



May 18, 2016

**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
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**Palm Beach County
Board of County
Commissioners**

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Shelley Vana
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Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

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Mr. Wesley Blackman, AICP, Chairman, and
Members of the Land Development Regulation Advisory Board (LDRAB) and
Land Development Regulation Commission
241 Columbia Drive
Lake Worth, FL 33460

RE: May 25, 2016 LDRAB/LDRC Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in
preparing for the LDRAB/LDRC hearing on Wednesday, May 25, 2016.

The meeting will commence at **2:00 p.m.** in the Vista Center 1st Floor Kenneth S.
Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm
Beach, Florida.

If you should have any questions or require additional information, please contact
me at (561) 233-5206 or via email at WCross@pbcgov.org, or Monica Cantor,
Senior Site Planner at (561) 233-5205, or via email at MCantor@pbcgov.org.

Sincerely,

William Cross, ATCP
Principal Site Planner, Zoning Division

Attachments: May 25, 2016 LDRAB Agenda

c: Faye Outlaw, Assistant County Administrator
Rebecca D. Caldwell, Executive Director, PZB
Lorenzo Aghemo, Planning Director
Robert P. Banks, Chief Land Use County Attorney
Leonard W. Berger, Chief Assistant County Attorney
Jon MacGillis, ASLA, Zoning Director
Maryann Kwok, Deputy Zoning Director
Monica Cantor, Senior Site Planner, Zoning

U:\Zoning\CODEREV\2016\LDRAB\Meetings\5-25-16\4 - Final Packet\1 - Transmittal Letter.docx

PALM BEACH COUNTY

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

MAY 25, 2016

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Michael J. Peragine (District 1)

Barbara Katz (District 3)

James Knight (District 4)

Lori Vinikoor (District 5)

Stuart R. Fischer (District 6)

Henry D. Studstill, (District 7)

Daniel J. Walesky (Gold Coast Builders Assoc.)

Joni Brinkman (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

Jerome I. Baumoehl (American Institute of Architects)

Tommy B. Strowd (Environmental Organization)

Frank Gulisano (Realtor's Assoc. of the Palm Beaches)

Derek Zeman (Fl. Surveying and Mapping Society)

Vacant (Association Gen. Cont. of America)

James M. Brake (Member at Large/Alternate)

Leo Plevy (Member at Large/Alternate)

Board of County Commissioners

Mary Lou Berger
Mayor, District 5

Hal R. Valeche
Vice Mayor, District 1

Paulette Burdick
Commissioner, District 2

Shelley Vana
Commissioner, District 3

Steven L. Abrams,
Commissioner, District 4

Melissa McKinlay
Commissioner, District 6

Priscilla A. Taylor
Commissioner, District 7

Verdenia C. Baker
County Administrator



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2300 North Jog Road, West Palm Beach, Florida 33411 (561) 233-5200



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

**WEDNESDAY, MAY 25, 2016 AGENDA
2300 NORTH JOG ROAD
KEN ROGERS HEARING ROOM - 1ST FLOOR (VC-1W-47)
2:00 P.M.**

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of April 27, 2016 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B - Art. 1.F.2.C, Residential Development Regulations [AR District]
2. Exhibit C - Art. 2.B.2.H.2, EAC [Expedited Application Consideration]
3. Exhibit D - Art. 6.B.1.H.7, Loading Space Reduction
4. Exhibit E - Zoning District Consistency with Future Land Use Atlas
5. Exhibit F - Art. 7, Landscaping [Alternative Landscape Plan Update]
6. Exhibit G - Design Standards (DS) Alternative

C. Exhibit CONVENE AS LDRC

1. Proof of Publication
2. Consistency Determination
 - a. See Exhibits B.1 through B.6 listed above
 - b. Exhibit H - Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]
 - c. Exhibit I - Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas
 - d. Exhibit J - Overlay Updates
 - e. Exhibit K - Parks and Recreation
 - f. Exhibit L - Art. 6, Parking [Non-Residential Use Parking Dimensions]
 - g. Exhibit M - Height Measurement for Fences, Walls and Hedges
 - h. Exhibit N - Article 14, Environmental Standards
 - i. Exhibit O - Article 15, Health Regulations

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. USE REGULATIONS PROJECT (URP) RECOMMENDATION

1. Exhibit P – Commercial Communication Towers

F. PUBLIC COMMENTS

G. STAFF COMMENTS

H. ADJOURN

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

(Updated 5/17/16)

Minutes of April 27, 2016 LDRAB Meeting

On Wednesday, April 27, 2016 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), also sitting as the Land Development Regulation Commission (LDRC), met in the Ken Rogers Hearing Room (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

Chair Wes Blackman called the meeting to order at 2:00 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 14

Wesley Blackman (PBC Planning Congress)
Michael Peragine (District 1)****
David Carpenter (District 2)
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Henry Studstill (District 7)*
Terrence Bailey (Florida Eng. Society)**
Daniel J. Walesky (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)***
Frank Gulisano (PBC Board of Realtors)
Tommy Strowd (Environmental Organization)
Derek Zeman (FL Surveying & Mppng. Soc.)
Leo Plevy (Member at Large, Alt.)

Members Absent: 3

Stuart R. Fischer (District 6)
Jerome Baumoehl (AIA)
James Brake (Member at Large, Alt.)

County Staff Present

Leonard Berger, Chief Assistant County Attorney
Jon MacGillis, Zoning Director
Maryann Kwok, Deputy Zoning Director, Zoning
Bryan Davis, Principal Planner, Planning
Erin Fitzhugh Sita, Senior Planner, Planning
Eric McClellan, Director, Facilities Development & Operations Strategic Planning, FDO
William Cross, AICP, Principal Site Planner, Zoning
Jean Matthews, Senior Planner, Parks & Recreation
Scott Rodriguez, Site Planner II, Zoning
Zona Case, Zoning Technician, Zoning

Vacancy: 1

(Assoc. General Contractors of America)

2. Additions, Substitutions, and Deletions

Mr. Blackman noted the distribution of the amendments to the agenda handout and requested that it be included in the motion to adopt the agenda.

