This  
54 shall not preclude any structures from being used for the coordination of activities for  
55 permitted collocated uses, or other accessory, educational or recreational uses  
56 permitted on the Bona-fide Agriculture operation. The sale of grocery or  
57 convenience-type foods or products shall not be permitted nor shall vending  
58 machines or other similar equipment be permitted, unless stated otherwise herein.

59 a) Floor Area

60 A maximum of 24,000 square feet of GFA, including outdoor display areas. The  
61 floor area shall not include any FAR transferred from the portions of the site that

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EXHIBIT L

AGR TIER - AGRICULTURE MARKETPLACE  
(AGRICULTURAL RESERVE [AGR] TIER)  
SUMMARY OF AMENDMENTS

is dedicated to Bona Fide Agriculture production or otherwise encumbered with a conservation easement, preserve area or other similar protection.

**b) Outdoor Open Space Area**

Areas set aside as outdoor open space for collocated uses and outdoor permanent activities shall be limited to a maximum of 12,000 square feet. Permanent shelters, such as Seminole chickee huts shall be limited to a maximum of 2,000 square feet.

**c) Collocated Uses**

Additional uses may be permitted subject to compliance with the Supplemental Use Standards for each use and the following:

**(1) General Retail Sales**

Ten percent or 2,000 square feet, whichever is less, of the GFA of the Agriculture Marketplace may be devoted to General Retail Sales. There shall be no exterior signage advertising to the public of the sale of grocery or other retail products. Approval shall be part of the Class A Conditional Use.

**(2) Green Market, Permanent**

Subject to DRO approval. An Open Flea Market may be permitted in conjunction with a Green Market. The Open Flea Market shall be limited to ten percent of the total square footage of the Permanent Green Market.

**(3) Retail Sales, Mobile or Temporary**

Mobile sales shall be permitted subject to approval of a Special Permit.

**(4) Special Event**

Subject to approval of a Special Permit.

**d) Outdoor Permanent Activities**

Activities shall be clearly shown and labeled on the Site Plan and shall function with other uses on the site. Impacts from these uses, including but not limited to, traffic, parking, rest rooms, or nuisances, shall be addressed as part of the Class A Conditional Use approval. The BCC may impose conditions of approval to address these activities. Additional activities, such as: cooking classes and charity events, shall be permitted by right, subject to the following:

(1) Shall be located within the GFA of the Agriculture Marketplace or permitted Outdoor Open Space areas;

(2) The maximum number of participants, including a combination of special activities, shall not exceed 50 attendees; and,

(3) Overflow parking is provided. A minimum of one parking space shall be provided for each three attendees. This shall require the posting of adequate onsite directional signage to preclude any inappropriate parking activity, such as parking in rights of way or on adjacent properties.

**e) Outdoor Display**

Shall be limited to agricultural products only, located along the property's frontage or other area, except within required setbacks.

**f) Storage**

Motor vehicles, including vans, trucks, semi-trucks, mobile homes, travel trailers, and other permanent or temporary structures shall not be used for storage or display purposes.

**g) Parking**

Off site parking within a public or private R-O-W, or to areas accessed by other than an approved access way, shall be prohibited.

**h) Hours of Operation**

1) Eight a.m. to six p.m. Monday through Saturday; and,

2) Ten a.m. to six p.m. Sunday.

[Renumber Accordingly]

Part 5. ULDC Art. 4.B.1.A.64, Green Market (page 55 of 170), is hereby amended as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

**64-1. Green Market, Temporary**

A temporary gathering of vendors for the purpose of selling fresh unprocessed fruit, vegetables, flowers, and consumable items such as coffee, bread and prepared food, on a retail basis.

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EXHIBIT L

AGR TIER - AGRICULTURE MARKETPLACE  
(AGRICULTURAL RESERVE [AGR] TIER)  
SUMMARY OF AMENDMENTS

- 1 a. **Lot Size**  
2 A minimum of one acre.
- 3 b. **Duration and Approval**  
4 Weekends only, subject to approval of a Special Permit. *A Temporary Green Market that*  
5 *is located within required parking spaces or access aisles for a temporary period of time,*  
6 *which shall be defined by anything exceeding one hour or several days, shall comply with*  
7 *the Special Permit requirements in Article 2.D.2. [Ord. 2010-005] [Ord. 2010-022]*  
8 **[Partially relocated from Art. 4.B.1.A.64-1.g]**
- 9 c. **Site Operation**  
10 The market stall shall be located on the site as not to utilize required parking spaces or  
11 obstruct any access or parking lot aisles. **[Ord. 2007-001]**
- 12 d. **Temporary Electric Service**  
13 The applicant shall obtain an electrical permit for temporary power, if applicable. **[Ord.**  
14 **2007-001]**
- 15 e. **Stands**  
16 Each vendor stand shall not exceed 150 square feet. The stand shall remain  
17 transportable. Motor vehicles such as vans or small trucks may be permitted provided  
18 the vehicle is removed from the site at the close of the market each weekend.
- 19 f. **Signage**  
20 A maximum of two signs with a maximum sign face area of 32 square feet per side.  
21 Signs shall be setback a minimum of five feet from the base building line and have a  
22 minimum separation of 100 feet. Banners, pennants, balloons and flags shall be  
23 prohibited.
- 24 g. **Permanent Green Market**  
25 ~~A permanent Green Market shall be allowed to operate each weekend provided the area~~  
26 ~~designated for the Green Market is not located in required parking and indicated on the~~  
27 ~~final DRO site plan. A Green Market that is located within required parking spaces or~~  
28 ~~access aisles for a temporary period of time, which shall be defined by anything~~  
29 ~~exceeding one hour or several days, shall comply with the Special Permit requirements in~~  
30 ~~Article 2.D.2. [Ord. 2010-005] [Ord. 2010-022] [Partially relocated to Art. 4.B.1.A.64-~~  
31 ~~1.b, Duration and Approval]~~
- 32 **64-2. Permanent Green Market**  
33 An area permanently designated on a Preliminary or Final Site Plan providing for the  
34 gathering of vendors on weekends and holidays, for the purpose of selling fresh unprocessed  
35 fruit, vegetables, flowers, and consumable items such as coffee, bread and prepared food on  
36 a retail basis.
- 37 a. **Lot Size**  
38 A minimum of one acre.
- 39 b. **Duration**  
40 Weekends and recognized federal holidays only.
- 41 c. **Stands**  
42 Each vendor stand shall not exceed 150 square feet. The stand shall remain  
43 transportable and shall be removed from the site at the close of the market each  
44 weekend, or holiday where applicable. Motor vehicles such as vans or small trucks may  
45 be permitted subject to the preceding removal requirements.

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EXHIBIT L

AGR TIER - AGRICULTURE MARKETPLACE  
(AGRICULTURAL RESERVE [AGR] TIER)  
SUMMARY OF AMENDMENTS

1 Part 6. ULDC Art. 6, Parking (page 5 of 39), is hereby amended as follows:  
2

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

Use Type: Commercial	Parking (1)	Loading (2)
....		
Green market		
<u>Temporary</u>	N/A	N/A
<u>Permanent</u>	<u>1 space per 250 sq. ft.</u>	<u>A</u>
....		
<b>[Ord. 2005-002] [Ord. 2009-040] [Ord. 2011-016]</b>		
<b>Loading Key:</b>		
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 The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.		

3

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

Use Type: Agriculture	Parking (1)	Loading (2)
Agriculture, bona fide	1 space per 1,000 sq. ft.	B
<u>Accessory Agricultural Uses (U-Pick Em Operations) Agriculture Marketplace</u>	<u>1 space per 200 sq. ft. including outdoor sales display area</u>	<u>A</u>
....		
<b>[Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-036]</b>		
<b>Loading Key:</b>		
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. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.		

4

**Notes:**

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EXHIBIT M

AGR TIER – INSTITUTIONAL MEDICAL OFFICE  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 4.B.1.A.83, Medical or Dental Office (pages 66 and 67 of 170), is hereby  
3 amended as follows:

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 Section 1 Uses

6 A. Definitions and Supplementary Standards for Specific Uses

7 83. Medical or Dental Office

8 An establishment where patients, who are not lodged overnight, are admitted for examination  
9 or treatment by persons practicing any form of healing or health-building services whether  
10 such persons be medical doctors, chiropractors, osteopaths, podiatrists, naturopaths,  
11 optometrists, dentists, or any such profession, the practice of which is lawful in the State of  
12 Florida. [Ord. 2005 – 002] [Ord. 2010-009] [Ord. 2011-001] [Ord. 2011-016]

13 ....

14 c. ~~Limited Use in~~ INST FLU Designation

15 A medical or dental office may ~~May~~ be permitted subject to DRO approval, within the  
16 boundaries of the following five ~~four~~ site specific FLUA amendments: ~~adopted under~~  
17 ~~Ordinances 2006-005, 2008-005, 2009-008 and 2010-023.~~ [Ord. 2011-001]

18 1) SCA 2005-027, Linton/Jog Institutional, Ord. 2006-005;

19 2) SCA 2008-015, Jog/Joe DeLong Institutional, Ord. 2008-005;

20 3) SCA 2009-002, Atlantic/Sims Medical Office, Ord. 2009-008;

21 4) LGA 2010-014, Suess Institutional (Southern & Seminole Pratt and Whitney), Ord.  
22 2010-031; and,

23 5) LGA 2012-002, Agriculture Reserve Boynton Beach, Ord. 2012-017.

