

Board of County Commissioners

Steven L. Abrams, Chair
Priscilla A. Taylor, Vice Chair
Hal R. Valeche
Paulette Burdick
Shelley Vana
Mary Lou Berger
Jess Santamaria



County Administrator
Robert Weisman

Department of Planning, Zoning & Building
2300 North Jog Road
West Palm Beach, FL 33411
Phone: 561-233-5200
Fax: 561-233-5165

**TITLE: ADOPTION HEARING
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2012-02**

SUMMARY: The proposed ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications to the Unified Land Development Code (ULDC), as well as several specific amendments.

- Ordinance Title
- Exhibit A Article 2, Development Review Procedures
- Exhibit B Article 3, Overlays and Zoning Districts
- Exhibit C Article 5, Supplementary Standards
- Exhibit D Article 6, Parking
- Exhibit E Article 11, Subdivision, Platting, and Required Improvements
- Exhibit F Article 14, Environmental Standards
- Exhibit G Improvement Value
- Exhibit H Congregate Living Facilities
- Exhibit I Funeral Homes and Crematories
- Exhibit J Outdoor Recreation Standards
- Exhibit K Convenience Store with Gas Sales
- Exhibit L Miniature or Pot Bellied Pigs
- Exhibit M Recycling Uses

LDRAB/LDRC: The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on August 22, 2012 and October 24, 2012, and, the Land Development Regulation Commission (LDRC) on November 14, 2012. At the last meeting on November 14, 2012, the LDRAB voted 15-0 to recommend that the BCC not take action on Exhibit M, Miniature or Pot Bellied Pigs. All proposed ULDC amendments were found to be consistent with the Plan.

BCC PUBLIC HEARINGS: December 5, 2012 - Request for Permission to Advertise for First Reading on January 3, 2013: Approved as amended, 6 – 0. Article 13, Impact Fees was pulled out from this ordinance to run as a separate ordinance. January 3, 2013 – Approve on First Reading and advertise for an Adoption Hearing on January 24, 2012, approved 7-0.

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 - DEFINITIONS AND ACRONYMS;** CHAPTER H; LOT OF RECORD; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES;** CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS;** CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 - USE REGULATIONS;** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER D, EXCAVATION; **ARTICLE 5 - SUPPLEMENTARY STANDARDS;** CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER H, MASS TRANSIT STANDARDS; **ARTICLE 6 - PARKING;** CHAPTER A, PARKING; **ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS;** CHAPTER E, REQUIRED IMPROVEMENTS; **ARTICLE 14 - ENVIRONMENTAL STANDARDS;** CHAPTER B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

U:\Zoning\CODEREV\2012\BCC Hearings\Round 2012-02\3 Adoption\1 Agenda Cover Sheet final.docx

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 - DEFINITIONS AND ACRONYMS**; CHAPTER H, LOT OF RECORD; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES**; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS**; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 - USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER D, EXCAVATION; **ARTICLE 5 - SUPPLEMENTARY STANDARDS**; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER H, MASS TRANSIT STANDARDS; **ARTICLE 6 - PARKING**; CHAPTER A, PARKING; **ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS**; CHAPTER E, REQUIRED IMPROVEMENTS; **ARTICLE 14 - ENVIRONMENTAL STANDARDS**; CHAPTER B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; PROVIDING FOR; INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

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

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

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

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

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

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

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

Section 1. Adoption

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

- 1 ▪ Ordinance Title
- 2 ▪ Exhibit A Article 2, Development Review Procedures
- 3 ▪ Exhibit B Article 3, Overlays and Zoning Districts
- 4 ▪ Exhibit C Article 5, Supplementary Standards
- 5 ▪ Exhibit D Article 6, Parking
- 6 ▪ Exhibit E Article 11, Subdivision, Platting, and Required Improvements
- 7 ▪ Exhibit F Article 14, Environmental Standards
- 8 ▪ Exhibit G Improvement Value
- 9 ▪ Exhibit H Congregate Living Facilities
- 10 ▪ Exhibit I Funeral Homes and Crematories
- 11 ▪ Exhibit J Outdoor Recreation Standards
- 12 ▪ Exhibit K Convenience Store with Gas Sales
- 13 ▪ Exhibit L Miniature or Pot Bellied Pigs
- 14 ▪ Exhibit M Recycling Uses
- 15

16 **Section 2. Interpretation of Captions**

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

19

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

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

23

24 **Section 4. Severability**

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

29

30 **Section 5. Savings Clause**

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

37

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

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

42

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

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

4
5 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach
6 County, Florida, on this the _____ day of _____, 20____.

7
SHARON R. BOCK, CLERK &
COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Steven L. Abrams, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

8
9
10 **EFFECTIVE DATE:** Filed with the Department of State on the _____ day of
11 _____, 20____.

EXHIBIT A

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURE
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art.2.G.3.H.3.c, Terms of Office [Related to Historic Resources Review Board
3 membership) (page 78 of 88), is hereby amended as follows:
4 CHAPTER G DECISION MAKING BODIES
5 Section 3 APPOINTED BODIES
6 H. Historic Resources Review Board
7 3. Board Membership
8 c. Terms of Office
9 Each appointment shall be made for a term of three years. Any member may be
10 reappointed ~~for one successive term~~ upon approval of the BCC as provided for herein.
11

Notes:

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

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

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

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

EXHIBIT B

ARTICLE 3, OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 3.E.2.f.4.d, Landscape Buffer (Related to AGR PUD) (page 163 to 164 of 228),
3 is hereby 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 d. Landscape Buffer

9 A Type 3 incompatibility buffer shall be required between the Development Area and all
10 adjacent properties zoned AGR, AP, SA, or AR; including Preservation Areas. The buffer
11 shall be a minimum of 50 feet in width and installed in accordance with Article 7,
12 LANDSCAPING, except that a wall shall not be required. [Ord. 2006-004] [Ord. 2008-
13 003]

14 1) **Buffer Width Reduction**

15 *The minimum 50 foot buffer width required along the perimeter of an AGR-PUD*
16 *Development Area may be reduced for the following:*

17 a) **Abutting R-O-W, Open Space or Another Buffer**

18 A ~~buffer required along the perimeter of a Development Area may be reduced by~~
19 50 percent reduction (minimum of 25 feet in width) shall be permitted if:

20 (1)~~a)~~ the buffer is within a nonresidential pod and adjacent to a R-O-W greater
21 than 50 feet in width;

22 (2)~~b)~~ the buffer is adjacent to another platted PUD buffer a minimum of 20 feet
23 in width; or

24 (3)~~e)~~ the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than
25 50 feet in width.

26 b) **Abutting a Rural Parkway**

27 A reduction to a minimum of 15 feet in width shall be permitted if the buffer is
28 abutting a Rural Parkway a minimum of 100 feet in width.

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 C
ARTICLE 5, SUPPLEMENTARY STANDARDS
SUMMARY OF AMENDMENTS

1
2 **Part 1. ULDC Art. 5.C.1.I.1.a, CL FLU [Related to Large Scale Commercial Development and**
3 **Single Tenant Limit] (pages 41-42 of 92), is hereby amended as follows:**

4 **CHAPTER C DESIGN STANDARDS**

5 **Section 1 Architectural Guidelines**

6 **I. Large Scale Commercial Development**

7 **1. Single Tenant Limit**

8 **a. CL FLU**

9 The maximum building size for a single tenant shall be less than 65,000 gross square
10 feet. The commercial development of the parcel located at the northwest corner of
11 Southern Boulevard and Seminole Pratt Whitney Road and identified in the legal
12 description in Ordinance 2010-030 (LGA 2010-012) shall be exempt from the maximum
13 square footage limitation for single tenants in the CL FLU designation. [Ord. 2005 – 002]
14

15
16 **Part 2. ULDC Art. 5.F.1.F.1.a.5), Easement (page 59 of 92), is hereby amended as follows:**

17 **CHAPTER F LEGAL DOCUMENTS**

18 **Section 1 Maintenance and Use Documents**

19 **F. Content Requirement for Documents**

20 **1. Property Owner's Association (POA) Documents**

21 **a. Declaration of Covenants and Restrictions**

22 **5) Easements**

23 The following easements shall be granted or confirmed if already established by
24 recorded plat or grant of easement:

25
26 i) Zero-lot line (ZLL) easement, if applicable. ~~A three-foot~~ An easement with a
27 minimum of two feet in width, and contiguous to the ZLL boundary shall be
28 established for the purpose of incidental encroachment, access and
29 maintenance; or
30

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 D

ARTICLE 6 – PARKING
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements (page 11
3 of 39), is hereby amended as follows:
4

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

Use Type: Recreational	Parking (1)	Loading (2)
....		
Clubhouse (Recreational Pod) (7)	1 space per 300 sq.ft. of air conditioned area (includes all interior uses); and 1 bicycle parking rack shall be provided	N/A
....		
Golf course (7)	4 spaces per hole; plus 1 space per 250 sq. ft. of clubhouse	N/A
....		
Swimming pool (7)	1 space per 200 sq. ft. of pool area; and 1 bicycle parking rack shall be provided	N/A
Tennis Courts (6)(7) And Basketball Courts (7)	1.5 spaces per court; and 1 bicycle parking rack shall be provided	N/A
....		
[Ord. 2005-002]		
Loading Key:		
....		
Notes:		
6.		
7. Golf cart parking may be used to satisfy a portion of the required parking for residential PDD rec. pods, pursuant to Art. 6.A.1.D.7, Golf Cart Parking [Ord. 2007-001]		
8.		

5
6
7 Part 2. ULDC Art. 6.A.1.D.7, Golf Cart Parking (page 15 of 39), is hereby amended as follows:

8 CHAPTER A PARKING

9 Section 1 General

10 D. Off-Street Parking

11 7. Golf Cart Parking

12 Residential developments with recreation areas such as recreation pods, golf courses or
13 recreational facilities designed and intended for use by occupants of residential
14 developments or subdivisions, owned and operated by POA, may accommodate golf carts or
15 LSEVs subject to the following:

16 a. Utilize a ~~A~~ maximum of 25 percent of ~~the recreational uses~~ required parking ~~spaces in a~~
17 ~~recreation pods of a residential PDD may be reduced in size and redesigned to~~
18 ~~accommodate golf carts.~~

19 b. Parking dimension may be reduced consistent with Low Speed Electric Vehicle (LSEV)
20 minimum dimensions as indicated in Table 6.A.1.D, Minimum Parking Dimensions For
21 Nonresidential Uses and Residential Uses with Shared Parking Lots.
22
23

....