3. Motion to Adopt Agenda

Motion to adopt the agenda, as amended, by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (10 -0).

4. Adoption of March 23, 2016 Minutes (Exhibit A)

Motion to adopt by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (10 - 0)*
/**/**/****.

*Mr. Studstill arrived at 2:03 p.m.

B. ULDC AMENDMENTS

1. Exhibit B – Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]

Mr. Cross explained that Florida Statutes pre-empt local updates to property development regulations for previously approved Mobile Home Parks. Mobile homes of any size are permitted on mobile home lots subject to compliance with the lot size, separation, setbacks, and other requirements in effect at the time of the last development order approval.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0)**
/**/**/****.

2. Exhibit C – Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas

Mr. Cross explained:

- The amendments are in keeping with recently adopted Comprehensive Plan Future Land Use Element (FLUE) Policies which added part of the ULDC standards for Zoning district consistency with the Plan.
- The Plan amendments also made the LR-1, LR-2 and LR-3 FLU designation consistent with the RS, RE and RT zoning districts (Table 3.A.3.B). The addition of the RT district to the low density FLU is meant to encourage additional infill redevelopment opportunities.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 5/17/16)

Minutes of April 27, 2016 LDRAB Meeting

Motion to adopt by Mr. Carpenter, seconded by Mr. Knight. Motion passed (11 - 0)**
/***/***. .

3. Exhibit D – Table 6.A.1.D, Minimum Parking Dimensions

Mr. Cross explained the rationale behind deleting Retail from Table 6.A.1.D- Minimum Parking Dimensions. He clarified that the term “General” now applies to parking spaces designated for non-residential and residential uses with shared parking lots. The dimensions of the parking spaces under “General” are smaller than were allocated for Retail, but still sufficient in comparison to more urban jurisdictions. The term “Handicapped” was revised to “Accessible” in keeping with Florida Statutes.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0)**
/***/***. .

4. Exhibit E – Overlay Updates

Mr. Cross informed the Board that the Bioscience Research Protection Overlay (BRPO), and the Lion Country Safari Overlay (LCSO), although referenced in the Code, were not included in the Overlay section of the ULDC. The amendment streamlines and creates a roadmap for the user.

- Parts 1 and 2 of the Exhibit establish Acronyms and amendments related to both Overlays to recognize previously implemented FLUE objectives and to update the list of Overlays to include them.
- Part 3 further supports the objective of a previous ULDC amendment related to Industrial Research Laboratory and streamlines the process to encourage bioscience development.
- Part 4 relocates the provisions implementing the Objective for the LCSO to the end of the Rural Residential Planned Unit Development (RR PUD) Section of the ULDC. This relocation responds to feedback from interested parties that the original placement within the RR PUD creates confusion.

Motion to adopt by Mr. Carpenter, seconded by Ms. Katz. Motion passed (11 - 0)**
/***/***. .

**Mr. Bailey arrived at 2:10 p.m.

5. Exhibit F – Western Communities Residential Development Overlay (WCRDO)

Mr. MacGillis reminded the Board that this Privately Initiated Amendment (PIA) submitted by GL Homes, was previously presented to the Planning Commission, and with their recommendation was moved forward to the BCC. The BCC instructed Zoning to process the amendments to the ULDC, concurrent with amendments to the Comprehensive Plan.

Mr. Bryan Davis of the Planning Division, with the aid of a Power Point presentation, provided a framework of the geographic location of the Western Communities Residential Overlay and the concurrent application for the Indian Trail Groves (ITG) PUD, and also the nature of the development. He briefly explained the following points:

- Development area: approximately 5,000 acres, located in the Rural Tier, west of the Acreage, south of the Corbett Wildlife Management, east of the Everglades Agricultural Area, and adjacent to Minto West.
- Conceptual idea: Sector Plan attenuated to preserve the rural character and open space, allowing for sustainable development, the creation of a healthy environment, ecologically more compact, but sensitive to surroundings.
- Development: PUD. Agricultural uses will remain, limited urban service area minimizing the impact of services; providing a delicate balance between urban and rural, to prevent urban sprawl.
- Density: approximately 0.8 units per acre, totaling 3,900 residential units offering a range of housing choices, 350,000 sq. ft commercial space; 60% open space, and a development area of approximately 40%, with minimum vertical development. There will be equestrian and bicycle trails and a trolley service to Minto West to ease traffic congestion.
- Study of the parcels to see what can be done about water resources and also to help alleviate flooding, one of the main issues in the area.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 5/17/16)

Minutes of April 27, 2016 LDRAB Meeting

- A new land use, WCR, is to be created.

***Ms. Joni Brinkman arrived at 2:18 p.m

Mr. Davis explained that the Plan amendments have been transmitted, are on the way to the State for agency review and should come back to the BCC in September or October.

****Mr. Michael Peragine arrived at 2:30 p.m

Mr. Cross explained that the ULDC is being amended to establish the new Western Communities Residential Overlay (WCRO) Future Land Use for consistency with the Plan. Provisions for the Overlay will be located within the PUD regulations of the ULDC to be referenced as WCR PUD. Appropriate additions are being made to the list of Overlays, amendments to the FLU table, and added text to clarify the regulatory framework and applicable standards for the new Zoning district.

Ms. Brinkman abstained and submitted Form 8B, Memorandum of Voting Conflict.

Motion to approve staff's recommendation by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (13-0).

The Chair noted that a member of the public, Mr. Richard Carlson, made a request to speak on Exhibit C which was discussed earlier.