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EXHIBIT N

AGR TIER – PACKING PLANT IN AGR-PUD PRESERVE AREA  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 1.1.2.A.44, Agriculture Packing Plant [Related to Definitions] (page 34 of  
3 115), is hereby amended as follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

7  
8 44. **Agriculture, Packing Plant** – A facility ~~accessory to bona fide agriculture~~, used for the  
9 packing of produce not necessarily grown on site. Activities may also include canning,  
10 dehydration, washing, cutting, or basic preparation of raw produce prior to shipment. [Ord.  
11 2005 – 002]  
12

13  
14 Part 2. ULDC Table 3.E.1.B, PDD Use Matrix (page 143 of 228), is hereby amended as follows:  
15

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

Use Type	PUD				MUPD						MXPD		PIPD			LCC		NOTE									
	Pods				FLU						FLU		Use Zone			FLU											
	R E S	C O M	R E C	C A V / P	A L	C H	C L	C H	C O	C O	I R	I N D	I N S T	C H	C H	O	I N D		C O M	I N D	I N D	M H P D	R V P D	C L	C H		
Agricultural Uses																											
....																											
Agriculture, Packing Plant																											5
....																											
[Ord. 2005-002] [Ord. 2006-036] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005]																											
<b>Notes:</b>																											
P Permitted by right																											
D Permitted subject to approval by the DRO																											
S Permitted in the district only if approved by Special Permit																											
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																											

16  
17  
18 Part 3. ULDC Art. 3.E.2.F.3.c, Uses [Related to Preservation Areas] (page 162 of 228), is  
19 hereby amended as follows:

20 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

21 Section 2 Planned Unit Development (PUD)

22 F. AGR PUD

23 3. Preservation Area

24 A Preservation Area or a pod designated as a Preservation Area is intended to support bona  
25 fide agriculture uses, wetlands, or other significant open space. Adjacent residential  
26 development in the PUD should be designed to be compatible with a Preservation Area and  
27 shall not detract from its operation or function.

28 c. Uses

29 Uses allowed in a Preservation Area are indicated in Table 3.E.1.B, PDD Use Matrix,  
30 Table 3.F.1.F, Traditional Development District Permitted Use Schedule, or where stated  
31 within Art. 4, Use Regulations, and specified by the Preserve Management Plan as  
32 approved by ERM. [Ord. 2006-004]  
33

34  
35 Part 4. ULDC Art. 4.B.1.A.5, Agriculture Packing Plant, (pages 29 and 30 of 170), is hereby  
36 amended as follows:

37 CHAPTER B SUPPLEMENTARY USE STANDARDS

38 Section 1 Uses

**Notes:**

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EXHIBIT N

AGR TIER – PACKING PLANT IN AGR-PUD PRESERVE AREA  
SUMMARY OF AMENDMENTS

1 A. Definitions and Supplementary Standards for Specific Uses

2 5. Agriculture, Packing Plant

3 A facility ~~accessory to bona fide agriculture~~, used for the packing of produce not necessarily  
4 grown on site. Activities may also include canning, dehydration, washing, cutting, or basic  
5 preparation of raw produce prior to shipment. [Ord. 2005-002]

6 a. Accessory Use

7 A packing plant in the AP and AGR districts, or the Preserve Area of an AGR PUD, may  
8 be allowed as an accessory use to a related bona fide agriculture use on the same  
9 property, provided it does not exceed 25,000 square feet.

10 ....

11 f. AGR-PUD Preserve Area

12 An agriculture packing plant located in an AGR Preserve Area, including where permitted  
13 as an accessory use as specified above, shall comply with the following:

- 14 1) Located on a roadway classified as an arterial street on figure TE 3.1 – Functional  
15 Classification of Roads; and,  
16 2) Located on or adjacent to active agricultural crop production.

---

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EXHIBIT O

AGR PUD – 60/40 FRONTAGE  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 3.E.2.F.4.a.1), Frontage, [Related to AGR-PUD] (page 163 of 228), is hereby  
3 amended as follows:

4 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

5 Section 2 Planned Unit Development (PUD)

6 F. AGR PUD

7 4. Development Area

8 a. Location

9 1) Frontage

10 All Development Areas shall have frontage on either SR-7, SR-806 (Atlantic Ave.),  
11 SR-804 (Boynton Beach Boulevard), Clint Moore Road, ~~or~~ Lyons Road extending  
12 north of Boynton Beach Boulevard or Lyons Road extending south of Atlantic  
13 Avenue, and Acme Dairy Road extending south of Boynton Beach Boulevard to the  
14 L-28 Canal.

---

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**EXHIBIT P  
TND MIXED USE**

**SUMMARY OF AMENDMENTS**

1  
2 **Part 1. ULDC Table 3.F.1.F, Traditional Development Permitted Use Schedule (page 192 of**  
3 **228), is hereby amended as follows:**  
4

**Table 3.F.1.F - Traditional Development Permitted Use Schedule**

District Tier Pods	TND						TMD				NOTES
	Urban/Suburban (U/S)			Exurban/Rural			U/S	Ex/Rural	AGR		
	Res	Neighborhood Center (NC)	Open Space/Rec	Res	NC	Open Space/Rec			Dev.	Preserve	
<b>Residential Uses</b>											
.... <b>Multi-family</b>	P	<b>P</b>		P	<b>P</b>		P	P	P		87
.... <b>Home occupation</b>	P	<b>P</b>		P	<b>P</b>		P	P	P		70
<b>Commercial Uses</b>											
.... <b>Work/Live Live/Work</b>		<b>P D</b>			<b>R D</b>		<b>P D</b>	<b>R D</b>	<b>P D</b>		141-1 <b>141-2</b>
.... [Ord. 2012- ]											
<b>Notes:</b>											
P Permitted by right.											
D Permitted subject to approval by the DRO.											
S Permitted in the district only if approved by Special Permit.											
R Requested Use.											

5  
6  
7 **Part 2. ULDC Art. 3.F.3.E.1, Neighborhood Center (pages 208 - 209 of 228), is hereby amended**  
8 **as follows:**

9 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

10 **Section 3 Traditional Neighborhood Development (TND)**

11 **E. Land Use Zones**

12 **1. Neighborhood Center**

13 A Neighborhood Center is intended to accommodate neighborhood-oriented **non-residential**  
14 **uses retail and commercial** services. It may include professional offices, community facilities,  
15 and civic uses to serve the population of the TND and adjacent neighborhoods. **Multi-family**  
16 **or live/work residential uses are encouraged when located above non-residential uses.**

17 **a. General Standards**

18 ....

19 **4) Maximum Floor Area Ratio (FAR)**

20 1.0, **FAR for residential uses counted as density shall not be calculated as square**  
21 **footage subject to the maximum FAR.**

22 ....

23 **6) Maximum Total Floor Area**

24 40,000 square feet of GFA, **excluding multi-family units or the residential portion of a**  
25 **live/work unit counted as density.**

26 **b. Building Standards**

27 ....

28 **3) Multi-family and Live/Work**

29 **Multi-family residential and live/work units shall only be permitted subject to the**  
30 **following:**

31 **a) Permitted residential uses are located above non-residential uses; and,**

32 **b) The FAR of residential uses shall not exceed 30 percent of the combined FAR of**  
33 **non-residential and residential uses. The calculation of residential FAR in**  
34 **determining compliance herein does not alter that residential uses are calculated**  
35 **as density, unless otherwise stated within the ULDC.**

36  
37  
38 **Part 3. ULDC Art. 3.F.3.E.5, Residential Uses (pages 212 - 214 of 228), is hereby amended as**  
39 **follows:**

40 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

41 **Section 3 Traditional Neighborhood Development (TND)**

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**EXHIBIT P  
TND MIXED USE**

**SUMMARY OF AMENDMENTS**

1 **E. Land Use Zones**  
2 **5. Residential Uses**

3 **a. Lot Size and Setbacks**

4 Minimum and maximum lot sizes and building setbacks shall conform to the standards in  
5 Table 3.F.3.E, TND Residential Lot Size and Setback Regulations, with exception to  
6 multi-family units located in a Neighborhood Center.

7 ....  
8

**Table 3.F.3.E - TND Residential Lot Size and Setback Regulations**

Regulation	Single family	ZLL	Townhouse	Multi-Family <b>(1)</b>
Minimum Lot Size	5,000 sq. ft.	3,000 sq. ft.	1,000 sq. ft.	5,000 sq. ft.
Maximum Lot Size	40,000 sq. ft.	15,000 sq. ft.	8,000 sq. ft.	50,000 sq. ft.
Minimum Lot Width	50 ft.	40 ft.	16 ft.	50 ft.
Minimum Lot Depth	75 ft.	75 ft.	75 ft.	75 ft.
Front Setback	10 ft. min.	10 ft. min.	5 ft. min.	no min.
	20 ft. max.	20 ft. max.	10 ft. max.	30 ft. max.
Side Setback	5 ft. min.	0 ft. on zero lot line ZLL side and 10 ft. on other	no minimum  15 ft. separation	5 ft. min.  15 ft. separation
			10 ft. adjacent to Single family or ZLL Houses	20 ft. adjacent to Single family or ZLL Houses
Side Street Setback	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
Rear Setback	10 ft.	10 ft. min.	15 ft. min.	15 ft. min.
	5 ft. min. for accessory Structure	5 ft. min. for accessory Structure or alley	5 ft. min. for accessory Structure or alley	
		5 ft. min. on alleys		
<b>Notes:</b>				
<b>1. Multi-family units located in a Neighborhood Center shall be subject to the lot sizes of that Use Zone.</b>				

9

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EXHIBIT Q

URBAN REDEVELOPMENT AREA OVERLAY (URAO)  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 3.A.1.B.2, Standard Districts (pages 15 and 16 of 228), is hereby amended as  
3 follows:

4 CHAPTER A GENERAL

5 Section 1 DistrictsSo-

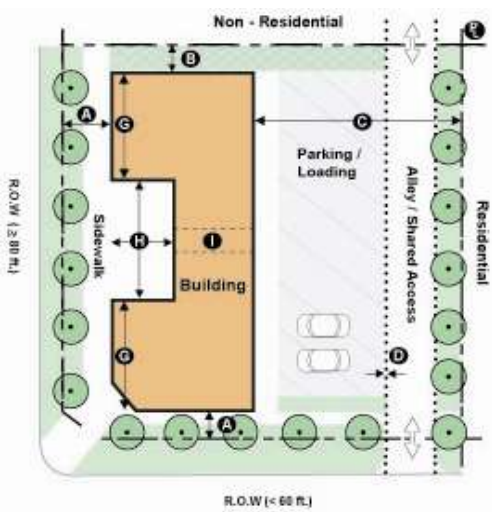
6 B. Overlays and Zoning Districts  
7 2. Standard Districts