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 E

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.H.1.B.2, Legal Access (page 29 of 115), is hereby amended as follows:

3 CHAPTER H LOT OF RECORD

4 Section 1 Potentially Buildable Lot

5 B. Standards

6 2. Legal Access

7 The lot has legal access ~~(that was in existence at the time the lot was created, and which~~
8 ~~remains in place)~~ to street that ultimately connects to a right of way currently identified on the
9 PBC Thoroughfare R-O-W Identification Map, as follows:

- 10 a. In accordance with Art. 11, Subdivision, Platting and Required Improvements, Table
- 11 11.E.2.A, Chart of Access Hierarchy; or **[Ord. 2007-001]**
- 12 b. From a recorded easement exclusively for the purposes of ingress and egress
- 13 access, a minimum of 20 feet in width, granting the owner, its successors and
- 14 assigns a perpetual right of useable access across all properties lying between said
- 15 lot and a street, provided that the easement was in existence at the time the lot was
- 16 legally created, and which remains in place. **[Ord. 2007-001] [Partially relocated**
- 17 **from above Art. 1.H.1.B.2, Legal Access]**

18
19
20 Part 2. ULDC Art. 3.D.2.C.9.c.), Maintenance at Roof Overhang Easement (page 133 - 134 of
21 228), is hereby amended as follows:

22 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

23 Section 2 PDRs for Specific Housing Types

24 C. ZLL Design Standards

25 9. Permitted Openings and Attachments

26 c. Maintenance and Roof Overhang Easement

27 The subdivision plan and plat shall indicate a maintenance and roof eave encroachment
28 easement along the ZLL for each ZLL lot for the purpose of allowing maintenance of the
29 portion of the home with a zero setback and to accommodate any overhang of the roof
30 eave and gutter. ~~Should a fence or wall traverse or be located within a maintenance and~~
31 ~~roof easement, written permission from all easement beneficiaries will be required prior to~~
32 ~~the issuance of a permit by PBC. A gate for access and maintenance purposes will be~~
33 ~~required. Access for the owner of the lot abutting the easement and the easement~~
34 ~~beneficiaries shall be provided after advanced notification and during reasonable hours.~~
35 ~~No construction, landscaping, mechanical equipment, fence or wall shall prevent~~
36 ~~perpetual access to said easement by the owner of the lot abutting the easement or the~~
37 ~~easement beneficiaries.~~ **[Partially relocated from Art. 3.D.2.C.9.c.4), Plat]**

38 ...

39 4) Plat

40 The following language shall be on the plat for each ZLL subdivision: Maintenance
41 and roof overhang easements are hereby reserved in perpetuity to the owner of the
42 lot abutting the easement and the HOA for the purpose of access to and
43 maintenance of improvements, the roof overhang, eave, gutters, drainage and utility
44 services within and adjacent to said easement without recourse to PBC. ~~Should a~~
45 ~~fence or wall traverse or be located within said easement, written permission from the~~
46 ~~HOA will be required prior to the issuance of a permit by PBC. A gate for access and~~
47 ~~maintenance purposes will be required. Access for the owner of the lot abutting the~~
48 ~~easement and the HOA shall be provided after advanced notification and during~~
49 ~~reasonable hours. No construction, landscaping, mechanical equipment, fence or~~
50 ~~wall shall prevent perpetual access to said easement by the owner of the lot abutting~~
51 ~~the easement and the HOA.~~ **[Partially relocated to Art. 3.D.2.C.9.c, Maintenance**
52 **and Roof Overhang Easement]**

53
54
55 Part 3. ULDC Art. 11.E.2.A.19, Limited Access Easements (page 36 of 47), is hereby amended
56 as follows:

57 CHAPTER E REQUIRED IMPROVEMENTS

58 Section 2 Access and Circulation Systems

59 A. Vehicular Circulation Systems

60 19. Limited Access Easements

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 E

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS

Limited access easements ~~may shall~~ be required along ~~all~~-non-plan collector streets and ~~all~~ major streets in order to control access to such streets from abutting property, when necessary. Easements for controlling access to local and residential access streets may also be required by the County Engineer in order to ensure continued control of access to such streets from abutting property. All limited access easements shall be conveyed or dedicated to PBC.

Part 4. ULDC Art. 11.E.4.E.5.c., Storm Sewerage (page 42 of 47), is hereby amended as follows:

CHAPTER E REQUIRED IMPROVEMENTS

Section 4 Stormwater Management

E. Tertiary Stormwater System Design and Performance

5. Storm Sewerage

c. Storm sewer pipe shall have a nominal diameter of not less than 15 inches, or equivalent oval pipe size. ~~However, for stormwater sewerage systems to be maintained by PBC, storm sewer pipe shall have a nominal diameter of not less than 18 inches, or equivalent oval pipe size, unless otherwise approved by the County Engineer. The storm sewer pipe minimum diameter size may be reduced when the pipe is not within a right of way or residential access street, subject to County Engineer approval.~~

~~When metal Metal pipe is shall not be used beneath pavement within a street, it shall be designed to provide a joint free installation or, where joint free installations are not feasible, shall be jointed with a 12-inch wide band having a mastic or neoprene gasket providing a watertight joint. Other jointing techniques meeting or exceeding these requirements may be used upon submittal to and approval by the County Engineer.~~

j. Drainage pipe shall be fitted with headwalls, endwalls, inlets and other appropriate terminating and intermediate structures. Structure design shall meet or exceed FDOT PBC standards specifications and policies applicable to the intended use.

Part 5. ULDC Art. 11.E.7.B., Easements (page 45 of 47), is hereby amended as follows:

CHAPTER E REQUIRED IMPROVEMENTS

Section 7 Utilities

B. Easements

Utility easements 12 feet wide shall be provided where necessary for the particular development or for continuity purposes to accommodate all required utilities across lots and shall have convenient access for maintenance. Where possible, utility easements shall be centered on lot lines. ~~Where possible, utility easements and~~ should be provided for underground utilities across the portion(s) of the lot abutting a street or parking area. When a utility easement is to abut a street, the width may be reduced as approved by the County Engineer to ten feet. Additional utility easements may be required by PBC when, in the opinion of the County Engineer, such easements are necessary for continuity of utility service between subdivisions or other development and where necessary for maintenance and service. Utility easements and drainage easements shall not be combined. Where crossings occur, drainage easements shall take precedent. Easements shall be coordinated with requisite utility authorities and shall be provided as prescribed by this Article for the installation of underground utilities or relocating existing facilities in conformance with the respective utility authority's rules and regulations.

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.1.2.W.21, Wellfield Zones 1, 2, 3 and 4 (page 109 of 119), is hereby
3 amended as follows:

4 CHAPTER I DEFINITION AND ACRONYMS

5 Section 2 Definitions

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

7 21. Wellfield Zones 1, 2, 3 and 4 – for the purposes of Article 14, zones of influence delineated
8 by iso-travel time contours around public water supply wellheads. Zone 1 is identified as the
9 land area ~~within a~~ situated between the well(s) and the 30-day travel time, and Zone 2 is the
10 land area ~~within a~~ situated between the 30-day travel time and the 210-day travel time, and
11 Zone 3 is the land area situated between 210-day and the 500-day travel time contours.
12 Zone 4 is determined by the area situated beyond the 500-day travel time contour and within
13 the one foot drawdown contour. Zones of influence maps, ~~including Zones 3 and 4 are~~
14 ~~developed pursuant to the Wellfield Protection Section and are on file and~~ maintained by
15 ERM ~~Department~~.

16

17
18
19 Part 2. ULDC Art. 4.D.9.A.1, Authority and Criteria (page 169 of 171), is hereby amended as
20 follows:

21 CHAPTER D EXCAVATION

22 Section 9 Administration and Enforcement

23 A. Administrative Waiver from Construction Criteria for Agricultural, WCAA, Type II and Type
24 III Excavations

25 1. Authority and Criteria

26

27 b. That a request for relief from the littoral planting requirements include an alternative plan
28 with a contribution to the Pollution Recovery Trust Fund of twice the amount calculated
29 by the formula for a guarantee located in 4.D.8.D.5.c. and for review and approval by the
30 Director of ERM. If the littoral zone had been depicted on the site or master plan, a
31 modification of the plan shall be processed in order to delete the littoral zone from the
32 plan;

33 [Renumber Accordingly]

34
35
36 Part 3. ULDC Art. 14.B.5, Exemption (pages 14-17 of 52), is hereby amended as follows:

37 CHAPTER B WELLFIELD PROTECTION

38 Section 5 Exemption

39 A. General Exemptions

40 A general exemption application and an operating permit issued pursuant to the provisions of
41 Article 14.B.6.C.2, Zone 2, shall be filed with ERM for any nonresidential activity claiming a
42 general exemption to these regulations under Article 14.B.5.A.4.a, Fire, Police, Emergency
43 Medical Services and PBC Emergency, Article 14.B.5.A.4.b, Utilities in Zone 1, and Article
44 14.B.5.A.4.f, Retail/Wholesale Sales Activities. ~~No new nonresidential facilities shall be permitted~~
45 ~~into Zone 1 after March 7, 1988 if the new nonresidential facility stores, handles, produces or~~
46 ~~uses any Regulated Substance. No nonresidential facility that stores, handles, produces, or uses~~
47 ~~any Regulated Substances after March 7, 1988 shall be eligible for a general exemption in Zone~~
48 ~~1 unless such facility was in existence prior to the establishment of a new Wellfield Zone 1 or a~~
49 ~~reconfigured Wellfield Zone 1 and is required to move or cease operations as a direct result of a~~
50 ~~change in the Wellfield Protection Maps.~~

51

52 B. Special Exemptions

53 An affected person in Zones 1 or 2 may petition the hearing officer pursuant to the appeal
54 process in Article 14.C, Appeals, for a Special Exemption, from the prohibitions and monitoring
55 requirements set out in Article 14.B.6.C.1, Zone 1, and Article 14.B.6.C.2, Zone 2. ~~Special~~
56 ~~exemptions for Zone 1 are for existing nonresidential activities only. No new nonresidential~~
57 ~~activity shall be permitted in Zone 1 after March 7, 1988 if the new nonresidential activity stores,~~
58 ~~handles, produces or uses any Regulated Substance. No nonresidential facility that stores,~~
59 ~~handles, produces, or uses any Regulated Substances after March 7, 1988 shall be eligible for a~~
60 ~~special exemption in Zone 1 unless such facility was in existence prior to the establishment of a~~

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

new Wellfield Zone 1 or a reconfigured Wellfield Zone 1 and is required to move or cease operations as a direct result of a change in the Wellfield Protection Maps.

....
2. Procedures

....
f. Action on Application

Any special exemption granted by the Reference to Article 14.C, Appeals, shall be subject to the applicable conditions which apply to Zones 1 and 2 and any other reasonable and necessary special conditions imposed by the Reference to Article 14.C, Appeals. An operating permit shall be issued by ERM with the applicable conditions of Article 14.B.6.C.1, Zone 1, and Article 14.B.6.C.2, Zone 2, and any other reasonable and necessary special conditions imposed by the ~~Environmental Ordinance Appeals Board-Hearing Officer~~. Such special exemptions shall be subject to revocation or revision by ERM for violation of any condition of said special exemption by first issuing a written notice of intent to revoke or revise (certified mail return receipt requested or hand delivery). Upon revocation or revision, the activity will immediately be subject to the enforcement provisions of this Article.