Mr. Carlson addressed the Board on behalf of Pioneer Road Properties Assn., located west of Jog Road and east of the Turnpike, which he described as an Agricultural Residential area, very rural in nature. Referring to Table 3.A.3.B in Exhibit C, he expressed concern that Residential Single Family (RS) Zoning District is being expanded into the LR-1 land use category. He is of the opinion that this is to make provision for infill in that category. Mr. Carlson also expressed the view that some infill provisions are unsuitable for small lots and extending RS in a LR-1 category will change the character of the area. He requested that the Board entertain a motion to reconsider the motion that was approved and suggested that this be reviewed with a sub-committee.

Mr. Davis explained that the change was made to comply with the Comprehensive Plan amendment already in effect, and although 6000 sq ft is the minimum for the RS district, development does not have to be at the minimum. The idea is to provide more flexibility in how lots can subdivide and what the appropriate Zoning District could be.

Mr. Carpenter agreed with Mr. Carlson's view and opined that sometimes flexibility can be abused.

Mr. Walesky favored the change offered and Mr. Bailey expressed the view that the flexibility could have positive results such as more clustering, less roads, more open space, and could also relieve development pressure.

Motion by Mr. Carpenter to reconsider the motion to adopt Exhibit C. The motion failed for lack of a second.

C. ADJOURN AS LDRAB AND CONVENE AS LDRC

1. Proof of Publication

Motion to accept proof of publication approve by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (14 - 0).

2. Consistency Determination

The Chair acknowledged receipt of Consistency Determination from the Planning Division. Ms. Erin Fitzhugh Sita stated that the proposed amendments in Agenda item F are consistent with the Comprehensive Plan.

Ms. Brinkman abstained and referred to Form 8B, Memorandum of Voting Conflict which she submitted earlier. Motion to approve consistency determination by Ms. Vinikoor, seconded by Ms. Katz. The motion passed (13 - 0).

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
(Updated 5/17/16)**

Minutes of April 27, 2016 LDRAB Meeting

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. USE REGULATIONS PROJECT (URP) UPDATE

1. Exhibit G – Transportation Uses

Mr. Cross thanked Ms. Collene Walter and Mr. Jerry Allen, Deputy Director of Planning & Community Affairs, representing Airports, and Mr. Eric McClellan, Director, Facilities, Development and Operations Strategic Planning, for assisting in the review of the Transportation Uses project. Staff also noted receiving input from Ms. Jean Matthews, Senior Planner, Parks and Recreation and Ms. Angela Usher, Manager, Facilities Planning, Intergovernmental Relations and Real Estate Division of Support Operations with the PBC School District.

Mr. Rodriguez presented an overview of the Exhibit and highlighted the following points:

- Transportation Uses is a newly proposed Use Classification which was presented to the LDRAB sub-committee and is being presented to solicit recommendations from the Board. Proposed revisions will be brought back to the LDRC at a future date.
- The classification includes Airport, Heliport (formerly known as Helipad), Landing Strip, Seaplane Facility and Transportation Facility. Definitions and supplemental use standards for the uses have been addressed.
- Airport, Heliport, Landing Strip, and Seaplane Facility are currently under other classifications in the ULDC and are being consolidated under this newly proposed use. Transportation Facility is a new use and was added as a result of the analysis made to the existing Transportation Facility use under the Industrial Use Classification review. The proposed amendment will focus on private air transportation uses only.
- Heliport and Landing Strip as accessory use and applicable approval process.

In response to Mr. Carpenter’s question about restrictions on places where helicopters are permitted to land, Mr. Cross clarified that the Federal Aviation Administration (FAA) regulates air traffic and the language refers to facilities, such as a pad, which is accessory use to a farm.

Mr. Bailey referred to Heliport proposed as accessory to a Public Park use (page 25, Part 4, line 17), and inquired if the appropriate distance is measured from the boundary instead of the helicopter pad itself. A discussion ensued and Mr. MacGillis indicated that Mr. Baileys point was noted and Zoning will work with Parks and Recreation to clarify the language to bring back to the LDRC. Ms. Matthews commented that helipads are needed to address potential emergency situations. Ms. Vinikoor opined that it would be good to make the use require a special permit in the interest of homeland security.

Motion to accept the committee’s recommendation and the staff report by Ms. Vinikoor, seconded by Mr. Bailey. Motion passed (14-0).

F. PUBLIC COMMENTS

There were no public comments.

G. STAFF COMMENTS

Mr. Cross informed the Board that the BCC initiated the FPL Phase 2 PIA presented to the LDRAB in February, and FPL is preparing to respond to some issues raised by the BCC. The amendments will probably come back to the LDRAB in July.

H. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:25 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by: _____
Zona Case, Zoning Technician Date

U:\Zoning\CODEREV\2016\LDRAB\Meetings\5-25-16\5 - Draft Minutes, Agendas, and other\Exh. A - April 27, 2016 Minutes - Draft MC edited.docx

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joni Brinkman, hereby disclose that on April 27, 20 16 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of Urban Design Kilday Studios, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item B.f. - Exhibit F and Item 1.a. WCRDOB
 Our firm is retained by GL Homes to provide planning services for this development request.

April 27, 2016

Date Filed

Joni Brinkman

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

EXHIBIT B

RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS

(Updated 5/13/16)