8 ....  
9 ~~SD, Specialized Development District [Ord. 2011-016]~~

11  
12 Part 2. ULDC Table 3.B.16.F, PRA Block Building PDRs (page 97 of 228), is hereby amended  
13 as follows:  
14

Table 3.B.16.F. - PRA Block Building PDRs

Building Placement		Min.	Max. (1)
A.	Slip Street Frontage	45 ft.	50 ft.
	Primary Frontage	20 ft.	25 ft.
	Secondary Frontage (8)	10 ft.	20 ft.
B.	Non-Residential (9)	6 ft. (2)	N/A
C.	Residential (PRA) (4)	6 ft. (2)	N/A
	Residential (non PRA) (5) (9)	30 ft.	N/A
D.	Between parking and alley	5 ft. (3)	N/A
Building Frontage % (6)		Min.	Max.
G.	Slip Street and Primary	65%	100%
Individual Building Length		Min.	Max.
G.		N/A	300 ft.
Courtyard % of Footprint (Optional)		Min.	Max.
H.		N/A	25%
Courtyard Dimensions (Optional)		Min.	Max.
H.		30 ft.	N/A
Pedestrian Pass Thru (6)(7)		Min.	Max.
I.	Separation	100 ft.	300 ft.
	Width	10 ft.	N/A



[Ord. 2010-022] [Ord. 2011-016]  
Notes:  
....  
4. Shall apply for any PRA single-family or multi-family building 35 feet in height or less within 30 feet of property line. [Ord. 2010-022] [Ord. 2011-016]  
5. Means adjacent residential parcels that are not located within a development using PRA regulations. ~~Setbacks for Single-family Residential units shall be 7.5 feet for side setbacks and 25 feet for rear setbacks.~~ [Ord. 2010-022] [Ord. 2011-016]  
....  
8. ~~An existing SFD that has a greater setback than the maximum permitted shall not be considered a non-conforming structure.~~  
9. ~~Setbacks for Single-family Residential units shall be 7.5 feet for side setbacks and 15 feet for rear setbacks.~~

15  
16  
17 Part 3. ULDC Art. 3.C.1.E.3, SD, Specialized Development District, Standard Districts (page  
18 122 of 228), is hereby deleted as follows:

19 CHAPTER C STANDARD DISTRICTS

20 Section 1 General

21 E. PRA, Priority Redevelopment Area Districts

22 ~~3. SD, Specialized Development District~~  
23 ~~The SD district is an optional district to accommodate projects that cannot conform to the~~  
24 ~~mixed use requirements of the PRA's or are generally desirable and contribute to the~~  
25 ~~furthering of County directions and characteristics of a livable community. Development of~~  
26 ~~parcels in the SD district shall be in accordance with the standards of Art. 3.B.16, URAO,~~  
27 ~~unless permitted otherwise herein. [Ord. 2010-022]~~

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28  
29  
30  
31  
**Notes:**  
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EXHIBIT Q

URBAN REDEVELOPMENT AREA OVERLAY (URAO)  
SUMMARY OF AMENDMENTS

Part 4. ULDC Table 3.D.1.A., Property Development Regulations (page 122 of 228), is hereby amended as follows:

Table 3.D.1.A - Property Development Regulations

Zoning District	Min Lot Dimensions			Density (6)		Max FAR (7)	Max Building Coverage	Min Setbacks (12)			
	Size	Width and Frontage	Depth	Min	Max			Front	Side	Side Street	Rear
....											
Commercial											
....											
<b>SD</b>	<b>0.5 ac.</b>	<b>100</b>	<b>100</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>N/A</b>	<b>(10)</b>	<b>(10)</b>	<b>(10)</b>	<b>(10)</b>
....											
[Ord. 2005 – 002] [Ord. 2005-041] [Ord. 2010-005] [Ord. 2010-022]											
Notes:											
....											

Part 5. ULDC Art. 4.B.1.A.18.g, Priority Redevelopment Areas (PRAs) [Related to Retail Gas and Fuel] (pages 35-36 of 170), is hereby deleted as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

18. Gas and Fuel, Retail

**g. Priority Redevelopment Areas (PRAs)**  
~~Shall only be permitted in the SD district. [Ord. 2010-022]~~  
[Renumber accordingly.]

Part 6. ULDC Art. 4.B.1.A.25.f, Priority Redevelopment Area (PRAs) [Related to Car Wash] (pages 38-39 of 170), is hereby deleted as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

25. Car Wash

**f. Priority Redevelopment Areas (PRAs)**  
~~Shall only be permitted in the SD district. [Ord. 2010-022]~~  
[Renumber accordingly.]

Part 7. ULDC Art. 4.B.1.A.37.j, Priority Redevelopment Area (PRAs) [Related to Convenience Store with Gas Sales] (page 45 of 170), is hereby deleted as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

37. Convenience Store with Gas Sales

**j. Priority Redevelopment Area (PRAs)**  
~~Shall only be permitted in the SD district. [Ord. 2010-022]~~  
[Renumber accordingly.]

Part 8. ULDC Art. 4.B.1.A.109.g, Priority Redevelopment Area (PRAs) [Related to Type I Restaurant] (pages 86-87 of 170), is hereby deleted as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

Notes:

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EXHIBIT Q

URBAN REDEVELOPMENT AREA OVERLAY (URAO)  
SUMMARY OF AMENDMENTS

- 1       A. Definitions and Supplementary Standards for Specific Uses  
2  
3       109. Restaurant, Type I  
4       g. ~~Priority Redevelopment Area (PRAs)~~  
5       ~~Drive through shall only be permitted in the SD district. [Ord. 2010-022]~~  
6       [Re number accordingly.]  
7  
8  
9       Part 9.     ULDC Art. 4.B.1.A.135.f, Priority Redevelopment Area (PRAs) [Related to Vehicle Sales  
10       and Rental] (pages 103-104 of 170), is hereby deleted as follows:  
11       CHAPTER B   SUPPLEMENTARY USE STANDARDS  
12       Section 1     Uses  
13       A. Definitions and Supplementary Standards for Specific Uses  
14  
15       135. Vehicle Sales and Rental  
16       f. ~~Priority Redevelopment Area (PRAs)~~  
17       ~~Outdoor sales or rental display or storage areas shall only be permitted in the SD district.~~  
18       ~~[Ord. 2010-022]~~  
19       [Re number accordingly.]

---

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EXHIBIT R

PALM BEACH INTERNATIONAL AIRPORT OVERLAY (PBAIO)  
SUMMARY OF AMENDMENTS

1  
2 Part 1. ULDC Art. 3.B.9.E, Review Procedures [Related to Palm Beach International Airport  
3 Overlay] (page 29 of 228), is hereby amended as follows:

4 CHAPTER B OVERLAYS

5 Section 9 PBAIO, Palm Beach International Airport Overlay

6 E. Review Procedures

7 All development requests within the PBAIO shall comply with the following: [Ord. 2004-051]

8 ~~1. Site Specific~~

9 ~~All Site Specific FLUA amendments shall be reviewed by the PBAIO Committee. The PBAIO~~  
10 ~~Committee's recommendations shall be presented to the Local Planning Agency (LPA). [Ord.~~  
11 ~~2004-051]~~

12 ~~2. Conditional Uses~~

13 ~~All conditional use applications for development permits shall be reviewed by the PBAIO~~  
14 ~~Committee. The PBAIO Committee's recommendations shall be presented to the Zoning~~  
15 ~~Commission (ZC). [Ord. 2004-051]~~

16 [Renumber Accordingly]

---

**Notes:**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1  
2 Part 1. ULDC Art. 1.I.2, Definitions (page 108 of 115), is hereby amended as follows:

3 **CHAPTER I DEFINITIONS & ACRONYMS**

4 **Section 2 Definitions**

5 **W. Terms defined herein or referenced Article shall have the following meanings:**

6 1. Waiver – A request to alter a specific ULDC provisions where alternative solutions to Code  
7 requirements are provided, subject to standards, performance criteria or limitations. Waivers  
8 are not intended to relieve specific financial hardship nor circumvent the intent of this Code.

9 [Renumber Accordingly]

10  
11  
12 Part 2. ULDC Art. 2.A.1.D.1, Processes [Related to Authority] (pages 11 - 12 of 85), is hereby  
13 amended as follows:

14 **CHAPTER A GENERAL**

15 **Section 1 Applicability**

16 **D. Authority**

17 **1. Processes**

18 For the purposes of this Article, the authority of the BCC, ZC, DRO and Zoning Director shall  
19 be limited to the development order applications specified below. [Ord. 2006-036]

20 **a. Board of County Commissioners (BCC)**

21 The BCC, in accordance with the procedures, standards and limitations of this Article  
22 shall consider the following types of development order applications:

23 ....

24 8) Type II Waivers, or other waivers as may be expressly stated; [Ord. 2008-003] [Ord.  
25 2009-040]

26 ....

27 **c. Development Review Officer (DRO)**

28 The DRO, in accordance with the procedures, standards and limitations of this Article and  
29 Art. 2.D, Administrative Process, shall consider the following types of development order  
30 applications: [Ord. 2006-036]

31 ....

32 3) Subdivision Plan; ~~and~~ [Ord. 2006-036]

33 4) Uses indicated as "D" in Table 4.A.3.A, Use Matrix; and [Ord. 2006-036]

34 5) Type I Waivers.

35 ....