Part 4. ULDC Art. 14.B.6.A, Maps (pages 17-18 of 52), is hereby amended as follows:

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

A. Maps

1. Amendments

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

....
6. Reference Raw Water Analysis to be Completed for Each Well

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

Part 5. ULDC Art. 14.B.6, Zones of Influence (pages 17-24 of 52), is hereby amended as follows:

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

....
B. Protection of Future Wellfields

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

C. Prohibitions and Restrictions

....
2. Zone 2

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

- 1 **b. Permit Conditions**
2 **....**
3 **9) Alterations and Expansions**
4 ERM shall be notified in writing prior to the expansion, alteration or modification of an
5 activity holding an operating permit. Such expansion, alteration, or modification may
6 result from increased square footage of production or storage capacity, or increased
7 quantities of Regulated Substances, or changes in types of Regulated Substances
8 beyond those square footages, quantities, and types upon which the permit was
9 issued. Should a facility add new Regulated Substances which individually are below
10 the non-aggregate limits identified in the definition of "Regulated Substance", it shall
11 notify ERM on ~~thean~~ annual basis of the types and quantities of such substances
12 added and the location of the use, handling, storage, and production of said
13 substances.
14 **....**
15 **c. Permits for Existing Uses**
16 All existing non-residential activities in Zone 2 which use, handle, store, or produce
17 Regulated Substances shall file an application for an operating permit ~~or closure permit~~
18 within 90 days of the receipt of written notice from ERM. Said permit application shall be
19 prepared and signed by a Professional Engineer or Professional Geologist registered or
20 licensed in the State of Florida, except for Closure or Transfer Permits as provided Article
21 14.B.7.B.2, Closure Permit, and Article 14.B.10, Transfers and Changes In Ownership.
22 Within 30 days of receipt of said notice, the owner or operator shall file with ERM proof of
23 retention of said engineer or geologist. If application is made for an operating permit,
24 such a permit shall be issued or denied within 60 days of the filing of the completed
25 application. If the application for an operating permit is denied, then the activity shall
26 cease within 180 days of the denial of the operating permit. All Regulated Substances
27 and contaminated containers shall be disposed in a lawful and environmentally sound
28 manner in accordance with applicable state and federal laws, and the activity and
29 environs shall be cleaned up so as to preclude leaching of residual Regulated
30 Substances into the environment.
31 **3. Zone 3**
32 **....**
33 **b. Permit Conditions**
34 **....**
35 **7) Permit Process**
36 Operating permits required by this Chapter shall be applied for and processed in
37 accordance with Article 14.B.6.C.2.c, Permits for Existing Uses, by filing an
38 application for an operating permit ~~or closure permits~~ within 90 days of the receipt of
39 written notice from ERM. Said permit application shall be prepared and signed by a
40 Professional Engineer or Professional Geologist registered or licensed in the State of
41 Florida. Within 30 days of receipt of said notice, the owner or operator shall file with
42 ERM proof of retention of said engineer or geologist. If application is made for an
43 operating permit, such a permit shall be issued or denied within 60 days of the filing
44 of the completed application. If the application for an operating permit is denied, then
45 the activity shall cease within 180 days of the denial of the operating permit. All
46 Regulated Substances and contaminated containers shall be disposed in a lawful
47 and environmentally sound manner in accordance with applicable state and federal
48 laws, and the activity and environs shall be cleaned up so as to preclude leaching of
49 residual Regulated Substances into the environment.
50 **4. Zone 4**
51 **....**
52 **b. Permit Conditions**
53 **....**
54 **4) Permit Process**
55 Operating permits required by this Chapter shall be applied for and processed by filing an
56 application for an operating permit ~~or closure permit~~ within 90 days of the receipt of
57 written notice from ERM. Said permit application shall be prepared and signed by a
58 Professional Engineer or Professional Geologist registered or licensed in the State of
59 Florida. However, a nonresidential activity in Zone 4 is not required to retain an engineer
60 or geologist to prepare the operating permit if the revocation for spill provisions of this
61 Chapter do not apply. Within 30 days of receipt of said notice, the owner or operator shall
62 file with ERM proof of retention of said engineer or geologist. If application is made for an
63 operating permit, such a permit shall be issued or denied within 60 days of the filing of
64 the completed application. If the application for an operating permit is denied, then the
65 activity shall cease within 180 days of the denial ~~and an application for a closure permit~~
66 ~~shall be filed with ERM within 120 days of the denial of the operating permit.~~ All
67 Regulated Substances and contaminated containers shall be disposed in a lawful and
68 environmental sound manner in accordance with applicable state and federal laws, and

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

the activity and environs shall be cleaned up so as to preclude leaching of residual Regulated Substances into the environment.

....
E. Domestic Wastewater and Stormwater Treatment
1. Sanitary Sewer Mains

All new or replacement installations of sanitary sewer mains in Zone 1 or Zone 2 of a public drinking water wellfield shall be constructed ~~to force main standards using pressure pipe.~~ Standards for installation are shown in Appendix ~~54~~, Minimum Standards for Sewer Pipe Fittings, Coatings and Leakage Testing, and shall be enforced by PBCHD through the permit process. For new wells placed in areas of existing sanitary sewers, the sewers in Zones 1 and 2 must be pressure tested at each joint, grouted and sealed with proof of testing provided to the PBCHD prior to release of the well for service.

....
G. Closure Activity

When an activity in any Zone ceases operation, all Regulated Substances and contaminated containers shall be disposed of in a lawful and environmentally sound manner in accordance with applicable state and federal laws, and the activity and environs shall be cleaned up so as to preclude leaching of residual Regulated substances into the environment. When an activity in Zone 1 ceases operation, a closure permit shall be obtained.

Part 6. ULDC Art. 14.B.7.B.2, Closure Permit (page 25 - 26 of 52), is hereby amended as follows:

CHAPTER B WELLFIELD PROTECTION

Section 7 Wellfield Protection (Operating and Closure Permits)

B. Applications

2. Closure Permit

Closure permit applications shall be required in Zone 1 and contain the following information:

....

Part 7. ULDC Art. 14.B.9, Petition for Compensation (pages 27-30 of 52), is hereby amended as follows:

CHAPTER B WELLFIELD PROTECTION

Section 9 Petition for Compensation

~~Parties affected by the requirements of this Chapter may petition PBC for a determination of the effect of said requirements on those activities and the issue of compensation. The purpose of this section is to provide a means of petitioning PBC for reasonable compensation in the event a person operating a facility in existence prior to the establishment of a new Wellfield Zone 1 or a reconfigured Wellfield Zone 1 is required to move or cease operations as a direct result of a change in the Wellfield Protection Maps. This section shall apply only in the event an application for a General or Special Exemption, as set forth in Article 14.B.5, and all subsequent appeals, are denied. ERM may impose a reasonable fee for each petition in order to defray the costs to PBC in administering this section.~~

A. Filing

A petition for compensation shall be filed with ERM no later than 90 days after an application for a General or Special Exemption, as set forth in Article 14.B.5, and all subsequent appeals, are denied. The petition shall be heard by a Hearing Officer as established in Article 2.G.3.G, Hearing Officers.

B. Contents of Petition

A petition for compensation shall contain, as applicable, the following:

~~1. A copy of the closure permit required by this Chapter or the required operating permit showing the change in operation;~~

~~21.~~ **21.** An analysis of the need to ~~cease~~, move, or ~~change- cease~~ operations including a summary of alternatives investigated and estimated costs of those alternatives;

~~32.~~ **32.** A list of all previously issued EPA notices of violation by ERM, Florida Department of Environmental Protection or the EPA regarding use of Regulated Substances including a description of any corrective action taken or pending;

~~43.~~ **43.** Detailed specification of the amount for which compensation is being requested. Petitions shall include documentation to verify all costs for which compensation is sought.; and

~~5. ERM shall review all petitions for compensation and make recommendations to the Hearing Officer regarding the reasonableness of any amounts requested by the petitioner, whether the requested compensation consists of amounts greater than the cost of any reasonable facility/operation modifications and whether the facility may potentially qualify for a special~~

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

~~exemption. Based upon such recommendations, the Hearing Officer may deny such petition.~~

[Partially relocated below under new Art. 14.B.9.C]

C. Administrative Review

~~ERM shall review all petitions for compensation for completeness within 30 working days of receipt of the petition. If ERM determines the petition is not complete, written notice shall be mailed to the Petitioner specifying the deficiencies. No further action shall be taken on the petition until the deficiencies are remedied. If the deficiencies are not remedied within 30 working days of receipt of written notice, the petition shall be deemed abandoned and any rights that may be conferred under this Section shall be waived. Upon a finding of sufficiency, ERM shall review the petition and make recommendations to the Hearing Officer regarding the reasonableness of any amounts requested by the Petitioner, whether the requested compensation consists of amounts greater than the cost of any reasonable facility/operation modifications. Based upon such recommendations, the Hearing Officer may deny such petition.~~

[Partially relocated from above Art. 14.B.9.B.5]

CD. Hearing on Petition

As soon as practicable after submission of a petition for compensation, but no later than 90 days, by an owner or operator of an activity, the Hearing Officer shall hold a hearing to determine the eligibility of the activity for compensation pursuant to this Chapter. ~~The Hearing Officer may extend the 90 day period for good cause based on the request of the Petitioner, PBC, or on its own initiative.~~ Petitioner shall be given written notice by certified mail or hand delivery of such hearing at least 30 days prior to the hearing. ~~At least ten days prior to the hearing, the Petitioner and PBC shall exchange names and addresses of witnesses and copies of all documentary evidence intended to be used at the hearing.~~ Formal Rules of Evidence shall not apply to such hearing, but fundamental due process shall be observed and shall govern the proceedings. Petitioner and PBC shall have the right to:

1. Call and examine witnesses;
2. Introduce exhibits;
3. Cross examine witnesses on any relevant matter;
4. Rebut the evidence; and
5. Be represented by counsel.

DE. Review and Evaluation Criteria

1. Cessation or Move

In determining whether the petitioner is eligible for compensation for cessation or moving, the Hearing Officer shall consider:

- a. Whether a reasonable, cost effective alternative to cessation or moving of operations exists for complying with this Chapter, including reconfiguring of the wellfield. ~~Applicant~~ ~~Petitioner~~, with the cooperation of ERM and the affected public utility, shall address the issue of reconfiguration;
- b. Whether the requirements of this Chapter were the sole reason for cessation or moving of the operation;
- c. Past environmental record; and
- d. Efforts to mitigate financial impact of this Chapter and these corresponding regulations.