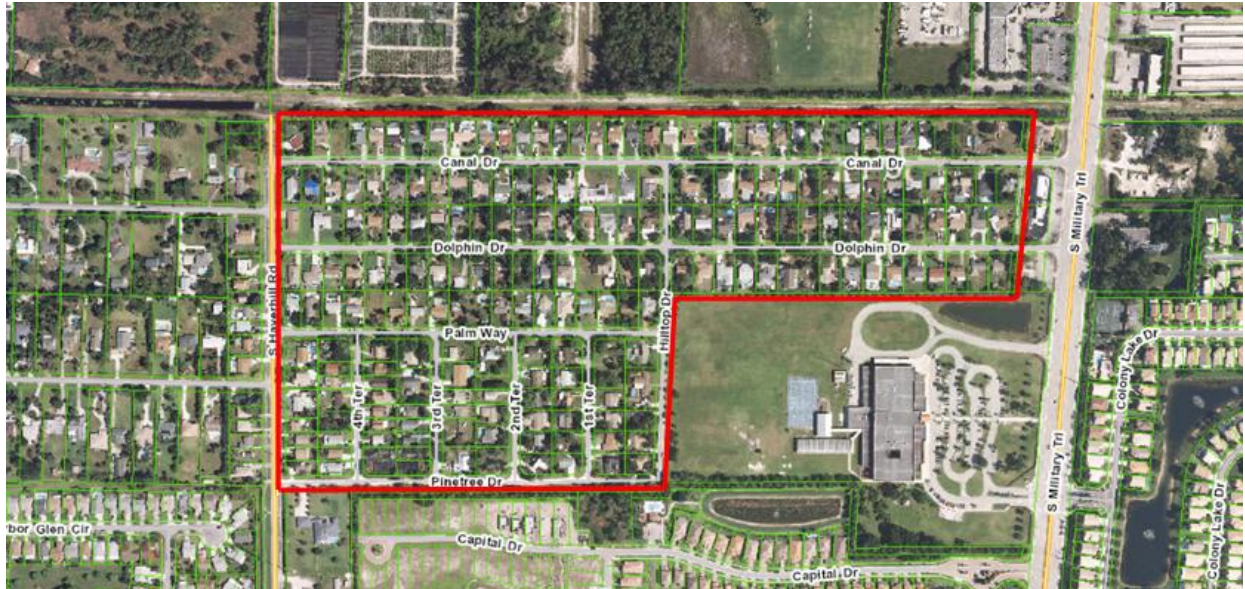
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Part 1. ULDC Art. 1.F.2.C, Residential Development Regulations (page), is hereby amended as follows:

Reason for amendments: [Zoning] Historically, the bulk of land in the unincorporated areas of the County was zoned what is now the Agriculture Residential (AR) Zoning district, which is no longer consistent with the future land designations within the Urban/Suburban (U/S) Tier. Additionally, there are numerous antiquated subdivisions with residential Zoning in nearly all areas of the County, that do not meet the minimum lot dimensions required for the district, namely minimum lot width, depth or size. The County has long recognized that owners of these residential non-conforming legal lots of record may develop a single family home, inclusive of customary accessory uses. This policy is also further under ULDC Article 1.F, Non-conformities, and Article 5.B.1.A.1.d.2)b), Non-conforming Lot Dimensions [Related to AR District], which allow for setback reductions commensurate with the size of the parcel.

The following revisions further recognize antiquated subdivisions within the U/S Tier where zoned Agricultural Residential (AR), but have been subdivided similar to more current Residential Transitional (RT) or Single-Family Residential (RS) developments.

Example: The platted Biltmore Terrace community (PB 24, page 145, approved 21-January-1955) has a Low Residential 3 (LR-3) future land use (FLU) designation with AR Zoning, is predominantly comprised of .22 acre lots (aprox. 9.584 s.f.), with a few larger lots, and otherwise looks and functions similarly to newer subdivisions with RS Zoning. Recognition of this suburban development form merits allowing for similar suburban allowances for accessory structures.



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ARTICLE 1

GENERAL PROVISIONS

CHAPTER F NONCONFORMITIES

Section 2 Nonconforming Lot

Reason for amendment: [Zoning] Calibrate with amendment in Part 2 below, which further recognizes existing suburban development pattern for accessory structures on smaller lots within the Urban/Suburban Tier.

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C. Residential Development Regulations

A nonconforming residential lot may utilize the following property development regulations setbacks for a single-family dwelling unit only, or for related accessory structures in the AR district in accordance with Art. 5.B.1.A.1.b)2), Nonconforming Lot Dimensions. [Ord. 2010-005]

This space intentionally left blank.

Notes:

- Underlined indicates new text.
- Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to:] or [Partially relocated to:].
- Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from:].
- A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT B

RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS

(Updated 5/13/16)

Reason for Amendment: [Zoning] The current setback provision for lots with less than 100 foot width or depth conflict with the percentages cited, emphasis on 15 side setback, when applied to smaller properties within the Urban/Suburban Tier. Example, the side setback for a non-conforming lot width is 15%, which would result in a 15 foot side setback for a lot of 100 feet in width or less, far less than the 25 foot option being deleted. While the majority of lots within Heritage Farms, Royal Palm Beach Acreage, Palm Beach Country Estates and Jupiter Farms, and other similar Rural or Exurban areas have lot widths that would accommodate a minimum 25 foot setback, there are a few lots that would not, and can only be developed if permitted use of the setbacks for the PDRs.

1. Minimum Setback Requirements

Minimum ~~Setback Requirements~~ setback requirements may be in accordance with the percentages listed below, but shall not be less than those for the RS district: [Ord. 2010-005]

a. If the minimum depth dimension is nonconforming: [Ord. 2010-005]

Front: 30 percent of lot depth. [Ord. 2010-005]

Rear: 20 percent of lot depth. [Ord. 2010-005]

b. If the minimum width dimension is nonconforming: [Ord. 2010-005]

Side Interior: 15 percent of lot width. [Ord. 2010-005]

Side Street: 20 percent of lot width. [Ord. 2010-005]

~~c. Nonconforming lots with an RR-FLU and AR Zoning shall provide a minimum that are 100 feet or less in width and 100 feet or less in depth may apply a 25-foot setback from the affected property line. [Ord. 2010-005]~~

2. Building Coverage

The maximum lot coverage calculations shall be based on the size of the lot indicated in the table below, and shall include accessory structures ~~is 40 percent of the total lot area or the maximum district coverage whichever is more restrictive.~~ [Ord. 2010-005]

Table 1.F.2, Non-conforming Building Coverage in the AR District

| <u>Non-Conforming Lot Size</u> | <u>Maximum Building Coverage</u> |
|----------------------------------|----------------------------------|
| <u>> 2.5 acres</u> | <u>15%</u> |
| <u>20,000 s.f. – 2.5 acres</u> | <u>20%</u> |
| <u>14,000 s.f. – 19,999 s.f.</u> | <u>30%</u> |
| <u>≤ 13,999</u> | <u>40%</u> |
| <u>[Ord. 2016-]</u> | |

3. Floor Area Ratio

Maximum Floor Ratio Area (FAR) requirements for the AR district do not apply.