36  
37  
38 Part 3. ULDC Art. 2.A.1.E.3.a, Preliminary Application [Related to Pre-Application Conference  
39 for LCC, IRO and PRA] (page 12 of 85), is hereby amended as follows:

40 **CHAPTER A GENERAL**

41 **Section 1 Applicability**

42 **E. Pre-Application Conference (PAC)**

43 **3. Additional LCC, IRO and PRA Requirements**

44 **a. Preliminary Application**

45 The preliminary application shall identify and document any proposed Type I or Type II  
46 Waivers ~~waivers~~; and include any previous BCC conditions of approval, if applicable.  
47 [Ord. 2010-005]

48  
49  
50 Part 4. ULDC Art. 2.A.1.K.3, Board Action (page 19 - 20 of 85), is hereby amended as follows:

51 **CHAPTER A GENERAL**

52 **Section 1 Applicability**

53 **K. Public Hearing Procedures**

54 **3. Board Action**

55 **a. Action by ZC**

56 **2) Rezoning, Class A Conditional Use, Requested Use, DOA, Type II Waivers**

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**Notes:**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 The ZC shall consider the application, the staff report, the relevant support materials,  
2 the DRO certification and public testimony given at the hearing. After close of the  
3 public hearing, the ZC shall recommend to the BCC that the application be approved,  
4 approved with conditions, modified, continued, postponed or denied based upon: the  
5 standards in Article 2.B.1.B, Standards, and Article 2.B.2.B, Standards, applicable to  
6 all Conditional Uses, Requested Uses; Rezoning, ~~and~~ DOA's ~~and~~ ; or, the standards  
7 in Article 2.B.2.G.3, Standards, applicable to all Type II Waivers. [Ord. 2008-003]  
8 [Ord. 2011-016]

9  
10 **b. Action by BCC**

11  
12 **3) Decision**

13 At the conclusion of the final public hearing, the BCC shall approve, approve with  
14 conditions, modify, postpone, withdraw, or deny the proposed development order  
15 based ~~on~~ upon: the standards in Article 2.B.1.B, Standards, and Article 2.B.2.B,  
16 Standards, applicable to all Conditional Uses, Requested Uses, Rezoning and  
17 DOA's; or, the standards in Article 2.B.2.G.3, Standards, thereby adopting a  
18 resolution approving, approving with conditions, or denying a proposed request by  
19 not less than a majority of a quorum present. The resolution shall be filed with the  
20 Clerk of the Circuit Court. [Ord. 2008-003]

21  
22  
23  
24 **Part 5. ULDC Art. 2.A.1.L.2.a, Action by DRO (page 21 of 85), is hereby amended as follows:**

25 **CHAPTER A GENERAL**

26 **Section 1 Applicability**

27 **L. Actions by Decision Making Bodies or Persons**

28 **2. Administrative Processes**

29 **a. Action by DRO**

30 The DRO *shall approve, approve with conditions, revoke, deny or administratively*  
31 *withdraw an application based upon the recommendation of the reviewing agencies*, in  
32 accordance with the procedures, standards and limitations of this Code and Article 2.D,  
33 ADMINISTRATIVE PROCESS, including where applicable: the standards of Art. 2.D.1.E,  
34 Standards for Administrative Approval, and the standards of Art. 2.D.4.d, Standards,  
35 applicable to Administrative Amendments; or, the standards of Art. 2.D.7.C, Standards,  
36 applicable to Type I Waivers ~~shall approve, approve with conditions, revoke, deny or~~  
37 ~~administratively withdraw an application based upon the recommendation of the~~  
38 ~~reviewing agencies.~~

39  
40  
41 **Part 6. ULDC Art. 2.A.1.S.2.b., Processes [Related to Non-Judicial Relief Appeals] (pages 23 -**  
42 **25 of 85), is hereby amended as follows:**

43 **CHAPTER A GENERAL**

44 **Section 1 Applicability**

45 **S. Appeal**

46 **2. Non-Judicial Relief**

47 **b. Processes**

48  
49 **2) DRO Review**

50 Any Person seeking Development Order approval from the DRO, except for Type I  
51 Waivers, may appeal that decision to the DRAB according to the following: [Ord.  
52 2005-002] [Ord. 2011-016]

53  
54 **6) ~~URAO, IRO, and LCC~~ Type I Waiver ~~and Green Architecture Waiver~~**

55 **a) URAO**

56 Any Person seeking a URAO Type I Waiver from the DRO may appeal that  
57 decision to the BCC pursuant to the procedures in Art. 2.A.1.S.2.b.1, Class B  
58 Conditional Use. [Ord. 2011-016]

59 **b) Other Type I Waivers**

60 Any Person seeking ~~an IRO a~~ Type I Waiver, except for URAO, or LCC Type I  
61 Waiver from the DRO and a Green Architecture Waiver may appeal that decision  
62 to the Zoning Commission subject to the following: [Ord. 2011-016]

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

- 1 (1) The ZC shall consider the appeal petition within 60 days of its filing. [Ord.  
2 **2011-016**]  
3 (2) At the hearing, the ZC shall provide the petitioner, the applicant, and PBC  
4 staff an opportunity to present arguments and testimony. [Ord. **2011-016**]  
5 (3) The ZC shall consider only the evidence presented to county staff at time of  
6 the decision and the correctness of findings of fact or any condition imposed  
7 by the DRO. [Ord. **2011-016**]  
8 (4) The ZC shall modify or reject only if substantial evidence is contrary to the  
9 Plan, ULDC, or Official Zoning Map. [Ord. **2011-016**]

10 **7) Zoning Director Waiver**

11 ~~Any Person seeking a Waiver from the Zoning Director may appeal that decision to~~  
12 ~~the Hearing Officer subject to the same procedures stated in Art. 2.A.1.S.2.b.4,~~  
13 ~~Interpretations. [Ord. 2011-016]~~

14 ....

15  
16  
17 **Part 7. ULDC Art. 2.B.2.G, Type II URAO Waivers (page 28 of 85), is hereby amended as**  
18 **follows:**

19 **CHAPTER B PUBLIC HEARING PROCESS**

20 **Section 2 Conditional Uses, Requested Uses Development Order Amendments, Unique**  
21 **Structures and Type II Waivers**

22 **G. Type II URAO Waivers**

23 **1. Purpose**

24 The purpose of Type II Waivers is to allow flexibility for mixed use or infill redevelopment  
25 projects, or site design or layout, where alternative solutions can be permitted, subject to  
26 performance criteria or limitations. Type II Waivers are not intended to relieve specific  
27 financial hardship nor circumvent the intent of this Code. A Type II Waiver may not be  
28 granted if it conflicts with other sections of this Code, or the Florida Building Code. [Ord.  
29 **2011-016**]

30 **2. Applicability**

31 Requests for Type II Waivers shall only be permitted where expressly stated within the ULDC  
32 limited to the Urban Redevelopment Area Overlay (URAO) in accordance with Art. 3.B.16.G,  
33 Type I and II URAO Waivers. [Ord. **2011-016**]  
34

**Table 2.B.2.G, Summary of Type II Waivers (1)**

<u>Type II Waiver Summary List</u>
<u>GAO Minimum Density Requirements</u>
<u>Urban Redevelopment Area</u>
<u>PDD Frontage</u>
<u>PDD Cul-de-sacs</u>
<u>AGR TMD Parking Structure</u>
<u>AGR TMD Block Structure</u>
<u>Communication Towers</u>
<u>Large Scale Commercial Development Location of Front Side and Rear Parking</u>
<u>[Ord. 2012- ]</u>

35  
36 **3. Standards**

37 When considering a Development Order application for a Type II Waiver, the BCC shall  
38 consider the standards indicated below and any other standards applicable to the specific  
39 Type II Waiver as contained in this Code. A Type II Waiver, which fails to meet any of these  
40 the standards, shall be deemed adverse to the public interest and shall not be approved.  
41 [Ord. **2011-016**]

- 42 a. The waiver Waiver does not create additional conflicts with other requirements of the  
43 ULDC, and is consistent with the stated purpose and intent for the Zoning district or  
44 Overlay; [Ord. **2010-022**] [Ord. **2011-016**]  
45 b. The waiver Waiver will not cause a detrimental effect on the overall design and  
46 development standards of the project, and will be in harmony with the general site layout  
47 and design details of the development; and, [Ord. **2010-022**]  
48 c. The alternative design option recommended as part of the waiver Waiver approval, if  
49 granted, will not adversely impact adjacent properties. [Ord. **2010-022**]  
50  
51

52 **Part 8. ULDC Art. 2.B.3, Type II Variance (page 32 of 85), is hereby amended as follows:**

53 **CHAPTER B PUBLIC HEARING PROCESS**

54 **Section 3 Type II Variance**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1       ....

2       **F. Conditions**

3       The Zoning Director, or County Engineer, or Airport Director, whichever is appropriate, may  
4       recommend, and the ZC may impose, such conditions in a Development Order ~~development~~  
5       ~~order~~ for a Type II Variance ~~variance~~ as are necessary to accomplish the goals, objectives and  
6       policies of the Plan and this Code, including limitations on size, bulk, location, requirements for  
7       landscaping, buffering, lighting, and provisions of adequate ingress and egress, or exemptions for  
8       applications not subject to building permits. Any violation of the Type II Variance ~~variance~~ or a  
9       condition shall be a violation of this Code. [Ord. 2006-036]

10      **1. Request for Time Limitation Waiver**

11      ~~If a variance is requested for property that does not require a building permit to implement the~~  
12      ~~use, then the applicant may request a waiver from Article 2.B.3.F.1, Request for Time~~  
13      ~~Limitation Waiver, of this Chapter. If a waiver from the time limitation is requested, the~~  
14      ~~applicant shall specifically request the waiver simultaneous with submittal of the application~~  
15      ~~and provide a written justification for the request. The justification shall be reviewed by the~~  
16      ~~appropriate variance review body, and if sufficient make a finding, as a condition of approval,~~  
17      ~~that the variance is not subject to the time limitations of this Section or may require~~  
18      ~~compliance with the variance approval by a specified time, as deemed appropriate.~~

19      **G. Effect of Development Order**

20      ....

21      **2. Time Limitation**

22      Unless otherwise specified in the Development Order ~~development order~~ or a condition of  
23      approval, construction shall be commenced pursuant to Table 2.E.3.B, Time Limitation of  
24      Development Order for Each Phase, within 12 months of the variance approval date,  
25      otherwise it shall become null and void. If more than one variance was granted, the use of  
26      one of the variances shall vest the other variances. Permitted time frames do not change  
27      with successive owners.

28      **a. Request for Time Extension**

29      Upon written request, an extension of time for the variance or any condition thereof may  
30      be granted for a maximum of 24 months. No request for an extension shall be considered  
31      unless a written application requesting the extension is submitted to the appropriate  
32      Department prior to the date the development order or condition is to expire. Failure to  
33      submit an application for an extension within the time limits established by this Section  
34      shall render the development order for the variance null and void.