~~**2. Change In Operations**~~

~~In deciding whether a petitioner is eligible for compensation for a change in operations, the Hearing Officer shall consider:~~

- ~~a. Whether the proposed change is a reasonable, cost effective method for complying with this Chapter; and~~
- ~~b. Whether the requirements of this Chapter were the sole reason for the change in the operation.~~

EF. Classes of Impact for Which Compensation May Be Granted

1. Actual Reasonable Relocation Expenses

~~**a. Examples of Reasonable or Reimbursable Relocation Costs**~~

~~The owner or operator of an affected activity may be paid the actual reasonable cost of relocation within PBC, such amount to include the cost of:~~

- 1) Dismantling operation;
- 2) Actual moving;
- 3) Reassembling equipment;
- 4) Installation of equipment;
- 5) Internal connection of utilities to equipment;
- 6) Minor modification of site to accommodate operation, specifically excluding structural changes to the building or paving and drainage requirements at the site;
- ~~7) The additional costs which would have to be incurred to move the activity due to changed circumstances or applicable laws, ordinances or regulations; and~~
- ~~8) Any losses caused by the necessity of terminating a lease, such compensation not to exceed three months rent. Landlord and tenant are required to make a bona fide effort to mitigate this loss. This compensation shall be paid to either the landlord or the tenant, to be decided by agreement between the landlord and tenant.~~

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

- 1 **b. Documentation of Costs**
2 The eligible costs for actual reasonable relocation expenses shall be supported by two
3 itemized and sealed bids and a detailed listing of the claimed items. The amount to be
4 paid shall not exceed the lower of the two bids. In order to verify such information, ERM
5 shall have the right to enter the activity's premises at reasonable times. Such bids and
6 detailed listing of the cost shall be verified by ERM.
- 7 **c. Self-Moves**
8 In the case of a self move the owner of a relocated activity may be paid the lower of two
9 sealed and itemized bids from licensed moving companies based on a detailed listing of
10 the cost.
- 11 **2. Actual Reasonable Modification of Operation Expenses**
12 ~~The owner or operator of an affected activity may be paid the actual reasonable expense to~~
13 ~~modify the operation of the activity in order to comply with this Chapter. Such amount to~~
14 ~~include cost of:~~
15 ~~a. Modification of machinery;~~
16 ~~b. Dismantling and moving unusable machinery;~~
17 ~~c. Unsalvageable inventory per Article 14.B.9.E.3, Actual Direct Losses of Tangible~~
18 ~~Personal Property; and~~
19 ~~d. Moving equipment out of a Zone 1 on the activity's property per Article 14.B.9.E.1, Actual~~
20 ~~Reasonable Relocation Expenses.~~
- 21 **3. Actual Direct Losses of Tangible Personal Property**
22 Actual direct losses of tangible personal property are allowed when a person closes or
23 relocates an activity. Payment may only be made after a diligent effort is made by the owner
24 to sell the item(s) involved.
25 a. If the activity is to be re-established and an item of property to be used therewith is not
26 moved but promptly replaced with a comparable item at the new site, reimbursement
27 shall be either:
28 1) Replacement cost, taking into account depreciation, less the proceeds of the sale.
29 Present value based on accepted standards in the related business community may
30 be substituted for net proceeds of a sale where applicable; or
31 2) Estimated cost of moving the item to the replacement site within the geographic
32 boundaries of PBC.
33 ~~b. If a process at the activity is being discontinued or an existing item is not to be replaced~~
34 ~~in a re-established business, payment will be either:~~
35 ~~1) The difference between fair market value as evidenced by two written appraisals of~~
36 ~~the item for continued use at its prior location less its net proceeds at the sale; or~~
37 ~~2) The estimated cost of moving the item to the replacement site within the geographic~~
38 ~~boundaries of PBC.~~
39 ~~eb.~~ If a sale is not affected because no offer is received and the item is abandoned, payment
40 for the loss may be its fair market value for continued use at its existing location plus the
41 costs of the attempted sale, less the equipment's salvage value.
- 42
- 43 **7. Appeal**
44 PBC or the ~~applicant~~ Petitioner seeking compensation under this Section may appeal the
45 final decision of the Hearing Officer by filing a Petition for Writ of Certiorari in the 15th Judicial
46 Circuit Court in and for PBC.

This space left blank intentionally.

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

1 Part 8. ULDC Appendix 4 Organic Priority Pollutants and Appendix 5 Minimum Standards for
2 Sewer Pipe Fittings (pages 47 - 48 of 52), is hereby amended as follows:

3 **APPENDIX 4 ORGANIC PRIORITY POLLUTANTS**

endrin	bromobenzene
lindane (g-BHC)	bromomethane
methoxychlor	chlorobenzene
toxaphene	chloroethane
2, 4-D	p-chlorotoluene
2, 4, 5-TP	chloromethane
bromodichloromethane	dibromomethane
dibromochloromethane	dichlorodifluoromethane
bromoform	1,1-dichloroethane
chloroform	trans-1, 3-dichloropropene
trichloroethene	cis-1, 2-dichloroethane
tetrachlorethene	1, 2-dichloropropane
carbon tetrachloride	1, 3-dichloropropane
vinyl chloride	2, 2-dichloropropane
1, 1, 1-trichloethane	cis-1, 3-dichloropropane
1, 2-dichloroethane	ethylbenzene
benzene	methylene chloride
ethylene dibromide	1, 1, 2-trichloroethane
p-chlorobenzene	trichlorofluoromethane
1, 1-dichloroethene	1, 2, 3-trichloropropane
styrene	toluene
m-dichlorobenzene	m-xylene
o-dichlorobenzene	o-xylene
1, 2-dibromo-3-chloropropane (DBCP)	p-xylene
1, 1, 1, 2-tetrachloroethane	bis (2-ethylhexyl) phthalate
1, 1, 2, 2-tetrachloroethane	butyl benzyl phthalate
methyl tert-butyl-ether (MTBE)	di-n-butylphthalate
1, 1-dichloropropene	diethylphthalate
o-chlorotoluene	dimethylphthalate
aldrin	2, 4-dinitrotoluene
chloradane	dioctylphthalate
dieldrin	hexachlorocyclopentadiene
heptachlor	isophorone
aldicarb	2, 3, 7, 8-tetrachloridibenzo-p-dioxin
aldicarb sulfoxide	1, 2, 4 trichlorobenzene
aldicarb sulfone	PCB-1016
dalapon	PCB-1221
carbofuran	PCB-1232
oxymyl	PCB-1242
simine	PCB-1248
atrane	PCB-1254
picloram	PCB-1260
dinoseb	2-chlorophenol
alachlor	2-methyl-4, 6-dinitrophenol
metolachlor	phenol
dicamba	2, 4, 6-trichlorophenol
pentachlorophenol	

4 **Inorganic Priority Pollutants**

Mercury	Lead
Cadmium	Arsenic
Chromium	Selenium
Nickel	Cyanide
Note: Parameters reflected in this table may be adjusted by ERM.	

5 **APPENDIX 5~~4~~ MINIMUM STANDARDS FOR SEWER PIPE AND FITTINGS**

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

- 7 1. Ductile iron pipe shall conform to the requirements of ANSI/AWWA C151/A21. ~~52-8651~~ unless
8 otherwise noted on the plans. The pipe shall be Class ~~50 thickness~~350 for ~~pipe six sizes 4~~
9 inches ~~through 24 inches and class 250 for sizes from 30 inches to 36 inches. or larger in~~
10 ~~size and Class 51 for pipe smaller than six inches~~ Glands for mechanical joints shall be of
11 ductile iron ~~or cast iron~~.
- 12 2. Fittings shall ~~conform to the requirements of ANSI/AWWA C-110/A21.10-87. Fittings 12~~
13 ~~inches and smaller shall have a 250 psi minimum working pressure have mechanical joints or~~
14 ~~flanged ends unless an approved flexible joint restraint system is used. The fittings shall~~
15 ~~conform to the requirements of AWWA C-110 or AWWA C-153.~~
- 16 3. Flanged ductile iron pipe shall be "special thickness Class 53". Flanged ductile iron pipe and
17 fittings shall have threaded flanges, unless otherwise noted on the drawings, and shall

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 F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

- 1 conform to ANSI/AWWA C115/A21.15-~~83~~. All flanges shall be Class 1560, ANSI B16.5. All
2 above grades flanges shall be flat faced unless they are mating up to existing, or otherwise,
3 specified, raised flanges. All gaskets shall be full faced 1/8" red rubber.
- 4 4. Joints shall conform to the requirements of ANSI/AWWA C111/A21.11-~~85~~.
- 5 5. All ductile iron pipe and fittings shall have an epoxy lining and a bituminous coating on the
6 exterior per AWWA specification C-210. The coating and lining shall be applied in
7 accordance with the manufacturer's recommendations.
- 8 **B. Polyvinyl Chloride Pipe (PVC) (gasketed joint) and Fittings for Gravity Wastewater and**
9 **Sewer Force Main Applications**
- 10 **1. Gasketed Joint Pipe**
- 11 **a-** Pipe four inches or larger in diameter shall conform to the requirements as set forth in AWWA
12 C900-~~84~~/C905 with minimum dimension ratio ~~DR~~ DR 18. Provisions must be made for
13 contraction and expansion at each joint, or with a rubber ring and an integral bell as part of
14 each joint, or by a rubber ring sealed coupling. Clean, reworked material generated from the
15 manufacturer's own pipe production may be used. Fittings shall be cast or ductile iron. Pipe
16 shall have cast iron pipe equivalent outside dimensions.
- 17 **2.b-** Pipe smaller than four inches in diameter shall conform to Commercial Standard CS 256 and
18 ASTM D-22141. Provisions shall be made for contraction and expansion at each joint with a
19 rubber ring, and an integral bell as part of each joint, or by a rubber ring sealed coupling. Pipe
20 shall be made from SDR 21, 200 psi clean, virgin NSF approved Type I, Grade 1 PBC
21 conforming to ASTM D 1784. Clean reworked material generated from the manufacturer's
22 own pipe production may be used. Fittings for pipe smaller than four inches in diameter shall
23 be PVC.
- 24 **C. Coatings-High Density Polyethylene pipe for force mains:**
- 25 ~~The lining material for ductile iron pipe and fittings shall be virgin polyethylene complying with~~
26 ~~ANSI/AWWA D1248 compounded with an inert filler and with sufficient carbon black to resist~~
27 ~~ultraviolet rays during above ground storage of the pipe and fittings. The polyethylene shall be~~
28 ~~bonded to the interior of the pipe or fitting by heat. HDPE pipe for force mains shall be AWWA~~
29 ~~C906, minimum 40 feet standard lengths, DR 11 minimum, DIPS size.~~
- 30 **D. Leakage Tests**
- 31 The test shall be of two hour duration. During the test, the pipe being tested shall be maintained
32 at a pressure of not less than 150 psi. Leakage is defined as the quantity of water added to the
33 pipe being tested during the test period. No pipe installation will be accepted if the leakage
34 exceeds the quantities specified in AWWA C-600, Sec. ~~4-25.2~~. No more than 500 feet of gravity
35 sewer main or 1000 feet of force main shall be tested at one time. Pressure tested gravity
36 wastewater mains and laterals located in wellfield zones 1 and 2 shall be PVC C900 SDR 18
37 minimum. The tested portion of the laterals shall end at the "upper" bend using a temporary
38 mechanical joint restrained cap.
- 39 **E. Manholes**
- 40 Manholes shall be precast and coated with an ~~inert impervious material~~ approved corrosion
41 barrier system. Exterior manhole joint seal application is required. Manhole inlets and outlets shall
42 be tightly sealed around the sewer pipe and coated to prevent leakage.
- 43

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 G

IMPROVEMENT VALUE
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.F.3.D.4.b, Use Regulations [Related to the Repair, Reconstruction,
3 Restoration, or Alteration of a Structure within Airport Zone] (page 22 of 119), is hereby
4 amended as follows:

5 CHAPTER F NONCONFORMITIES

6 Section 3 Nonconforming Structure

7 D. Uses and Structures within an Airport Zone

8 4. Repair, Reconstruction, Restoration, or Alteration of a Structure

9 b. Use Regulations

10 Any permits to substantially alter, repair, restore, reconstruct, or rebuild a structure
11 supporting a non-conforming use shall comply with Art. 16.C.1.E, General Land Use
12 Regulations Off-Airport Land Use Compatibility Schedule. In such cases, the entire
13 building or structure shall be brought into conformance with these requirements. For the
14 purposes of this Article, substantially alter shall mean: [Ord. 2010-005]

15 1) the structure is more than 80 percent torn down, destroyed, deteriorated, or decayed;
16 or [Ord. 2010-005]

17 2) the cost of repair, reconstruction or restoration exceeds 80 percent of the ~~assessed~~
18 ~~Improvement Value value~~ of the existing building or structure; or [Ord. 2010-005]

19 3) the non-structural alterations or repairs exceed 50 percent of the ~~assessed~~
20 ~~Improvement Value value~~ of the existing building or structure. [Ord. 2010-005]

21 If the structure does not meet these criteria, then only the new construction, alteration or
22 repair shall be subject to the requirements of Art. 16, Airport Regulations. [Ord. 2010-
23 005]

24

25
26
27 Part 2. ULDC Art. 1.I.2, Definitions (page 66, 90, 104 and 111 of 119), is hereby amended as
28 follows:

29 CHAPTER I DEFINITIONS & ACRONYMS

30 Section 2 Definitions

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

32 5. **Improvement** - for the purposes of Art. 9, any building, structure, fence, gate, wall, walkway,
33 parking facility, light fixture, bench, foundation, sign, work of art, earthworks, sidewalk, or
34 other man-made objects constituting a physical change or betterment of real property, or any
35 part thereof.

36

37 7. **Improvement Value** – For the purposes of Article 1 ~~and Article 5.E and Article 1.F,~~
38 ~~Improvement Value~~ means the most recent a value placed on a structure ~~and shall be~~
39 ~~determined~~ by the PBC Property Appraiser. ~~Also see Article 1.I.2.I, for definition of~~
40 ~~Improvement.~~ [Ord. 2010-005]

41

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

43 6. **Rebuild or Reconstruct** - replacement or rehabilitation of a structure due to damage or
44 proposed modification in excess of 30 percent of its' original ~~assessed~~ Improvement Value
45 value.

46

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

48 127. **Substantial Renovation** - for the purposes of Art. 5, any expansion, alteration, renovation,
49 addition, redevelopment, or similar improvement to an existing building that exceeds 75
50 percent of the ~~assessed~~ Improvement Value value of the building, as indicated in the latest
51 official PBC Property Appraiser's records.

52

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

54 4. **Value** -

55 ~~a. For the purposes of Art. 1, the most recent PBC Property Appraiser's assessed~~
56 ~~improvement value of the structure.~~

57 ~~b.~~ For the purposes of Art. 13, in the case of land, the appraised value as determined by an
58 appraiser from a list of approved appraisers of Palm Beach County. In the case of
59 improvements to real property or chattel, it means the actual cost to the feepayer or
60 developer of such improvements or chattel. In all cases, the values shall be established
61 in or as if in an arm's length, bona fide transaction in a competitive market between a
62 willing seller and a willing buyer, neither of whom are under any special circumstances,
63 as approved by the Impact Fee Coordinator based upon the standards in Art. 13, Impact

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 G

IMPROVEMENT VALUE
SUMMARY OF AMENDMENTS

Fees. If the Impact Fee Coordinator rejects an appraised value, the Impact Fee Coordinator may obtain another appraisal using an appraiser from the approved list, in which case that appraisal shall prevail.

....

Part 3. ULDC Art. 5.B.1.A.18.a.2)a), Exemptions [Related to Permanent Generators used in Type II and II CLF, Club Houses and Nursing or Convalescent Facilities](page 25 of 92), is hereby amended as follows:

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

18. Permanent Generators

a. Applicability

2) Type II and III CLF, Club Houses and Nursing or Convalescent Facility

A permanent emergency generator shall be required for all Type II and III CLFs, Nursing or Convalescent Facilities, and PDD or TDD clubhouses 20,000 square feet, or greater. [Ord. 2006-004] [Ord. 2007-013]

a) Exemptions

(1) Developments that have a BCC or DRO approved plan that graphically indicates a clubhouse(s) shall be exempt from the generator requirement except for projects that exceed 75 percent or more of the ~~assessed Improvement Value value~~ as stated below. [Ord. 2007-013]

(2) Renovations or additions that do not exceed 75 percent or more of the Improvement Value may be exempt from these requirements. [Ord. 2007-013] [Ord. 2011-016]

....

Part 4. ULDC Art. 5.H.2.A, Modifications of Previous Approvals (page 87 of 92), is hereby amended as follows:

CHAPTER H MASS TRANSIT STANDARDS

Section 2 Applicability and Standards

The standards of this Chapter shall apply to all residential and non-residential development or redevelopment in unincorporated PBC, as follows: [Ord. 2008-003]

A. Modifications to Previous Approvals

Modifications to previous approvals shall comply with this Chapter for un-built projects without an approved DRO plan, or to the greatest extent possible in the affected area without the loss of density, intensity or parking, for un-built projects with a DRO approved plan, built projects that have constructed less than eighty percent of approved density or intensity, structural renovations in excess of 75 percent or more of the current ~~assessed Improvement Value value~~ of the structure, and parking lot alternations or additions. [Ord. 2008-003]

....

Notes:

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

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

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

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

EXHIBIT H

CONGREGATE LIVING FACILITIES (CLF'S)

1
2 Part 1. ULDC Art. 4.B.1.A.34, Congregate Living Facility (page 44 of 171), is hereby amended
3 as follows:

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 Section 1 Uses

6 A. Definitions and Supplementary Standards for Specific Uses

7 34. Congregate Living Facility

8
9 b. Separation

10
11 1) ~~Location of~~ Type 1 CLF

12 A Type 1 CLF regulated by F.S. §419.001(1)(a), as amended, shall not be located
13 within 1,000 feet of another Type 1 CLF regulated by F.S. §419.001(1)(a). [Ord.
14 2013-...]

15 2) ~~Location of~~ Type 2 ~~and Type 3~~ CLF in RM District

16 a) ~~RM District~~

17 A Type 2 CLF located in the RM District shall be allowed as a permitted use,
18 provided that it is not located within a radius of 1,200 feet of another CLF. [Ord.
19 2008-003] [Ord. 2013-...]

20 b) ~~Frontage~~

21 ~~A Type 3 CLF shall front on and access from a collector or an arterial street. A~~
22 ~~Type 3 facility having 25 residents or less may front on a local street.~~ [Ord.
23 2005-002]

24 c) ~~Fire Rescue~~

25 ~~A Type 2 or 3 CLF shall be located within five miles of a full service fire-rescue~~
26 ~~station.~~

27 c. Type 3 CLF Frontage

28 *A Type 3 CLF shall front on and access from a collector or an arterial street. A Type 3*
29 *facility having 25 residents or less may front on a local street.* [Ord. 2005-002] [Ord.
30 2013-...]

31 d. Type 2 or 3 CLF – Distance From Fire Rescue Station

32 *A Type 2 or 3 CLF shall be located within five miles of a full service fire-rescue*
33 *station.* [Ord. 2013-...]

34

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 I

FUNERAL HOMES AND CREMATORIES
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 1.1.2, Definitions & Acronyms (pages 46, 51 and 61 of 119), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

21. **Cemetery** - land used or intended to be used for human or animal ~~burial interment~~. A cemetery may include an office, chapel, mausoleum, ~~or columbarium or crematory~~.
[Ord. 2013-...]

~~113.Crematory – a facility used for the incineration of human or animal remains, excluding activities related to funeral homes.~~ [Ord. 2013-...]
[Renumber accordingly.]

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

63. **Funeral Home** - an establishment which arranges and manages funeral~~s~~ and prepares ~~the~~ human ~~or animal remains deceased~~ for ~~burial interment, excluding cremation~~.
[Ord. 2013-...]

Part 2. ULDC Table 3.B.16.E., PRA Use Matrix (page 87 of 229), is hereby amended as follows:

Table 3.B.16.E - PRA Use Matrix (1)(2)(3)

Use Type	Transect Sub-Zones					Note
	UC 1	UC 2	UC 3	UI 1	UI 2	
Funeral Home or Crematory	<u>AD</u>	<u>AD</u>	<u>AD</u>	<u>AD</u>	<u>AD</u>	59.1
Crematory	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	59.2
[Ord. 2011-016] [Ord. 2013-...]						
Note:						
Key:						
P	Permitted by Right					
S	Permitted subject to Special Permit approval.					
D	Permitted subject to DRO approval.					
B	Permitted subject to Zoning Commission Approval.					
A	Permitted subject to Board of County Commission Approval.					

This space intentionally left blank

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 I

FUNERAL HOMES AND CREMATORIES
SUMMARY OF AMENDMENTS

1
2 Part 3. ULDC Table 3.E.1.B, PDD Use Matrix (page 141 of 229), is hereby amended as follows:
3

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

Use Type	PUD					MUPD					MXPD	PIPD			M	R	LCC		N O T E			
	Pods					FLU					FLU	Use Zone					FLU					
	R E S	C O M	R E C	C I V /	A G R /	C L	C H	C L	C H	C R	I N D	I N S T	C H	C H			I N D /	C O M /		I N D /	H P D	V P D
Commercial Uses																						
....																						
Funeral Home or Crematory		P				R	R					<u>D</u>	R	R								<u>59.1</u>
Crematory						<u>R</u>	<u>R</u>					<u>R</u>	<u>R</u>	<u>R</u>		<u>R</u>						<u>59.2</u>
....																						
[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] [Ord. 2013-...]																						
Notes:																						
P Permitted by right D Permitted subject to approval by the DRO S Permitted in the district only if approved by Special Permit R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a <u>Requested Use-requested use</u> .																						

4
5
6 Part 4. ULDC Table 4.A.3.A - Use Matrix (page 13 of 171), is hereby amended as follows:
7

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

Use Type	Zoning District/Overlay															N O T E					
	Agriculture/Conservation			Residential				Commercial					Industry/Public								
	P C	A G R	A P	<u>AR</u> R S A	<u>RU</u> U S A	R E	R T	R S	R M	C N	C L	C C O	C H O	C G R E	I L		I G	P O	I P F		
Commercial Use																					
....																					
Funeral Home or Crematory												A	A		D	<u>D</u>	<u>A</u>	A			<u>59.1</u>
Crematory												<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>			<u>59.2</u>
....																					
Public and Civic Uses																					
Cemetery				A	A	A	A	A	A				B	B				B	A		27
[Ord. 2005-002] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2011-016] [Ord. 2013-...]																					
Key:																					
P Permitted by right D Permitted subject to approval by the DRO S Permitted in the district only if approved by Special Permit B Permitted in the district only if approved by the Zoning Commission (ZC) A Permitted in the district only if approved by the Board of County Commissioners (BCC)																					

8
9
10 This space intentionally left blank

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 I

FUNERAL HOMES AND CREMATORIES
SUMMARY OF AMENDMENTS

1 Part 5. ULDC Art.4.B.1.A.59, Funeral Home (page 40 of 171), is hereby amended as follows:

2 CHAPTER B SUPPLEMENTARY USE STANDARDS

3 Section 1 Uses

4 A. Definitions and Supplementary Standards for Specific Uses

5 27. Cemetery

6 Land used or intended to be used for human or animal burial interment. A cemetery may
7 include an office, chapel, mausoleum, ~~or~~ columbarium ~~or crematory~~.