4.3. Accessory Structures

Accessory structures shall comply with all applicable Code requirements. [Ord. 2010-005]

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Notes:

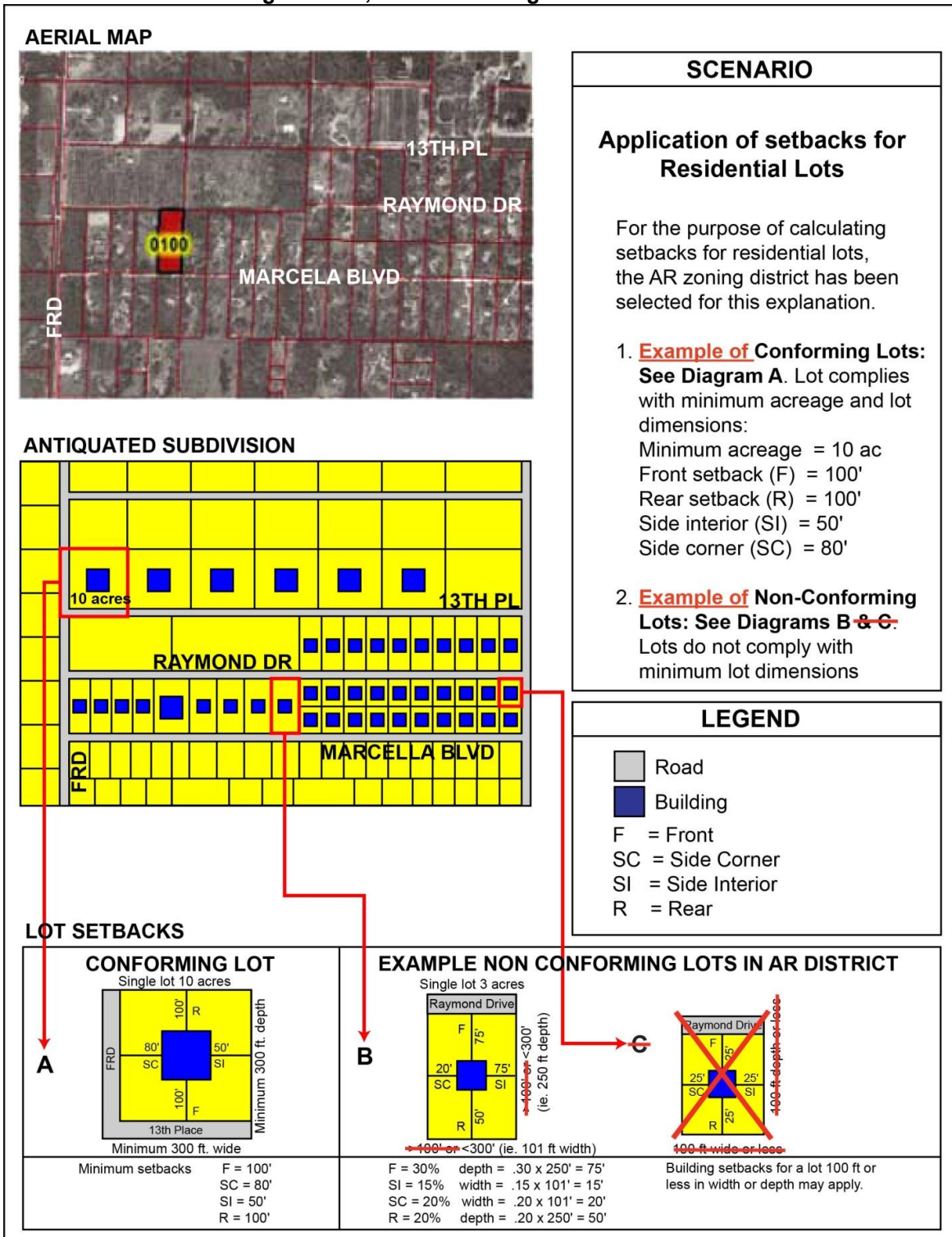
- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:**] or [**Partially relocated to:**].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:**].
- A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT B

RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS (Updated 5/13/16)

1

Figure 1.F.2, Nonconforming Lots & Setbacks



[Ord. 2005-002] [Ord. 20010-005]

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D. Accessory Dwellings

Accessory dwellings on non-conforming lots with a RR FLU designation that are equal to or less than 1.5 acres may utilize a 25-foot side or rear setback, subject to the following where the setback is less than the setback required for the SFD unit: **[Ord. 2006-004] [Ord. 2010-005]**

- A minimum five-foot high continuous solid opaque visual screen consisting of a hedge, fence or wall, shall be installed and maintained along the property line adjacent to the length of the accessory dwelling. **[Ord. 2006-004] [Ord. 2010-005]**
- Ingress/egress to the accessory dwelling shall not be oriented towards the adjoining property. **[Ord. 2006-004] [Ord. 2010-005]**

....

Notes:

- Underlined** indicates **new** text.
- Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to:]** or **[Partially relocated to:]**.
- Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from:]**.
-** A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT B

RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS

(Updated 5/13/16)

1 Part 2. ULDC Art. 5.B.1.A.1.d, Accessory Structure Setbacks (pages 8 & 9 of 100), is hereby
2 amended as follows:
3

Reason for amendments: [Zoning] Similar to Part 1 above, the following revisions serve to establish additional flexibility and consistency to development patterns currently permitted for smaller lots within the U/S Tier.