35      **b. Exemption for Applications Not Subject to Building Permit**

36      ~~If a Type II Variance is requested that does not require a building permit to implement,~~  
37      ~~then the applicant shall include a written statement with the application requesting a~~  
38      ~~condition of approval to grant an exemption from time limitation requirements. Granting~~  
39      ~~of the exemption from time limitations shall be subject to ZC approval of a condition of~~  
40      ~~approval specifying that no building permit is necessary to vest the Type II Variance.~~

41      ....

44      **Part 9. ULDC Art. 2.D.1.F.1.f, DRO Authority (page 38 of 85), is hereby amended as follows:**

45      **CHAPTER D ADMINISTRATIVE PROCESS**

46      **Section 1 Development Review Officer (DRO)**

47      **F. Conditions**

48      **1. DRO Authority**

49      The DRO shall have the authority to recommend conditions of approval for Public Hearing  
50      development orders requiring BCC or ZC approval and impose conditions of approval for  
51      administrative development orders. Conditions of approval may be recommended or  
52      imposed to: [Ord. 2009-040]

53      ....

54      f. ~~Allows~~ specific requirements of the Code to be waived, provided the proposed  
55      development meets the specific requirements for ~~the waiver.~~ a Type I Waiver. [Ord.  
56      2009-040]

57      ....

60      **Part 10. ULDC Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals [Related to DRO Authority]**  
61      **(pages 38 - 39 of 85), is hereby amended as follows:**

62      **CHAPTER D ADMINISTRATIVE PROCESS**

63      **Section 1 Development Review Officer (DRO)**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

**G. Administrative Review**

The DRO may approve amendments to Preliminary Plans approved by the BCC, and approve Final Plans, in accordance with the following procedures. **[Ord. 2007-001] [Ord. 2008-003] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]**

**1. Amendments to BCC/ZC Approvals**

The DRO shall have the authority to approve modifications to a Development Order approved by the BCC or ZC. An application for an amendment shall be submitted in accordance with Article 2.A.1, Applicability, and reviewed in accordance with the standards in Article 2.D.1.C, Review Procedures. Applications must be submitted on deadlines established on the Zoning Calendar. The authority of the DRO to modify a BCC or ZC approved plan shall be limited to the following: **[Ord. 2008-003] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]**

- j. Requested or Class A or B Conditional Uses ~~uses~~ shall remain in the location approved by the BCC or ZC, unless a condition of approval allows relocation; or, **[Ord. 2008-003] [Ord. 2010-005] [Ord. 2011-001]**
- k. Modification to IRO or URAO Plans, provided that there are no conflicts with prior conditions of approval, any improvement or amenity used to garner support for a project, or testimony from Public Hearing(s); or, and, **[Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016]**
- l. Requests for Type I Waivers; or,-- **[Ord. 2011-016]**
- m. Requests to modify a Type II Waiver or a Type II Variance when the amendment request is more conforming to Code requirements.

....

**Part 11. ULDC Art. 2.D.7, Type I Waiver (pages 44 - 45 of 85), is hereby amended as follows:**

**CHAPTER D ADMINISTRATIVE PROCESS**

**Section 7 Type I Waiver**

**A. Purpose**

The purpose of Type I Waivers is to allow flexibility for mixed use or infill redevelopment projects, or site design or layout, where alternative solutions can be permitted, subject to performance criteria or limitations. 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]**

**B. Applicability**

Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC. apply to the following **[Ord. 2011-016]**

- ~~1. Infill Redevelopment Overlay (IRO), in accordance with Art. 3.B.15.G, IRO Waivers; **[Ord. 2011-016]**~~
- ~~2. Urban Redevelopment Area Overlay (URAO), in accordance with Art. 3.B.16.G, Type I and II URAO Waivers; and, **[Ord. 2011-016]**~~
- ~~3. Lifestyle Commercial Center (LCC), in accordance with Art. 3.E.8.D, LCC Waivers. **[Ord. 2011-016]**~~

**Table 2.D.7.B, Summary of Type I Waivers (1)**

<b>Type I Waiver Summary List</b>
<u>Infill Redevelopment Overlay (IRO)</u>
<u>Urban Redevelopment Overlay (URAO)</u>
<u>Lifestyle Commercial Center (LCC)</u>
<u>Commercial Greenhouse Loading Zones</u>
<u>Solid Waste Transfer Station Landscape Buffer Planting</u>
<u>Screening for Room Mounted Mechanical Equipment</u>
<u>Green Architecture</u>
<u>Eliminate or Reduce Loading Standards</u>
<u>Requirements for Walls or Fences Where Adjacent to Existing Walls</u>
<u>Billboard Replacement – Billboard Location Criteria</u>
<b>[Ord. 2012- ]</b>

**C. Standards**

When considering whether to approve, approve with conditions, or deny a Type I Waiver request, the DRO shall consider the following standards in addition to any other standards applicable to the specific Waiver as contained in this Code: **[Ord. 2010-022] [Ord. 2011-016]**

- 1. The Waiver waiver does not create additional conflicts with other requirements of the ULDC, and is consistent with the stated purpose and intent for the Zoning district or Overlay; **[Ord. 2010-022] [Ord. 2011-016]**
- 2. The Waiver waiver will not cause a detrimental effect on the overall design and development standards of the project, and will be in harmony with the general site layout and design details of the development; and, **[Ord. 2010-022]**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

- 1           3. The alternative design option recommended as part of the Waiver waiver approval, if granted,  
2 will not adversely impact adjacent properties. [Ord. 2010-022]  
3  
4

5 **Part 12. ULDC Art. 2.G.1.A.17 [Related to Powers and Duties] (page 68 of 85), is hereby**  
6 **amended as follows:**

7 **CHAPTER G DECISION MAKING BODIES**

8 **Section 1 Board of County Commissioners**

9 **A. Powers and Duties**

- 10 17. to hear, consider and approve, approve with conditions or deny applications for Urban  
11 Redevelopment Area Overlay (URAO) Type II Waivers and Waiver of Code Provisions for  
12 Historic Resources; and, [Ord. 2011-016]  
13  
14

15 **Part 13. ULDC Art. 2.G.3.H.2.g [Related to Historic Resources Review Board Powers and**  
16 **Duties] (page 75 of 85), is hereby amended as follows:**

17 **CHAPTER G DECISION MAKING BODIES**

18 **Section 3 APPOINTED BODIES**

19 **H. Historic Resources Review Board**

20 **2. Powers and Duties**

- 21 g. pursuant to Article 9.B.4.B, Waiver of the Code Provisions, review and comment to the  
22 BCC concerning waiver of Code provisions ~~of the Code~~ for properties within historic  
23 districts and for properties designated as historic or archaeological sites or listed on the  
24 PBC Register of Historic Places;  
25  
26

27 **Part 14. ULDC Art. 2.G.3.M.2, Powers and Duties [Related to Zoning Commission] (page 80 of**  
28 **85), is hereby amended as follows:**

29 **CHAPTER G DECISION MAKING BODIES**

30 **Section 3 APPOINTED BODIES**

31 **M. Zoning Commission**

32 **2. Powers and Duties**

33 The ZC shall have the following powers and duties under the provisions of this Code.  
34  
35

36 ~~and,~~  
37

38 ~~h. to consider and render a final decision on appeals of denials for Zoning Waivers; and,~~  
39 [Ord. 2010-022] [Ord. 2011-016]

40 ~~hi to hear, consider and decide appeals from decisions of the DRO on applications for Infill~~  
41 ~~Redevelopment Overlay (IRO) or Lifestyle Commercial Centers (LCC) Type I Waivers,~~  
42 ~~except URAO. [Ord. 2011-016]~~  
43  
44

45 **Part 15. ULDC Art. 2.G.4.G.2.h [Related to Powers and Duties and Development Review Officer]**  
46 **(page 82 of 85), is hereby amended as follows:**

47 **CHAPTER G DECISION MAKING BODIES**

48 **Section 4 STAFF OFFICIALS**

49 **G. Development Review Officer (DRO)**

50 **2. Powers and Duties**

- 51 h. to hear, consider and approve, approve with conditions or deny applications for Infill  
52 Redevelopment Overlay (IRO), Urban Redevelopment Area Overlay (URAO), and  
53 Lifestyle Commercial Center (LCC) Type I Waivers. [Ord. 2011-016]  
54  
55

56 **Part 16. ULDC Art. 2.G.4.K.2, Jurisdiction, Authority and Duties [Related to the Executive**  
57 **Director of Planning, Zoning and Building] (page 84 of 85), is hereby amended as**  
**follows:**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 **CHAPTER G DECISION MAKING BODIES**

2 **Section 4 STAFF OFFICIALS**

3 **K. Executive Director of Planning, Zoning and Building**

4 **2. Jurisdiction, Authority and Duties**

5 ....

6 c. to administer the PZB Department, including the Planning Division, the Zoning Division,  
7 the Building Division, and the Code Enforcement Division; ~~and~~

8 d. to waive or modify development review fees upon demonstration that the applicant is  
9 indigent pursuant to PBCHD standards, or the applicant can demonstrate review fees are  
10 in excess of actual staff costs; ~~and,~~

11 e. to waive certain requirements as may be stated within this Code when a state of  
12 emergency is declared.

13  
14  
15 **Part 17. ULDC Art. 2.G.4.N.2.k, [Related to Jurisdiction, Authority and Duties and Zoning**  
16 **Director] (page 85 of 85), is hereby amended as follows:**

17 **CHAPTER G DECISION MAKING BODIES**

18 **Section 4 STAFF OFFICIALS**

19 **N. Zoning Director**

20 **2. Jurisdiction, Authority and Duties**

21 ~~k. to review and approve or deny requests for administrative waivers pursuant to the~~  
22 ~~applicable section(s) of the ULDC. [Ord. 2009-040]~~

23  
24  
25 **Part 18. ULDC Art. 3.B.4.D.4.b, Minimum Density (page 25 of 228), is hereby amended as**  
26 **follows:**

27 **CHAPTER B OVERLAYS**

28 **Section 4 GAO, Glades Area Overlay**

29 **D. Use Regulations**

30 **4. Property Development Regulations (PDRs)**

31 **b. Type II Waiver - Minimum Density**

32 The BCC may consider the waiver of the minimum density requirement as a Type II  
33 Waiver for proposed development in the Glades area when:

34 1) The proposed development is consistent with the provisions of any applicable Joint  
35 Planning Area Agreement, and;

36 2) An analysis is completed that addresses:

37 a) the impact of a reduced density development on the overall infrastructure  
38 system;

39 b) the compatibility of the proposed development with adjacent land uses; and

40 c) the effect of the reduced density development on the ability of PBC to meet its  
41 goals, objectives and policies related to affordable housing. If the development is  
42 located in a municipal annexation area, the analysis must be performed by the  
43 annexing municipality.