8 a. Frontage

9 In all residential districts, a cemetery shall have frontage on and access from an arterial
10 or a collector street.

11 b. Lot Size

12 In accordance with F.S. §497.027, a cemetery for human burial interment shall be located
13 on a site with a minimum contiguous area of 15 acres.

14 c. RM District

15 In the RM district, a cemetery may include ~~an accessory a funeral home or a crematory~~
16 subject to approval as a Class A Conditional Use conditional use, provided the use is
17 restricted to those being interred within that cemetery.

18 d. Pet Cemetery

19 A pet cemetery shall be permitted ~~only~~ in the CG and IPF districts as a Class A
20 Conditional Use conditional use and may include an accessory crematory.
21 [Ord. 2013-...]

22
23
24 Part 6. ULDC Art.4.B.1.A.59, Funeral Home (page 56 of 171), is hereby amended as follows:

25 CHAPTER B SUPPLEMENTARY USE STANDARDS

26 Section 1 Uses

27 59.1. Funeral Home

28 An establishment which arranges and manages funerals and prepares ~~the~~ human or animal
29 remains deceased for burial interment, excluding cremation.

30 ~~a. CG, IL and MUPD Districts~~

31 ~~A funeral home may include a crematorium located within the principal building.~~

32 ab. IL or IG District and MUPD with IND FLU

33 A funeral home shall be limited to ~~the~~ preparation for interment an embalming service.
34 No public observances, sermons or funerals shall be permitted.

35 ~~c. UC and UI Districts DRO Approval~~

36 ~~A funeral home without a crematory may be approved by the DRO.~~ [Ord. 2011-016]
37 [Ord. 2013-...]

38
39 59.2. Crematory

40 A facility used for the incineration of human or animal remains, excluding activities related to
41 funeral homes.

42 a. Equipment Location

43 Crematory equipment shall be located within a fully enclosed building.

44 b. Services Prohibited

45 Services such as public observances, sermons or other similar activities shall be
46 prohibited, unless collocated with an approved funeral home. [Ord. 2013-...]

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 J

OUTDOOR RECREATION STANDARDS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.I.2.R.9, Recreation Facility (page 90 of 119), is hereby amended as follows:

3 CHAPTER I DEFINITIONS & ACRONYMS

4 Section 2 Definitions

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

6
7 9. **Recreation Facility, Neighborhood** - a non-profit facility designed and intended for
8 recreational use by occupants of a residential development or subdivision owned and
9 operated by a Property Owners Association or equivalent. Typical uses include clubhouses,
10 golf courses, swimming pools and tennis courts and other recreational areas. [Ord. 2011-
11 001]

12
13
14
15 Part 2. ULDC Art. 2.D.3.C, Type IB Administrative Variances (page 43 of 88), is hereby
16 amended as follows:

17 CHAPTER D ADMINISTRATIVE PROCESS

18 Section 3 Type IA and Type IB Administrative Variances

19 C. Type IB Administrative Variances

20 1. Residential Lots of Three Units or Less

21
22 b. Relief from Article 5.B.1.A, Accessory Uses and Structures as follows: General; Fences,
23 Walls and Hedges; Docks; Entry Features; Fuel, Gas, or Chemical Storage Tanks;
24 Dumpsters; Neighborhood Recreation Facility; Outdoor Recreation Amenities ~~Swimming~~
25 ~~Pools and Spas~~; Screen Enclosures; and Permanent Generators. [Ord. 2008-003]

26
27 2. Non Residential Projects

28
29 c. Relief from Article 5.B.1.A., Accessory Uses and Structures as follows: General; Fences,
30 Walls and Hedges; Outdoor Storage; Outdoor Display; Entry Features; Fuel, Gas, or
31 Chemical Storage Tanks; Dumpsters; Neighborhood Recreation Facility; Outdoor
32 Recreation Amenities ~~Swimming Pools and Spas~~; Screen Enclosures; and Permanent
33 Generators. [Ord. 2008-003]

34
35
36
37 Part 3. ULDC Art. 3.E.2.E.3, Recreation Pod (page 162 of 229), is hereby amended as follows:

38 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

39 Section 2 Planned Unit Development (PUD)

40 E. Pods

41 3. Recreation Pod

42 Recreation areas shall be designated on the Master Plan as recreation pods and shall
43 comply with Art. 5.B.1.A.9, Neighborhood Recreation Facility, and Art. 5.D, Parks and
44 Recreation Standards, in addition to the requirements of this section. [Ord. 2011-001]

45
46
47
48 Part 4. ULDC Art. 5.B.1.A.9, Recreation Facility (pages 15 – 16 of 92), is hereby amended as
49 follows:

50 CHAPTER B ACCESSORY AND TEMPORARY USES

51 Section 1 Supplementary Regulations

52 A. Accessory Uses and Structures

53 9. Neighborhood Recreation Facility

54 A non-profit facility designed and intended for recreational use by occupants of a residential
55 development or subdivision owned and operated by a POA or equivalent. Recreation
56 facilities shall be subject to the following standards: [Ord. 2011-001]

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 J

OUTDOOR RECREATION STANDARDS
SUMMARY OF AMENDMENTS

a. Property Development Regulations (PDRs)

- 1) PDRs shall be in accordance with the standards for a recreation pod in Table 3.E.2.D, PUD Property Development Regulations. **[Ord. 2011-001]**
- 2) ~~PDRs for outdoor recreation amenities shall be in accordance with Art. 5.B.1.A.10, Outdoor Recreation Amenities. Outdoor recreational facilities, including but not limited to: basketball courts, tennis courts, playgrounds and tot lots shall be setback a minimum of 50 feet from any residential property line, unless stated otherwise herein. [Relocated to next Section, renamed Art. 5.B.1.A.10, Outdoor Recreation Amenities]~~
- 3) ~~Swimming pools and spas shall be setback in accordance with Table 5.B.1.A, Pool/Spa Setbacks.~~

....

Part 5 ULDC Art. 5.B.1.A.10, Swimming Pools, Spas, and Tennis Courts (pages 16-18 of 92), is hereby amended as follows:

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

10. ~~Outdoor Recreation Amenities Swimming Pools, Spas, and Tennis Courts~~

~~An open-air amenity designed and intended to support recreation activities including but not limited to: basketball courts, tennis courts, playgrounds and tot lots, excluding those uses regulated elsewhere such as Outdoor Entertainment.~~

a. Principal and Accessory Use

1) Principal Use

Any ~~outdoor recreation amenities swimming pool, spa or tennis courts~~ owned and operated as a commercial enterprise or in combination with other commercial recreation uses on the same property shall be considered a principal use subject to the PDRs of the applicable district. **[Ord. 2011-001]**

2) Accessory Use

Any ~~outdoor recreation amenities swimming pool, spa or tennis court~~ operated by a non-profit assembly, social, civic organization, Property Owners Association (POA), or resident of a dwelling unit shall be considered an accessory use. The accessory use shall be located on the same lot as the principal use except if operated by a residential POA. If operated by a POA, the accessory use shall be located within the boundaries of the development, or a ~~Neighborhood Recreation Facility recreational facility~~. **[Ord. 2011-001]**

b. ~~Setbacks – General~~

~~Outdoor recreation amenities shall be setback a minimum of 50 feet from any residential property line, unless stated otherwise herein. The following setbacks shall apply to outdoor recreation amenities, excluding swimming pools and spas, and shall be measured to the edge of the court surface or fence, whichever is more restrictive: [Ord. 2006-004] [Ord. 2011-001] [Relocated from Art. 5.B.1.A.9.2 and Art. 5.B.1.A.10.c, Standards for Tennis Courts]~~

Table 5.B.1.A – Setbacks – General

Zoning	Setbacks			
	Front	Side	Side Street	Rear
Residential Lot	25 feet	7.5 feet	15 feet	7.5 feet
Other (1)(2)	50 foot setback or separation to the nearest residential lot line			
Note:				
1. Tennis courts with a valid Development Order approved prior to the adoption of setbacks for tennis courts permitted on other than residential lots shall be considered legally-conforming. [Ord. 2011-001]				
2. Golf course greens, excluding driving ranges, shall be exempt from these setbacks.				

[Relocated from Table 5.B.1.A, Tennis Court Setbacks]

~~c.~~ Standards for ~~Swimming Pools and Spas~~

1) ~~Setbacks for Pools or Spas~~

a) ~~Setbacks~~

The following setbacks shall apply to pool and spas, and shall be measured to the water's edge:

This space intentionally left blank

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 J

OUTDOOR RECREATION STANDARDS
SUMMARY OF AMENDMENTS

1

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

Setbacks	Front	Side	Side Street	Rear
Single Family	28 feet	10.5 feet	18 feet	10.5 feet
ZLL	13 feet	ZLL: 3 feet Non-ZLL: 5 feet	13 feet	5 feet
Townhouse	Parking Tract: 13 feet Street: 28 feet	3 feet	18 feet	5 feet
Multi-Family	28 feet	18 feet	28 feet	15 feet
Neighborhood Recreation Facility less than 1 acre	25 foot setback or separation to the nearest residential lot line			
Neighborhood Recreation Facility 1 acre or more	50 foot setback or separation to the nearest residential lot line			

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

b) Exceptions

(2) Single Family and ZLL Homes Adjacent to Open Space

Swimming pools or spas may be constructed with a three-foot rear or side interior setback if adjacent to dedicated open space 50 feet in width or greater.