ARTICLE 5

SUPPLEMENTARY STANDARDS

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

1. General

d. Setbacks, Accessory Structure

1) Residential Districts, ~~(Except AR)~~

Accessory structures may be setback a distance of five feet from the side and rear property lines provided it is not located in an established easement or required landscape buffer.

a) Townhouse

....

b) ZLL

....

c) Exceptions

(1) All structures used as dwellings, such as guest cottages, grooms quarters, and accessory dwellings, shall meet the minimum setback in Table 3.D.1.A, Property Development Regulations, or Art. 1.F.2.C, Minimum Residential Setback Requirements, if applicable.

(2) All structures over ten feet in height shall meet the minimum setbacks in Table 3.D.1.A, Property Development Regulations, or Art. 1.F.2.C, Minimum Residential Setback Requirements, if applicable.

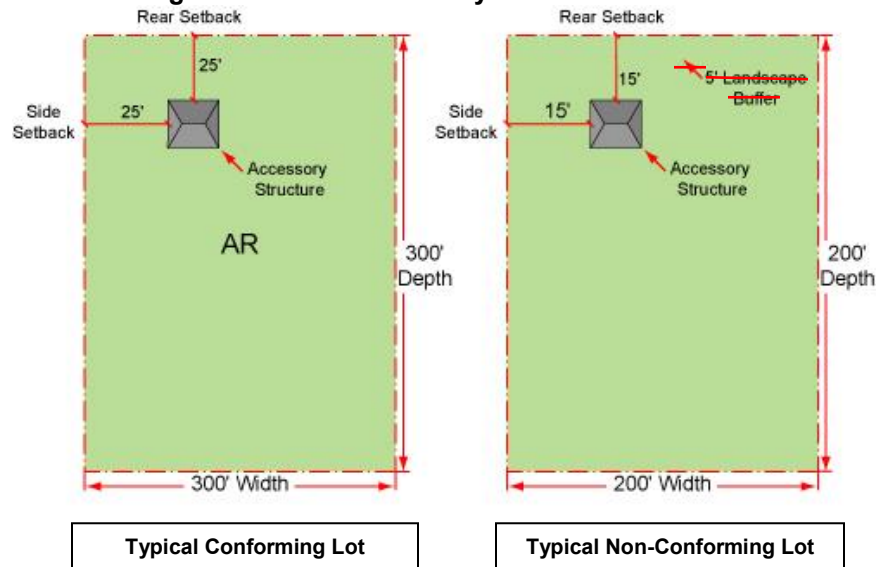
(3) Encroachment into easements shall be in accordance with Article 5.F.2.A, Easement Encroachment.

2) AR District

a) Conforming Lot Dimensions

Accessory structures may be setback a distance of 25 feet from the side and rear property lines on lots with conforming width and depth lot dimensions.

Figure 5.B.1.A – Accessory Structure Setbacks



AR District

Notes:

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EXHIBIT B

RESIDENTIAL DEVELOPMENT REGULATIONS FOR NON-CONFORMING AGRICULTURAL RESIDENTIAL (AR) LOTS

(Updated 5/13/16)

1 b) **Nonconforming Lot Dimensions**

2 The setbacks for accessory ~~Accessory~~ structures on lots with nonconforming
3 width or ~~and~~ depth may be reduced for either non-conforming dimension, as
4 follows: setback a distance of 15 feet from the side and rear property lines.

5 **(1) General**

6 A minimum setback distance of 15 feet from the side or rear property lines; or

7 **(2) U/S Tier**

8 The minimum setback may be reduced in accordance with the following:

9 (a) The reduced setback permitted under Art. 1.F.2.C, Minimum Residential
10 Setback Requirements; or,

11 (b) Parcels that are less than or equal to 13,999 square feet may apply the
12 accessory structure setbacks of Art. 5.B.1.A.1.d.1), Residential
13 Setbacks.

14 **Reason for Amendment:** [Zoning]

- 15 1. Delete redundant reference to prohibition of accessory structures in front or side street setbacks.
16 This standard exists above under ULDC. 5.B.1.A.1.b, Location, which applies to all accessory
17 structures.
18 2. Relocate language prohibiting placement of accessory uses within landscape buffers to ensure
19 applicability to all scenarios where prohibition through plat dedication, easement dedication, or other
20 clear prohibition outlined in Art. 7, Landscaping, may not apply, such as older Planned Unit
21 Developments where buffers are located within individual homeowners property.

22 c) **Minimum Setback from Easements ~~Accessory Structure~~**

23 Must be five feet from all established easements, except where use of Art.
24 5.B.1.A.1.d.1), Residential Setbacks is permitted ~~and may not be located within~~
25 ~~the required landscape buffer or within the required front or side street setback.~~

26 **3) Prohibition in Landscape Buffers**

27 Accessory structures shall not be located within a required landscape buffer.

28 **43) Nonresidential Districts**

29 Accessory structures shall meet the setback requirements in Table 3.D.1.A, Property
Development Regulations.

5-4) U/S Tier – Maximum Accessory Structure Dimensions

In the U/S Tier, all accessory structures located on a parcel in a residential district
shall not occupy more than 25 percent of the distance between property lines. **[Ord.**
2008-037]

....

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[AR District].docx

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EXHIBIT C

ART. 2.B.2.H.2, EAC [EXPEDITED APPLICATION CONSIDERATION] SUMMARY OF AMENDMENTS

(Updated 5/13/16)

Part 1. ULDC Art. 2.B.2.H.2, EAC (page 29 of 87), is hereby amended as follows:

Reason for amendments: [Zoning]

1. Recognize that addition of land area to developments approved by BCC and limited to abandoned right-of-way (R-O-W) or other similar easements, where no additional density or intensity is being sought, may be approved using the Expedited Application Consideration (EAC) process. While not a common occurrence, the need to recognize this situation typically results from the County abandoning undeveloped or under-utilized R-O-W. These land areas, including similar privately held streets or easements often run behind or in-between residential communities, don't have sufficient width to be developed, and are typically absorbed by adjacent property owners. Eligibility for EAC is contingent upon compliance with current ULDC perimeter buffer requirements, where applicable, which recognizes that these types of land areas typically act as a form of buffer by creating additional separation between developments. The land area would either be added as additional or new buffer, or in the event the applicant sought to amend any existing residential lot lines, the relocation or reconfiguration of buffer area would be subject to compliance with current ULDC requirements.
2. Relocate standards related to EAC procedures to fall under the EAC heading simply for consistency with typical ULDC format and construction.

ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

CHAPTER B PUBLIC HEARING PROCESS

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

H. Development Order Amendment

1. General

A Development Order for a Class A Conditional Use, Requested Use, Class B Conditional Use, or Type II Waiver may be amended, extended, varied or altered only pursuant to the standards and procedures established for its original approval, or as otherwise set forth in this Section. Before any such Development Order is amended, extended, varied or altered, the applicant shall demonstrate and the ZC/BCC shall find that a change of circumstances or conditions has occurred which make it necessary to amend, extend, vary or alter the conditional/requested use. [Ord. 2007-001] [Ord. 2011-016]

2. Expedited Application Consideration (EAC)

Certain minor Development Order ~~development order~~ amendments may be eligible for expedited consideration and review:

a. Criteria

The application shall meet all of the following criteria in order to be reviewed under the, in ~~an~~-EAC process;

- 1) Approval of the Zoning Director and the County Engineer shall be obtained prior to submission. The Zoning Director and the County Engineer shall consult with any other department responsible for the Conditions of Approval ~~conditions of approval~~. They shall approve or deny the request to obtain expedited consideration based on compatibility of the request with the surrounding area. The magnitude of the requested modification shall also be considered. The County Engineer and the Zoning Director shall only permit expedited consideration for proposals which have minimal site design impact, and which, if approved, will be compatible with surrounding areas; [Ord. 2007-001]
- 2) The proposed application, if approved, will not increase intensity or density of the project; [Ord. 2007-001]
- 3) Proof of compliance with all previous conditions of development approval; [Ord. 2007-001]
- 4) No change to the threshold certificate, except alteration of legal description, shall occur; [Ord. 2007-001]
- 5) The proposed amendment does not affect uses or intensities/densities within a DRI (Development of Regional Impact); ~~and~~ [Ord. 2007-001]
- 6) All impacts shall be internal to the project; ~~and~~, [Ord. 2007-001]
- 7) Addition of land area limited to abandoned R-O-W or easements along the perimeter of the development.

b3. Procedures

After approval by the County Engineer and the Zoning Director to participate in an EAC process, the application shall be submitted and reviewed pursuant to the applicable development approval procedure, except that:

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EXHIBIT C

ART. 2.B.2.H.2, EAC [EXPEDITED APPLICATION CONSIDERATION] SUMMARY OF AMENDMENTS

(Updated 5/13/16)

- 1 ~~1)a.~~ After the application is certified by the DRO, the proposed modification may proceed
2 directly to the next BCC hearing for which advertising requirements can be met.
3 **[Ord. 2007-001]**

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EXHIBIT D

LOADING SPACE REDUCTIONS
SUMMARY OF AMENDMENTS

(Updated 5/13/16)

1
2 Part 1. ULDC Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals (pages 39-40 of 87), is
3 hereby amended as follows:
4

Reason for amendments: [Zoning] Relocate existing provision recognizing DRO authority to amend the minimum number of parking spaces required commensurate with other modifications to uses within a development, to clarify that such authority also applies to BCC or ZC approvals.

5
6 **ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES**

7 **CHAPTER D ADMINISTRATIVE PROCESS**

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

9 **G. Modifications to Prior Development Orders**

10 **1. Modifications to BCC or ZC Approvals**

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

- 17
18 o. Requests to modify a Type II Waiver or a Type II Variance when the amendment request
19 is more conforming to Code requirements; ~~or~~ [Ord. 2012-027] [Ord. 2015-031]
20 p. To add Type II electronic message signs; ~~or~~ [Ord. 2015-031]
21 q. *The number of loading spaces may be proportionately reduced, if the space is not*
22 *needed as a result of a reduction in size or change in use.* [Relocated from Art.
23 6.B.1.H.7.a.1), Change in Use]

24
25
26 Part 2. ULDC Art. 2.D.6.B, Applicability [Related to Type I Waivers] (pages 46 of 87), is hereby
27 amended as follows:
28

Reason for amendments: [Zoning] Update general list of Type I Waives to include newly re-organized provisions related to Type I Waivers for minimum loading spaces or dimensions required. The original reference to be stricken "Eliminate or Reduce Loading Standards" only applies to provisions allowing for limited reductions in the minimum number of loading spaces required in limited circumstances; however, it was oft times confused with a separate provision related to "Reduction of Width and Length" of loading spaces. The confusion between the two provisions was further compounded due to being located under a heading which indicated revisions were subject to DRO approval, and a change implemented in Ord. 2012-027, which clarified a prior reference to "Zoning Director may waive" to the more easily documented Type I Waiver process.

29
30 **ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES**

31 **CHAPTER D ADMINISTRATIVE PROCESS**

32 **Section 6 Type I Waiver**

33 **B. Applicability**

34 Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC:
35 [Ord. 2011-016] [Ord. 2012-027]
36

Table 2.D.6.B - Summary of Type I Waivers

| Type I Waiver Summary List |
|--|
| |
| Eliminate or Reduce Loading Standards |
| Reduction in Number of Minimum Required Loading Spaces [uses < 10,000 square feet] |
| Reduction of Loading Space Width or Length [for uses that require limited loading] |
| |
| [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-016] |

37
38

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EXHIBIT D

LOADING SPACE REDUCTIONS SUMMARY OF AMENDMENTS

(Updated 5/13/16)

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

Reason for amendments: [Zoning] Update "Loading Key" by including term located in redundant text to be deleted in Part 4 below.