44 ....

45  
46  
47 **Part 19. ULDC Art. 3.B.15.B, Infill Redevelopment Overlay (page 54 of 228), is hereby amended**  
48 **as follows:**

49 **CHAPTER B OVERLAYS**

50 **Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)**

51 **B. Applicability**

52 The provisions of the IRO are optional, with the stipulation that when selected all new  
53 development will be in compliance with this Section, excepting any permitted Type I Waivers  
54 waivers. An applicant may elect to use the IRO regulations for parcels that meet the following  
55 criteria: **[Ord. 2010-005]**

56 ....

57  
58  

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 Part 20. ULDC Art. 3.B.15.F.6.d.2, Civic Building [Related to Infill Redevelopment Area Overlay  
2 (page 70 of 228), is hereby amended as follows:

3 **CHAPTER B OVERLAYS**

4 **Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)**

5 **F. Design and Development Standards**

6 **6. Building Standards**

7 **d. Special Building Standards**

8 **2) Civic Building**

9 An applicant for a civic building may apply any one or combination of block, liner or  
10 courtyard building type, or apply for a ~~waivers~~ Type I Waiver in accordance with  
11 Table 3.B.15.G, Type I IRO Waivers. [Ord. 2010-005]

12 ....

15 Part 21. ULDC Art. 3.B.15.G, IRO Waivers (pages 82 - 83 of 228), is hereby amended as follows:

16 **CHAPTER B OVERLAYS**

17 **Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)**

18 **G. Type I IRO Waivers**

19 The applicant may apply for ~~waivers~~ Type I Waivers for development standards in accordance  
20 with Art. 2.D.7, Type I Waiver and Table 3.B.15.G, Type I ~~IRO~~ Waivers. The following table  
21 summarizes the IRO development ~~requirements standards that eligible for could be requested~~  
22 ~~through a waiver the Type I Waiver~~ process: [Ord. 2010-005] [Ord. 2011-016]

23 **Table 3.B.15.G – Type I IRO Waivers**

Requirements	Maximum Waiver	Minimum Justification Criteria of Review
<b>Internal Street Standards</b>		
....		

24  
25  
26 Part 22. ULDC Art. 3.B.16.F.9.a.5), Service and Loading Areas [Related to Urban  
27 Redevelopment Area Overlay (URAO)] (page 105 of 228), is hereby amended as  
28 follows:

29 **CHAPTER B OVERLAYS**

30 **Section 16 Urban Redevelopment Area Overlay (URAO)**

31 **F. PRA Design and Development Standards**

32 **9. Parking and Loading Standards**

33 **a. Location and Access**

34 **5) Service and Loading Areas**

35 All service and loading areas shall be located along the rear or side of buildings, and  
36 shall not be visible from usable open space areas, streets or abutting residential  
37 neighborhoods. The service areas shall be located within the footprint of the building  
38 or immediately adjacent to the building. Required loading space areas may be  
39 waived, reduced in number or dimension, in accordance with Art. 6.B, Loading  
40 Standards, or by ~~PRA-waivers~~ Art. 3.B.16.G, Type I and II URAO Waivers. [Ord.  
41 2010-022]

42 ....

45 Part 23. ULDC Art. 3.E.1.C.2, Performance Standards [Related to PDDs] (pages 146 - 147 of  
46 228), is hereby amended as follows:

47 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)**

48 **Section 1 General**

49 **C. Objectives and Standards**

50 **2. Performance Standards**

51 ....

52 **a. Access and Circulation**

53 **1) Minimum Frontage**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

PDDs shall have a minimum of 200 linear feet of frontage along an arterial or collector street unless stated otherwise herein; **[Ord. 2010-022]**

**a) Type II Waiver - Infill Development**

The BCC may grant a Type II Waiver ~~waiver~~ to reduce the frontage requirement in the U/S Tier upon demonstration by the applicant that the requirements standards cannot be satisfied by any other means and by complying with the following standards: **[Ord. 2005 – 002]** **[Ord. 2010-022]**

- (1) the reduction is the minimum necessary to provide safe and adequate access to the project; **[Ord. 2005 – 002]**
- (2) the reduction will not result in any undue hardship or adverse impact on adjacent property owners; **[Ord. 2005 – 002]**
- (3) the reduction will not adversely effect the development of adjacent land in accordance with the Plan and this Code; **[Ord. 2005 – 002]**
- (4) the reduction is supported by the County Engineer and PZB; **[Ord. 2005 – 002]**
- (5) where applicable, the reduction is necessary to allow for development of new SR-7 EDO projects that establish access by means of interconnectivity requirements of the overlay; **[Ord. 2010-022]**

**b) PUD Minimum**

The BCC shall not reduce the frontage requirements below the following thresholds: **[Ord. 2005 – 002]**

- (1) 1500 trips or less: 50' of frontage. **[Ord. 2005 – 002]**
- (2) More than 1500 trips: 80' of frontage. **[Ord. 2005 – 002]**

Further reductions from the frontage requirements shall only be allowed by the ZC as a Type II variance in accordance with Art. 2.B.3, Variances. **[Ord. 2005 – 002]**

....

**5) Cul-de-sacs**

The objective of this provision is to recognize a balance between dead end streets and interconnectivity within the development. In order to determine the total number of local streets that can terminate in cul-de-sacs, the applicant shall submit a Street Layout Plan, pursuant to the Technical Manual. The layout plan shall indicate the number of streets terminating in cul-de-sacs, as defined in Article 1 of this Code, and how the total number of streets is calculated. During the DRO certification process, the addressing section shall confirm the total number of streets for the development, which would be consistent with how streets are named. Streets that terminate in a T-intersection providing access to less than four lots, or a cul-de-sac that abuts a minimum 20 foot wide open space that provides pedestrian cross access between two pods shall not be used in the calculation of total number of cul-de-sacs or dead end streets. **[Ord. 2008-037]**

- a) 40 percent of the local streets in a PDD may terminate in a cul-de-sac or a dead-end by right. **[Ord. 2007-001]** **[Ord. 2008-037]**
- b) An additional 25 percent of the local streets in a PDD may terminate in a cul-de-sac pursuant to a Type II Waiver ~~waiver~~ application approved by the BCC. The BCC shall consider the following additional standards when deciding whether or not to approve the Waiver ~~waiver~~. **[Ord. 2007-001]** **[Ord. 2008-037]**
  - (1) cul-de-sacs terminate in an open space that provides amenities accessible to the residents of the development; and, **[Ord. 2008-037]**
  - (2) cul-de-sacs connect to a pedestrian system including but not limited to sidewalks, and designated path or trail systems. **[Ord. 2008-037]**

....

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 **Part 24. ULDC Art. 3.E.8.D, LCC Waivers (page 188 - 189 of 228), is hereby amended as follows:**

2 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)**

3 **Section 8 Lifestyle Commercial Center Development (LCC)**

4 **D. Type I LCC Waivers**

5 An applicant may seek Type I Waivers ~~waivers~~ from specific code requirements listed in  
6 accordance with Art. 2.D.7, Type I Waiver, and Table 3.E.8.D, LCC Waivers. Type I Waiver  
7 approval shall be granted prior to DRO certification. The following table summarizes the  
8 development standards that could be requested through a Type I Waiver ~~waiver~~ process. **[Ord.**  
9 **2011-016]**

**Table 3.E.8.D – Type I LCC Waivers**

Requirements	Waiver	Criteria of Review (1)
<b>Main Street</b>		
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**Part 25. ULDC Art. 3.F.2.A.2.d.1)a), AGR Exception [Related to AGR TMD Parking Structures (page 204 of 228), is hereby amended as follows:**

**CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

**Section 2 General Standards**

**A. Applicability**

**2) Connectivity**

**d. Parking Structures**

**1) U/S and AGR Tiers**

**a) Type II Waiver AGR Exception**

The requirement for structured parking in the AGR Tier may be waived by the BCC upon approval of a Type II Waiver. **[Ord. 2005 – 002]**

....

**Part 26. ULDC Art. 3.F.4.E.9.a, BCC Waiver [Related to TMD Structures] (page 225 of 228), is hereby amended as follows:**

**CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

**Section 4 Traditional Marketplace Development (TMD)**

**E. Standards Applicable to AGR Tier**

**9. Block Structure**

**a. Type II BCC Waiver**

An AGR TMD shall comply with Art. 3.F.2.A.1.b, Block Structure, except for the provision below, unless waived through a Type II Waiver by the BCC upon the BCC determining that the block structure proposed is functionally equivalent for the purpose of Art. 3.F.1.A.4, and Art. 3.F.4.A Purpose. The Type II Waiver ~~waiver~~ may be granted only upon the applicant's agreement to be bound by the block configuration of the site plan approved by the BCC. **[Ord. 2005-002] [Ord. 2005 – 041]**

....

**Part 27. ULDC Art. 4.B.1.A.121.b.4), Parking and Loading [Related to Commercial Greenhouses] (page 98 of 170), is hereby amended as follows:**

**CHAPTER B SUPPLEMENTARY USE STANDARDS**

**Section 1 Uses**

**A. Definitions and Supplementary Standards for Specific Uses**

**121.Shade House**

**b. Commercial Greenhouse**

**4) Parking and Loading**

All parking and loading shall occur in the designated areas indicated on the site plan. **[Ord. 2006-004]**

**a) Parking**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

If vans, buses, or commercial loading vehicles are used for employee transportation, required parking shall be configured to accommodate these vehicles. **[Ord. 2006-004]**

**b) Loading**

Loading zones shall not be oriented towards residential uses, and shall be setback from property lines a minimum of 250 feet, unless ~~waived by the DRO~~ approved as a Type I Waiver. **[Ord. 2006-004]**

....