(3) Neighborhood Recreation Facility Facilities

Swimming pools or spas may be constructed with a ten-foot rear or side interior setback if adjacent to dedicated open space 50 feet in width or greater in accordance with Art. 3.D.1.D.4, a Open Space. [Ord. 2008-037]

c. Standards for Tennis Courts

1) Setbacks

~~The following setbacks shall apply to tennis courts, and shall be measured to the edge of the court surface or fence: [Ord. 2011-001]~~

~~Table 5.B.1.A - Tennis Court Setbacks~~

Setbacks	Front	Side	Side Street	Rear
Residential Lot	25 feet	7.5 feet	15 feet	7.5 feet
Other (1)	50 foot setback or separation to the nearest residential lot line			
Note:				
1. Tennis courts with a valid Development Order approved prior to the adoption of setbacks for tennis courts permitted on other than residential lots shall be considered legally conforming. [Ord. 2011-001]				

19

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 K

CONVENIENCE STORE WITH GAS SALES
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Table 3.E.1.B – PDD Use Matrix (page 142 of 229), is hereby amended as follows:
3

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 G / P	C L	C H	C L	C H	C R	I N D	I N S T	C H	C H	O	I N D /	C O M /		I N D /	M H P D	R V P D	C L	C H
Commercial Uses																							
....																							
Convenience Store With Gas Sales						R	R					R		R		P						R	37
....																							
[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] [Ord. 2012-027]																							
Notes:																							
P Permitted by right																							
D Permitted subject to approval by the DRO																							
S Permitted in the district only if approved by Special Permit																							
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																							

4
5
6 Part 2. ULDC Art. 4.B.1.A.c.3), U/S Tier [Related to Location Criteria] (pages 46-47 of 171), is
7 hereby amended as follows:

8 CHAPTER B SUPPLEMENTARY USE STANDARDS

9 Section 1 Uses

10 A. Definitions and Supplementary Standards for Specific Uses

11 37. Convenience Store with Gas Sales

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

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

14

15 3) **Major Intersection Criteria for CL FLU U/S Tier**

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

18

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 L

MINIATURE OR POT BELLIED PIGS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.1.2, [Related to Definitions] (pages 69 and 86 of 119), are hereby amended
3 as follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

6
7 K. Terms defined herein or referenced Article shall have the following meanings:

8
9 3. **Kenel, Type I (Private)** - any building or land used, designed or arranged to facilitate the
10 non-commercial care of domestic animals, such as dogs and cats (excluding horses or
11 livestock), owned by the occupants of the premises. [Ord. 2006-036]

12
13 P. Terms defined herein or referenced in this Article shall have the following meanings:

14
15 68. Pot Bellied Pig – for the purposes of Art. 5.B.1.A, Accessory Uses and Structures, means a
16 domesticated miniature or pot-bellied or pot belly pig kept as a household pet for the sole
17 purpose of providing human companionship and not kept or raised for human consumption or
18 other similar use attributed to the raising of livestock.

19 **Renumber Accordingly.**

20
21
22 Part 2. ULDC Art. 4.B.1.A.73, Type I (Private) Kennel (page 63-64 of 171), is hereby amended
23 as follows:

24 CHAPTER B SUPPLEMENTARY USE STANDARDS

25 Section 1 Uses

26 A. Definitions and Supplementary Standards for Specific Uses

27 73. **Kenel, Type I (Private)**

28 Any building or land used, designed or arranged to facilitate the non-commercial care of
29 domestic animals, such as dogs and cats (excluding horses or livestock), owned by the
30 occupants of the premises. [Ord. 2006-036] [Ord. 2008-036]

31 a. **Limitations of Use**

32 A private kennel shall be limited to domestic animals owned by the occupants of the
33 premises only, or a private non profit animal organization ~~licensed by PBC-ACC~~ that is
34 not open to the public and located on less than 2.5 acres. The care, breeding, boarding,
35 raising, sale or grooming of dogs, cats, or any other domestic animal, bird, reptile or
36 mammal is prohibited, except as permitted ~~by PBCACC~~ under provisions for Hobby
37 Breeder contained herein. The raising of domestic animals for sale is prohibited. The
38 sale of domestic animals on site is prohibited. Property size and restrictions on the
39 number of animals permitted shall be regulated by the PBCACC. [Ord. 2006-036] [Ord.
40 2008-037]

41
42 c. **Pot Bellied Pigs**

43 The keeping of pot bellied pigs in a Type I Kennel shall be prohibited.

44
45
46 Part 3. ULDC Art. 5.B.1.A, Accessory Uses and Structures (page 27 of 92), is hereby amended
47 as follows:

48 CHAPTER B ACCESSORY AND TEMPORARY USES

49 Section 1 Supplementary Regulations

50 A. Accessory Uses and Structures

51 21. **Pot Bellied Pigs**

52 Pot bellied pigs may be kept as pets in a Single Family or Zero Lot Line Home, subject to the
53 following:

54 a. **Maximum Number**

55 No more than two pot bellied pigs per household are allowed.

56 b. **Residence**

57 Pot bellied pigs shall reside within the residence (Single Family or ZLL Home) of its
58 owner.

59 c) **Limitations**

60 The commercial care, boarding or grooming, and the breeding of domesticated miniature
61 or pot-bellied pigs is prohibited.

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 1.I.2, Definitions [Related to Recycling] (page 90 of 119), is hereby amended as follows:

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

-
- 13. **Recycling Center** - for the purposes Art. 4, a permanent facility designed and used for collecting, purchasing, storing, dropping-off and redistributing of pre-sorted, recyclable materials that are not intended for disposal. A recycling center shall be used for limited processing of recyclable materials, such as can and glass crushing and sorting.
- 14. **Recycling Drop-Off Bin** - for the purposes of Art. 4, a totally enclosed mobile structure or container, containing no more than four cubic yards, within which the following pre-sorted, non-biodegradable recyclable recovered materials are collected: glass, aluminum, steel and plastic containers no greater than six gallons in capacity, and paper for redistribution or sale for the purpose of reuse.
- 15. **Recycling Plant** - for the purposes of Art. 4, a permanent facility designed and used for receiving, separating, storing, converting, baling or processing of non-hazardous recyclable materials that are not intended for disposal. The use may include construction debris recycling or other intensive recycling processes such as chipping and mulching.
- ~~16. **Recycling Collection Station** - for the purposes of Art. 4, a totally enclosed structure or mobile container, containing more than four cubic yards, within which pre-sorted, recyclable and recovered materials are collected for redistribution or sale for the purpose of reuse.~~
-

Part 2. ULDC Table 3.B.2.B, Airport Use Regulations (page 22 of 229), is hereby amended as follows:

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

Use Type	Airport Related Uses	Non-Airport Related Uses	Corresponding Zoning District PDRs (1)	Note (2)	Use Applicable to Specific Airport
Utilities & Excavation					
....					
Recycling Center	<u>DS</u>	<u>DS</u>	CG or IG	103	All
Recycling Drop_Off Bin	<u>DS</u>	<u>DS</u>	CG or IG	104	All
Recycling Plant	P	D	IG	105	All
Recycling Collection Station	S	S	CG or IG	106	All
....					
[Ord. 2006-036] [Ord. 2008-003] [Ord. 2010-022] [Ord. 2012-007]					

Part 3. ULDC Art. 3.B.11.C, Use Regulations (page 33-34 of 229), is hereby amended as follows:

CHAPTER B OVERLAYS

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

C. Use Regulations

The following uses shall be permitted in the SCGCFO, subject to Article 4.A, USE CLASSIFICATION: [Ord. 2004-040]

-
- DRO Uses:**
-
- Recycling Drop-Off Bin*
-
- Special Permit:**
-
- ~~*Recycling drop-off bin*~~
-

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

1 Part 4. ULDC Table 3.B.15.F, IRO Permitted Use Schedule (page 75 of 229), is hereby amended
2 as follows:
3

Table 3.B.15.F - IRO Permitted Use Schedule (continued)

Use Type	Land Use				NOTE	Use Type	Land Use				NOTE
	C L	C H	C L O	C H O			C L	C H	C L O	C H O	
Public and Civic Uses					Utilities and Excavation						
....										
						Recycling Collection Station	D	D			104
						Recycling Drop-Off Bin	D	D			105
										
[Ord. 2010-005] [Ord. 2012-007]											
Key:											
P Permitted by right.											
D Permitted subject to DRO approval.											
L Permitted by right, subject to accessory use limitations.											
S Permitted subject to Special Permit approval.											
A Permitted subject to Board of County Commission Approval.											

4
5
6 Part 5. ULDC Table 3.B.16.E, PRA Use Matrix (pages 87-89 of 229), is hereby amended as
7 follows:
8

Table 3.B.16.E - PRA Use Matrix (1)(2)(3)

Use Type	Transect Sub-Zones					Note
	UC 1	UC 2	UC 3	UI 1	UI 2	
Utilities and Excavation						
....						
Recycling Drop-Off Bin	DS	DS	DS	DS	DS	104
Recycling Collection Station	S	S	S	S	S	106
....						
[Ord. 2011-016]						
Note:						
....						
Key:						
P Permitted by Right						
S Permitted subject to Special Permit approval.						
D Permitted subject to DRO approval.						
B Permitted subject to Zoning Commission Approval.						
A Permitted subject to Board of County Commission Approval.						

9
10
11 Part 6. ULDC Art. 3.D.3.A.3, District Specific Regulations (pages 136-138 of 229), is hereby
12 amended as follows:

13 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

14 Section 3 District Specific Regulations

15 A. District Specific Regulations

16 3. CN District

17 a. Enclosed Uses

18 All uses shall be operated entirely within enclosed buildings, with the following
19 exceptions: [Ord. 2005 – 002]

- 20
21 ~~5) Recycling center~~ Ord. 2005 - 002]
22 ~~56) Recycling drop-off bins;~~ [Ord. 2005 -002]
23 [Renumbr accordingly.]

24 4. CLO District

25 a. Enclosed Uses

26 All uses shall be operated entirely within enclosed buildings, with the following
27 exceptions:

- 28
29 6) Recycling drop-off bin station;
30 7) Solid waste transfer station;
31
32

33 Part 7. ULDC Table 3.E.1.B, PDD Use Matrix (page 146 of 229), is hereby amended as follows:

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

1

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

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 G R /	C L	C H	C L	C H	C O	C O	I R	I N	I N	C H	C H	I N	C O		I N	M H	R V	C L	C H
Utilities and Excavation Uses																								
....																								
Recycling Center																								
Recycling Drop-off <u>Drop-Off</u> Bin																								
Recycling Plant																								
Recycling Collection Station																								
....																								
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005]																								
Notes:																								
P Permitted by right D Permitted subject to approval by the DRO S Permitted in the district only if approved by Special Permit R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																								

2
3
4
5
6

Part 8. ULDC Table 3.F.1.F, Traditional Development Permitted Use Schedule (pages 193-194 of 229), is hereby amended as follows:

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

District Tier Land Use Zone	TND						TMD				NOTE
	Urban/Suburban (U/S)			Exurban/Rural			U/S	Ex/Rural	AGR		
	Res	Neighborhood Center (NC)	Open Space/Rec	Res	N/C	Open Space/Rec			Dev	Preserve	
Utilities and Excavation											
....											
Recycling collection station											
Recycling Drop-Off Bin <u>drop-off bin</u>											
....											
[Ord. 2005-002] [Ord. 2005-041] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037][Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027]											
Notes:											
P Permitted by right. D Permitted subject to approval by the DRO. S Permitted in the district only if approved by Special Permit. R Requested Use.											

7
8
9
10
11
12

This space left blank intentionally.