**Part 28. ULDC Art. 4.B.1.A.123.d, Buffer [Related to Solid Waste Transfer Station] (page 99 of 170), is hereby amended as follows:**

**CHAPTER B SUPPLEMENTARY USE STANDARDS**

**Section 1 Uses**

**A. Definitions and Supplementary Standards for Specific Uses**

**123.Solid Waste Transfer Station**

**d. Buffer**

A minimum width of 50 feet ~~municipality incompatibility~~ buffer shall be provided adjacent to an existing residential use, district or FLU designation: ~~The DRO may waive required~~ Required landscaping not visible from adjacent lots or streets may be waived through a Type I Waiver.

....

**Part 29. ULDC Art. 4.B.1.A.134.e, States of Emergency (page 103 of 170), is hereby amended as follows:**

**CHAPTER B SUPPLEMENTARY USE STANDARDS**

**Section 1 Uses**

**A. Definitions and Supplementary Standards for Specific Uses**

**134.Utility, Minor**

**e. States of Emergency**

The PZ&B Executive Director may ~~waive request a waiver from~~ the review timeframes ~~for each case in the event~~ of a declared state of emergency ~~that directly affects the permitting activities of the local Government~~. **[Ord. 2007-013]**

....

**Part 30. ULDC Art. 4.C.1, States of Emergency [Related to Stealth Towers] (page 112 of 170), is hereby amended as follows:**

**CHAPTER C COMMUNICATION TOWER, COMMERCIAL**

**Section 1 States of Emergency**

The PZ&B Executive Director may ~~waive request a waiver to~~ the review timeframes ~~for each case in the event~~ of a declared state of emergency ~~that directly affects the permitting activities of the local Government~~. **[Ord. 2006-004]**

**Part 31. ULDC Art. 4.C.3.A.5., Waivers from Required Dimensional Criteria [Related to Stealth Towers] (page 113 of 170), is hereby amended as follows:**

**CHAPTER C COMMUNICATION TOWER, COMMERCIAL**

**Section 3 Siting Requirements**

**A. Stealth Towers**

**5. Type II Waivers from Required Dimensional Criteria**

A ~~Type II Waiver-waiver~~ from separation, setback, distance between towers, height, and similar dimensional criteria may be requested as provided in Article 4.C.3.K, Type II Waiver from Required Dimensional Criteria.

....

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 **Part 32. ULDC Art. 4.C.3.B.5, Waivers (page 114 of 170), is hereby amended as follows:**

2 **CHAPTER C COMMUNICATION TOWER, COMMERCIAL**

3 **Section 3 Siting Requirements**

4 **B. Camouflage Towers**

5 **5. Type II Waivers**

6 A ~~Type II Waiver-waiver~~ from separation, setback, distance between towers, height, and  
7 similar dimensional criteria may be requested as provided in Article 4.C.3.K, Type II Waiver  
8 from Required Dimensional Criteria.

9 ....

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11  
12 **Part 33. ULDC Art. 4.C.3.K, Waiver from Required Dimensional Criteria (pages 128 - 130 of 170),**  
13 **is hereby amended as follows:**

14 **CHAPTER C COMMUNICATION TOWER, COMMERCIAL**

15 **Section 3 Siting Requirements**

16 **K. Type II Waiver from Required Dimensional Criteria**

17 A ~~Type II Waiver-waiver~~ from the separation, setback, distance between towers, height, and  
18 similar dimensional criteria applicable to communication towers may be allowed as provided in  
19 this Section.

20 **1. Towers approved as a Class A or Class B Conditional Use**

21 The dimensional criteria required by this Section may be reduced by the BCC for Class A  
22 conditional uses and Class B conditional uses subject to the criteria contained herein.

23 **2. Towers Approved on an Administrative Basis**

24 The dimensional criteria required by this Section may be reduced by the BCC for towers  
25 subject to review by the DRO or the building permit process subject to the criteria contained  
26 herein.

27 **3. Requests for a Type II Waiver**

28 When considering a request to allow a ~~Type II Waiver-waiver~~ from one or more required  
29 dimensional criteria, the BCC must determine that: the request complies with the intent of this  
30 Section and, the request is consistent with the criteria listed below.

31 **4. Criteria for Granting a Type II Waiver**

32 The following criteria shall be utilized by the BCC when considering requests for waivers.  
33 Each request for a waiver must be consistent with the following criteria listed below: Art.  
34 4.C.3.K.4.a - 4.C.3.K.4.h. In addition, each request for a ~~Type II Waiver-waiver~~ must be  
35 consistent with one or more of the following criteria: ~~Art. 4.C.2.K.4.h~~ Art. 4.C.3.K.4.i - Art.  
36 4.C.3.K.4.r.

37 **a. Protection of Public Welfare**

38 The ~~Waiver-waiver~~, if approved, will not be injurious to the uses in the area adjacent to  
39 the structure and otherwise will not be detrimental to the public welfare.

40 **b. Economics**

41 The ~~Waiver-waiver~~ is not granted based solely upon or in large measure due to costs  
42 associated with complying with all requirements of this Section.

43 **c. Incompatibility Not Created**

44 The ~~Waiver-waiver~~, if granted, will not result in an incompatibility between the proposed  
45 tower or communication facility and adjacent uses.

46 **d. Exhaustion of Other Remedies**

47 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
48 within the defined search or propagation study area as all other waiver alternatives have  
49 been exhausted. Alternatives to a ~~Waiver-waiver~~ shall include but not be limited to such  
50 techniques as collocation, use of stealth or camouflage structures, and use of building  
51 mounted equipment and facilities.

52 **e. Minimum Waiver**

53 Grant of the ~~Waiver-waiver~~ is the minimum ~~Waiver-waiver~~ that will make possible the  
54 reasonable use of the parcel of land, building, or structure.

55 **f. Consistent with the Plan**

56 Grant of the ~~Waiver-waiver~~ will be consistent with the purposes, goals, objectives, and  
57 policies of the Plan and this Code.

58 **g. Not Detrimental**

59 The grant of the ~~Waiver-waiver~~ will not be injurious to the area involved or otherwise  
60 detrimental to the public welfare.

61 **h. Prohibition of Service**

62 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
63 within the defined search or propagation study area so as not to prohibit the provision of

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 personal wireless, television, and related communication services as defined by the  
2 Telecommunications Act of 1996 and rules of the FCC, if adopted.

3 **i. FAA Limitations**

4 The ~~Waiver-waiver~~ is required to comply with locational standards established by the  
5 FAA.

6 **j. Lack of Technical Capacity**

7 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
8 within the defined search or propagation study area as existing towers or other structures  
9 do not possess the capacity to allow reasonable technical service.

10 **k. Height of Existing Structures**

11 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
12 within the defined search or propagation study area as existing towers or other structures  
13 are not of sufficient height to provide reasonable service.

14 **l. Lack of Structural Capacity**

15 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
16 within the defined search or propagation study area as existing towers or structures do  
17 not have the structural capacity to accommodate the equipment needed to provide  
18 reasonable service within the defined search or propagation study area.

19 **m. Interference**

20 The, subject to documentation provided by the applicant, is necessary within the defined  
21 search or propagation study area due to interference that may be caused resulting from  
22 such factors as collocation on existing towers or structures, the nature of other  
23 communications equipment or signals, or other technical problems that would result in  
24 interference between providers.

25 **n. Unreasonable Costs**

26 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
27 within the defined search or propagation study area as the fees, costs or contractual  
28 provisions to collocate on or adapt an existing tower or structure for collocation are  
29 unreasonable.

30 **o. More Appropriate Site**

31 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
32 within the defined search or propagation study area as a result of identification of a more  
33 appropriate site that does not meet dimensional criteria, including such factors as  
34 distance from residential uses, existence of permanent screening and buffering, and  
35 location within a large scale non-residential area.

36 **p. Avoid Certain Locations**

37 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
38 within the defined search or propagation study area to avoid location in one or more of  
39 the following:

- 40 1) officially designated wilderness areas, wildlife refuges, and wildlife management  
41 areas;
- 42 2) officially designated vegetation and wildlife preserves;
- 43 3) habitats of threatened/endangered species, historical sites;
- 44 4) Indian religious sites;
- 45 5) locations which may cause significant alteration of wetlands, deforestation, or water  
46 diversion;
- 47 6) night use of high intensity lights in residential areas;
- 48 7) environmentally sensitive lands acquired or leased by PBC; or
- 49 8) linked open space corridors as set forth in the Plan.

50 **q. Reduce Residential Impact**

51 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
52 within the defined search or propagation study area and will allow a proposed tower  
53 location to reduce the impact on adjacent residential uses.

54 **r. Effect of Governmental Regulation or Restrictive Covenant**

55 The ~~Waiver-waiver~~, subject to documentation provided by the applicant, is necessary  
56 within the defined search or propagation study area due to governmental regulations or  
57 restrictive covenants which preclude location of a tower.

58 **5. Simultaneous Consideration**

59 A request for a ~~Type II Waiver-waiver~~ from one or more required dimensional criteria may be  
60 considered at the same time a related request for tower approval is considered. However,  
61 final BCC, ZC, or administrative approval shall not be granted until a final decision is  
62 rendered by the BCC.

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66 (This space intentionally left blank)  
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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

- 1 Part 34. ULDC Art. 4.C.4.D.1, Waiver of Distance Between Towers (page 132 of 170), is hereby  
2 amended as follows:
- 3 **CHAPTER C COMMUNICATION TOWER, COMMERCIAL**
- 4 **Section 4 Standards**
- 5 **D. Distances/Separation Between Towers**
- 6 1. **Type II Waiver of Distance Between Towers**  
7 A ~~Type II Waiver~~ waiver to reduce the distance between towers may be granted subject to  
8 the requirements of Article 4.C.3.K, Type II Waiver from Required Dimensional Criteria. ~~A~~  
9 ~~waiver to reduce the distance between towers may be granted subject to the requirements of~~  
10 ~~Article 4.C.3.K, Waiver from Required Dimensional Criteria.~~  
11 ....  
12  
13
- 14 Part 35. ULDC Art. 4.C.4.S, Nonconforming Lots of Record (page 137 of 170), is hereby  
15 amended as follows:
- 16 **CHAPTER C COMMUNICATION TOWER, COMMERCIAL**
- 17 **Section 4 Standards**
- 18 **S. Nonconforming Lots of Record**  
19 Towers may be located on nonconforming lots of record provided the structure will comply with all  
20 sitting requirements of this Section without a ~~Type II Waiver~~ waiver from any dimensional criteria  
21 as provided herein.  
22  
23
- 24 Part 36. ULDC Art. 5.B.1.A.19.a.2)b)(2) [Related to Zoning Director discretion to exempt  
25 Mechanical Equipment Screening] (page 27 of 91), is hereby amended as follows:
- 26 **CHAPTER B ACCESSORY AND TEMPORARY USES**
- 27 **Section 1 Supplementary Regulations**
- 28 **A. Accessory Uses and Structures**
- 29 **19. Mechanical Equipment**
- 30 **a. Applicability**
- 31 **2) Screening Requirements**
- 32 **b) ~~Type I Waiver - Exemption for~~ Roof Mounted Mechanical Equipment**  
33 (2) Subject to ~~approval of a Type I Waiver Zoning Director discretion~~, the  
34 screening may not be required for any industrial use with industrial FLU  
35 designation if the equipment cannot be viewed from adjacent R.O.W. In  
36 addition to the standards applicable to Type I Waiver, a line of sight drawing  
37 may be required by the DRO to ensure compliance with screening of  
38 equipment. [Ord. 2011-016]  
39  
40
- 41 Part 37. ULDC Art. 5.C.1.E.3.a, Green Architecture (page 35 - 38 of 91), is hereby amended as  
42 follows:
- 43 **CHAPTER C DESIGN STANDARDS**
- 44 **Section 1 Architectural Guidelines**
- 45 **E. Review Process**
- 46 **3. ~~Type I Waiver -~~ Green Architecture**
- 47 **a. Purpose and Intent**  
48 To encourage and promote the design and construction of green architecture. This  
49 Section provides for ~~Type I Waivers~~ waivers from the architecture design guidelines,  
50 provided the applicant can achieve the minimum points necessary to be classified as  
51 Green Architecture. In order to design sustainable architecture, certain allowances for  
52 ~~Type I Waivers~~ waivers in Section 5.C.1.H, Guidelines, need to be recognized and  
53 allowed if minimum standards are met. The provisions in Table 5.C.1.E, Green  
54 Architecture Designation Rating Program, provide alternative design solutions to achieve  
55 green architecture while still complying with the general intent of the architecture  
56 guidelines. [Ord. 2009-040]  
57 ....

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1           **d. Appeals**

2           If the application is denied, the applicant may appeal the decision to the Zoning  
3           Commission in compliance with the standards of Art. 2.A.1.S.2.b.6, ~~URAO, IRO, and LCC~~  
4           Type I Waiver ~~and Green Architecture Waiver~~. **[Ord. 2011-016]**

5           ....

6  
7  
8 **Part 38.    ULDC Art. 5.C.1.J.1, Non Judicial Remedies (page 44 of 91), is hereby amended as**  
9 **follows:**

10 **CHAPTER C   DESIGN STANDARDS**

11 **Section 1     Architectural Guidelines**

12       **J. Appeal**

13       **1. Non-Judicial Remedies**

14       Any applicant aggrieved by an administrative interpretation or decision regarding this Chapter  
15       who wishes to appeal the interpretation or decision shall file an appeal to the ZC and follow  
16       the appeal procedures established in Art.2.A.1.S.2.b.6, ~~URAO, IRO, and LCC~~ Type I Waiver  
17       ~~and Green Architecture Waiver~~. **[Ord. 2005 – 002] [Ord. 2011-016]**

18       ....

19  
20  
21 **Part 39.    ULDC Art. 6.A.1.D.2.c.1), Large Scale Commercial Development [Related to Location of**  
22 **Required Parking] (page 13 of 39), is hereby amended as follows:**

23 **CHAPTER A   PARKING**

24 **Section 1    General**

25       **D. Off-Street Parking**

26       **2. Location of Required Parking**

27       **c. Location of Front, Side, and Rear Parking**

28       **1) Large Scale Commercial Development**

29       Developments with single tenants occupying 65,000 gross square feet or more shall  
30       locate parking in accordance with Figure 6.A.1.D-3, Location of Front, Side, and Rear  
31       Parking, as follows:

- 32       a) A maximum of 75 percent of required parking shall be located at the front.
- 33       b) A minimum of 15 percent of required parking shall be located immediately  
34       fronting a side A entrance.
- 35       c) A minimum of 25 percent of the required parking spaces at the side or rear, as  
36       indicated in Figure 6.A.1.D, Location of Front, Side and Rear Parking.

37       **d) Type II Waiver**

38       The BCC may waive ~~these requirements as a Type II Waiver this requirement~~ if  
39       the applicant demonstrates there is an unusual site configuration ~~and/or~~ unique  
40       circumstances, and the alternative site design clearly meets the intent of this  
41       provision, by increasing the proximity of parking spaces to public entrances,  
42       reducing the visual blight of large expanses of surface parking areas, and  
43       improving pedestrian connectivity. **[Ord. 2005- 002]**

44       ....

45  
46  
47 **Part 40.    ULDC Art. 6.B.1.H.7.a.2) Administrative Reduction [Related to Loading Space**  
48 **Reduction] (page 37 of 39), is hereby amended as follows:**

49 **CHAPTER B   LOADING STANDARDS**

50 **Section 1     Loading**

51       **H. Dimensional Standards and Design Requirements**

52       **7. Loading Space Reduction**

53       **a. Reduction in Number of Spaces**

54       **2) Type I Waiver – Eliminate or Reduce Loading Standards—Administrative**  
55 **Reduction**

56       For uses that contain less than 10,000 square feet of total GFA, the ~~applicant Zoning~~  
57       ~~Director~~ may ~~apply for a Type I Waiver to eliminate the loading space required waive~~  
58       or reduce the loading standards. **[Ord. 2007-001]**

59       ....

60 **Notes:**

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**EXHIBIT S  
WAIVERS  
SUMMARY OF AMENDMENTS**

1 **Part 41. ULDC Art. 7.F.9.C.1, Walls and Fences (page 40 of 50), is hereby amended as follows:**

2 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

3 **Section 9 Incompatibility Buffer**

4 **C. Walls and Fences**

5 Walls used in Type 1 incompatibility buffers shall not be CBS type with a continuous footer unless  
6 a minimum of ten clear feet is provided for landscaping.

7 **1. Existing Walls or Fences**

8 Where there is an existing wall or fence, ~~the Zoning Division the applicant~~ may apply for a  
9 Type I Waiver to waive the wall or fence requirement. The following conditions shall be  
10 considered when determining if the wall requirements may be waived:

- 11 a. Condition of existing wall;
  - 12 b. Effectiveness of visual screen; and
  - 13 c. Type of construction.
- 14  
15

16 **Part 42. ULDC Art. 7.F.9.E, Special Standards (page 41 of 50), is hereby amended as follows:**

17 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

18 **Section 9 Incompatibility Buffer**

19 **E. Special Standards**

20 The DRO may require incompatibility buffers for uses such as recreation and civic areas within a  
21 residential subdivision or pod. The ~~DRO may applicant may apply for a Type I Waiver to~~ waive  
22 the incompatibility buffer for pods adjacent to open space that is 100 feet or greater in width.  
23 **[Ord. 2005 – 002]**  
24  
25

26 **Part 43. ULDC Art. 8.H.2, Billboards (page 38 of 39), is hereby amended as follows:**

27 **CHAPTER H OFF-SITE SIGNS**

28 **Section 2 Billboards**

29 **....**

30 **F. Relocation of Billboards**

31 Billboards may be relocated subject to the provisions of the billboard stipulated settlement  
32 agreement or similar agreement. Billboard relocation shall occur as indicated below:

- 33 1. A billboard company shall notify the Zoning Division in writing of its intent to relocate a  
34 billboard. The written notification shall be provided at least 30 days prior to the intended date  
35 of demolition and relocation, unless otherwise waived by the Zoning Director.

36 **....**

37 **G. Billboard Replacement**

38 **....**

- 39 8. When an existing billboard is located on property that is being or has been acquired for public  
40 road R-O-W purposes, the billboard location criteria of this Section may be waived subject to  
41 approval of a Type I Waiver by the Zoning Director. The DRO may approve the Type I  
42 Waiver for Zoning Director may waive the billboard location criteria when the width of the R-  
43 O-W to be acquired will not allow billboard replacement consistent with the intent of this  
44 Section.

45 **....**

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**Notes:**

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

~~Stricken~~ indicates text to be **deleted**.

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

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

EXHIBIT T

LIVESTOCK KEEPING  
SUMMARY OF AMENDMENTS

- 1  
2 Part 1. ULDC Art. 1.I.2. Definitions (page 50 and 53 of 115), is hereby amended as follows:
- 3 CHAPTER I DEFINITIONS & ACRONYMS
- 4 Section 2 Definitions
- 5 D. Terms defined herein or referenced Article shall have the following meanings:
- 6 52. Domesticated Livestock – for the purposes of Article 5, shall include, but not be limited to,  
7 all animals of the equine (excluding horses), bovine (cattle), porcine (swine), caprine (goats),  
8 ovine (sheep), and camelid (llamas, alpacas) families as well as poultry (chickens and  
9 ducks).  
10 [Renumber accordingly.]  
11  
12
- 13 Part 2. ULDC Art. 5.B.1.A, Accessory Uses and Structures (page 27 of 91), is hereby amended  
14 as follows:
- 15 CHAPTER B ACCESSORY AND TEMPORARY USES
- 16 Section 1 Supplementary Regulations
- 17 A. Accessory Uses and Structures
- 18 20. Livestock
- 19 a. Standards of Approval
- 20 Domesticated livestock shall be allowed accessory to a single family residential use  
21 subject to the following standards:
- 22 1) Tier  
23 Shall only be located in the Rural and Exurban Tiers and when not within a PUD.

**Notes:**

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

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