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

1 Part 9. ULDC Table 4.A.3.A, Use Matrix (page 17 of 171), is hereby amended as follows:
2

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

Use Type	Zoning District/Overlay																N O T E		
	Agriculture/ Conservation			Residential				Commercial					Industry/Public						
	P C	A G R	A P	AR R S A	AR U S A	R E	R T	R S	R M	C N	C L O	C C	C H O	C G R E	I L	I G		P O	I P F
Utilities & Excavation																			
....																			
Recycling Center										A		AB		AD		P	P	P	103
Recycling Collection Station										D	D	D	D	D		D	D	D	106
Recycling Drop-Off Bin			D							D	D	D	D	D	D	D	D	D	104
Recycling Plant																B	D	P	105
....																			
[Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005]																			
Key:																			
P Permitted by right																			
D Permitted subject to approval by the DRO																			
S Permitted in the district only if approved by Special Permit																			
B Permitted in the district only if approved by the Zoning Commission (ZC)																			
A Permitted in the district only if approved by the Board of County Commissioners (BCC)																			

3
4
5 Part 10. ULDC Art. 4.B.1.A.103, Recycling Center (page 79-80 of 171), is hereby amended as
6 follows:

7 CHAPTER B SUPPLEMENTARY USE STANDARDS

8 Section 1 Uses

9 A. Definitions and Supplementary Standards for Specific Uses

10 103. Recycling Center

11 A permanent facility designed and used for collecting, purchasing, storing, dropping-off and
12 redistributing of pre-sorted, recyclable materials that are not intended for disposal. A
13 recycling center shall be used for limited processing of recyclable materials, such as can and
14 glass crushing and sorting.

15 a. Access

16 Access from a Local Residential Street shall be prohibited. Access from a Local
17 Commercial Street that also serves residential uses shall be prohibited.

18 b.a. Screening

19 All outdoor recycling collection, processing, loading, storage or other similar activities
20 shall be screened from view from streets or adjacent lots. In no case shall recyclable or
21 recovered materials or non-recyclable residue stored in outdoor areas exceed 15 feet in
22 height.

23 ~~Storage areas shall not be visible from residential uses or residential districts. Mobile~~
24 ~~containers shall not be visible from public streets.~~

25 c. DRO Approval Exception

26 A recycling center located in an MUPD with a CH FLU designation, the Commercial Pod
27 of a PIPD or the CG Zoning district, where the use is permitted by Table 3.E.3.B, PDD
28 Use Matrix or Table 4.A.3.A, Use Matrix, may be approved by the DRO, provided that the
29 recycling center complies with one of the following:

- 30 1) Located completely within enclosed buildings; or,
31 2) Does not abut an adjacent parcel or land with the following uses or FLU
32 designations: residential, civic, institutional, recreation or conservation. An exception
33 shall be permitted when the recycling center, including all outdoor recycling
34 collection, processing, storage or other similar activities, is located a minimum of 500
35 feet from the applicable parcel or land. Measurement shall be made by drawing a
36 straight line from the designated recycling center use area to the perimeter of the
37 applicable parcel or land.

38 b.—Size

39 A maximum of 500 square feet of GFA. [Relocated to Article 4.B.1.A.104.j, Size]

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

- 1 ~~c. **Manning**~~
2 ~~A recycling collection station containing 40 cubic yards or more shall be monitored by a~~
3 ~~person. [Relocated to Article 4.B.1.A.104.k, Manning]~~
- 4 ~~d. **Location**~~
5 ~~A recycling collection station shall be located in or adjacent to an off-street parking area~~
6 ~~and shall not be located within required parking space.~~
- 7 ~~e. **Containers**~~
8 ~~Recyclable materials shall be contained within a leak-proof bin or trailer. There shall be~~
9 ~~no outdoor storage of materials or refuse.~~
- 10 ~~f. **Processing**~~
11 ~~Only limited sorting, separation or other processing of deposited materials shall be~~
12 ~~allowed on the site. The unit shall employ no mechanical sorting or processing~~
13 ~~equipment.~~
- 14 ~~g. **Type of Materials**~~
15 ~~There shall be no collection or storage of hazardous or non-biodegradable wastes on the~~
16 ~~site or mulching or receiving of construction debris.~~
- 17 ~~h. **Signage**~~
18 ~~The name and phone number of a responsible party shall be clearly posted on the~~
19 ~~collection station. The name of the organization that is collecting the recyclable materials,~~
20 ~~if different than the responsible party, shall also be posted on the collection station.~~
- 21 ~~i. **Maintenance**~~
22 ~~The container and adjacent area shall be maintained in good appearance and free from~~
23 ~~litter, debris, and residue on a daily basis. Failure to maintain a good appearance shall~~
24 ~~result in the revocation of the Special Permit.~~
- 25 ~~j. **Number**~~
26 ~~Only one mobile container per development, including outparcels, shall be permitted.~~
- 27 ~~k. **Hours of Operation**~~
28 ~~Collection activities shall be limited to 7:00 a.m. to 8:00 p.m. daily.~~

31 Part 11. ULDC Art. 4.B.1.A.104, Recycling Drop-Off Bin (page 80 of 171), is hereby amended as
32 follows:

33 CHAPTER B SUPPLEMENTARY USE STANDARDS

34 Section 1 Uses

35 A. Definitions and Supplementary Standards for Specific Uses

36 104. Recycling Drop-Off Bin

37 A totally enclosed mobile structure ~~or container, containing no more than four cubic yards,~~
38 within which the following pre-sorted, ~~non-biodegradable~~ recyclable recovered materials are
39 collected: glass, aluminum, steel and plastic containers no greater than six gallons in
40 capacity, and paper for redistribution or sale for the purpose of reuse, subject to DRO
41 approval. If there is no DRO certified site plan on file with the Zoning Division, a Special
42 Permit shall be required. [Ord. 2007-001]

- 43 a. **Mobility**
44 The mobility of a drop-off bin shall be maintained at all times.
- 45 b. **Location**
46 The drop-off bin shall be located in or adjacent to an off-street parking area, and shall not
47 be located within required parking spaces. In TMD and LCC districts, and for IRO
48 projects, the recycling drop-off bins shall be designed to be consistent with the building's
49 design and shall not be located on a Main Street. [Ord. 2010-005]
- 50 c. **Maintenance**
51 The bin and adjacent area shall be maintained in good appearance and free from litter,
52 debris, and residue on a daily basis. Failure to maintain a good appearance shall result
53 in the revocation of the special use permit, where applicable.
- 54 d. **Processing**
55 ~~No~~ Only limited sorting, separation, or processing of deposited materials shall be allowed
56 on the site. Limited sorting or separation shall only be permitted when a bin is manned
57 by a person during permitted collection hours. The unit shall employ no mechanical
58 sorting or processing equipment.
- 59 e. **Type of Prohibited Materials**
60 Collection ~~and storage~~ of ~~deposited~~ materials shall be expressly limited to pre-sorted,
61 recyclable materials identified in this supplementary standard ~~glass, plastic, aluminum~~
62 ~~and steel containers, paper, newsprint and cardboard.~~ Collection of any other materials,
63 including but not limited to rubber, textiles, hazardous wastes or construction debris is
64 prohibited.

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

- f. **Signage**
Signage shall be required for all bins, as follows:
 - 1) **Location**
One sign shall be located on the front or side where materials are collected. No more than two signs shall be permitted.
 - 2) **Minimum/Maximum Size**
A minimum of eight and a maximum of 16 square feet.
 - 3) **Content**
*All required sign content shall be in lettering a minimum of six inches in height. The name and phone number of a responsible party shall be clearly posted ~~on the drop-off bin.~~ The name of the organization that is collecting the recyclable materials, ~~if different than the owner,~~ shall also be posted and include whether for profit, not-for profit or government entity ~~on the drop-off bin.~~ No additional content other than logos, clarification of materials to be collected for recycling, or direction signage identifying the bin shall be permitted. **[Relocated from 4.B.1.A.104.f]***
- g. **Number**
~~Only one bin per material type per~~ *The number of recycling bins shall be based upon the overall acreage of a development, including outparcels, shall be permitted. provided all development regulations are met on site. A minimum of one recycling bin shall be permitted for each development up to a maximum of one recycling bin per acre, rounded down to the nearest whole acre. No more than 3 bins shall be clustered or located within any one acre area unless collocated with loading, dumpster or other similar areas.*
- h. **Outdoor Storage Prohibited Recycling Bin**
 Recycling materials shall be contained within a leak-proof bin or trailer. There shall be no outdoor storage of materials or refuse.
- i. **AR/RSA**
 May be permitted in the AR/RSA District with a SA FLU, subject to DRO approval. **[Ord. 2005 – 002] [Ord. 2007-001]**
- j. **Size**
*A maximum of 500 square feet of GFA.***[Relocated from Art. 4.B.1.A.103.b]**
- k. **Manning**
A recycling bin containing 40 cubic yards or more shall be monitored by a person. Manned collection activities shall be limited to 7:00 a.m. to 8:00 p.m. daily. [Relocated from Art. 4.B.1.A.103.c]
- l. **Approval Process**
If there is no DRO certified site plan on file with the Zoning Division, a Special Permit shall be required. [Relocated from Art. 4.B.1.A.104, Recycling Drop-Off Bin]

Part 12. ULDC Art. 4.B.1.A.105.a.2), Setbacks [Related to Recycling Plant] (page 80-82 of 171), is hereby amended as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

105. Recycling Plant

a. Compatibility, Screening, Buffering

2) Setbacks

Except for a freestanding office, no part of a recycling plant and its accessory ramps, on site circulation system, or storage areas shall be located within 50 feet of any property line.

....

c) ~~CC, CG,~~ IG, and IL Districts

No additional setback beyond district setbacks shall apply to recycling plants that operate completely in enclosed buildings and are located in the ~~CC, CG,~~ IG, and IL districts.

....

This space left blank intentionally.

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 M

RECYCLING USES
SUMMARY OF AMENDMENTS

1
2 Part 13. ULDC Art. 4.B.1.A.106, Recycling Collection Station (page 82 of 171), 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

7 106. ~~Reserved for Future Use Type Recycling Collection Station~~

8 ~~A totally enclosed structure or mobile container, containing more than four cubic yards, within~~
9 ~~which pre-sorted, recyclable and recovered materials are collected for redistribution or sale~~
10 ~~for the purpose of reuse, subject to Administrative Amendment approval. If no DRO site plan~~
11 ~~then Special Permit required. [Ord. 2007-001]~~

12 a. ~~TMD and LCC Districts~~

13 ~~Shall not be located on a Main Street.~~

14

15

16

17 Part 14. ULDC Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements (page 10
18 of 39), is hereby amended as follows:

19

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

Use Type: Utilities and Excavation	Parking (1)	Loading (2)
....		
Recycling center	1 space per 200 sq. ft. of office space; plus one space per 250 sq. ft. of warehouse and maintenance area; plus 1 space per 10,000 sq. ft.	N/A
Recycling drop-off bin	1 space per bin	N/A
Recycling plant	1 space per 200 sq. ft. of office space; plus 1 space per employee	N/A
Recycling collection station	2 spaces per station	N/A
....		
[Ord. 2005-002] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016]		
Loading Key:		
Standard "A" One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.		
Standard "B" One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.		
Standard "C" One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.		
Standard "D" One space for each 50 beds for all facilities containing 20 or more beds.		
Standard "E" One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.		

20

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.