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

| Use Type: Industrial | Parking | Loading Standard (1) |
|------------------------------|--|-----------------------------|
| | | |
| | | |
| Loading Standard Key: | | |
| Standard "A" | One space for the first 5,000 square feet of GFA, plus one <i>space</i> [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 30,000 square feet of GFA. | |
| Standard "B" | One space for the first 10,000 square feet of GFA, plus one <i>space</i> [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 15,000 square feet of GFA. | |
| Standard "C" | One space for the first 10,000 square feet of GFA, plus one <i>space</i> [Relocated from Art. 6.B.1.D, Loading Space Ratios] 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. | |
| Notes: | | |

6
7
8 **Part 4. ULDC Art. 6.B, Loading Standards (pages 33, 37 and 38 of 39), is hereby amended as**
9 **follows:**
10

Reason for amendments: [Zoning]

1. See also Part 2 Reason for Amendment above.
2. Re-organize and update provisions related to restrictions on use of loading spaces, calculation of minimum loading spaces required for ease of use.
3. Clarify scope of DRO authority to revise minimum loading space requirements when uses within a project change, where applicable, by relocating existing provisions to Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals.
4. Clarify provisions allowing for use of Type I Waiver to seek reductions in minimum number of loading spaces to existing Art. 6.D.1.D, Loading Space Ratios, which provides direction to standards establishing minimum loading zone ratios by use, and expand to include existing provisions used for similar "Reduction of Length and Width". Also deletes erroneous reference to "loading standards" which inadvertently suggests ability to request Type I Waivers for all of Art. 6.B, Loading Standards, contrary to limitation of heading limiting such to "Reduction in Number of Spaces".
5. Amend existing "Reduction of Length and Width" to require Type I Waiver. This further establishes the application process, method of documenting approvals or denials, and proper review of any required documentation submitted to substantiate the request.

11 **ARTICLE 6 PARKING**

12 **CHAPTER B LOADING STANDARDS**

13 **Section 1 Loading**

14
15
16

Reason for amendment: [Zoning] Relocate general standard to for ease of reference.

17 **C. Restrictions**

18 *All required off-street loading spaces and accompanying aisles and driveways shall be deemed to*
19 *be required space and shall not be encroached upon or reduced in any manner unless expressly*
20 *permitted otherwise.* [Partially relocated from Art. 6.B.1.H.7, Loading Space Reduction]
21
22

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EXHIBIT D

LOADING SPACE REDUCTIONS
SUMMARY OF AMENDMENTS

(Updated 5/13/16)

Reason for amendment: [Zoning] Consolidate similar Art. 6.D.1.C, Computing Loading Standards and Art. 6.D.1.D, Loading Space Ratios.

C. Computing Loading Standards [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

1. Multiple Uses

~~On lots containing more than one use, the total floor area shall be used to determine the number of spaces which are required.~~ [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

2. Fractions

~~When calculation of the number of required off-street loading spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest full number.~~ [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

3. Floor Area

~~Loading standards that are based on square footage shall be computed using GFA.~~ [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

4. Unlisted Land Uses

~~In the event that loading requirements for a particular use are not listed in this Article, the requirements for the most similar use shall be applied, in making the determination, any evidence of actual parking demand for similar uses shall be considered as well as other reliable traffic engineering and planning information that is available.~~ [Relocated to Art. 6.B.1.D, Loading Space Ratios, below]

D. Loading Space Ratios

Off street loading spaces shall be provided in accordance with Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements. ~~The letters shown in the "loading" column shall correspond to the following ratios:~~

1. Standards for Computing Loading Standards

a. Multiple Uses

~~On lots containing more than one use, the total floor area shall be used to determine the number of spaces which are required.~~

b. Fractions

~~When calculation of the number of required off-street loading spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest full number.~~

c. Floor Area

~~Loading standards that are based on square footage shall be computed using GFA.~~

d. Unlisted Land Uses

~~In the event that loading requirements for a particular use are not listed in this Article, the requirements for the most similar use shall be applied, in making the determination, any evidence of actual parking demand for similar uses shall be considered as well as other reliable traffic engineering and planning information that is available.~~

Reason for amendment: [Zoning] Establish additional requirement for documentation to substantiate any request to reduce minimum required loading space (current provision relocated under standards establishing minimum required loading spaces). Examples might include specifically defined uses known to have little or no deliveries, which would be conditioned to such uses if approved as a Type I Waiver.

2. Type I Waiver - Reduction of Minimum Number of Required Loading Spaces

~~For uses with less than 10,000 square feet of total GFA that require limited loading, subject to submittal and approval of documentation such as: evidence of actual loading demand for the proposed use(s), as well as other available technical data, traffic engineering and planning information.~~ [Ord. 2007-001] [Ord. 2012-027] [Partially relocated from Art. 6.B.1.H.7.a.2),

Eliminate or Reduce Loading Standards]

....

Reason for amendment: [Zoning] Consolidate with redundant provisions existing within Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements (see above), which is the most useful location for communicating these requirements.

1. Standard "A"

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

2. Standard "B"

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EXHIBIT D

LOADING SPACE REDUCTIONS SUMMARY OF AMENDMENTS

(Updated 5/13/16)

- 1 ~~One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000~~
2 ~~square feet of GFA.~~
3 **3. Standard "C"**
4 ~~One space for the first 10,000 square feet of GFA, plus one space for each additional~~
5 ~~100,000 square feet of GFA.~~
6 **4. Standard "D"**
7 ~~One space for each 50 beds for all facilities containing 20 or more beds.~~
8 **5. Standard "E"**
9 ~~One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square~~
10 ~~feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for~~
11 ~~uses that require limited loading.~~
12
13

Reason for amendments: [Zoning]

1. Relocate provisions to allow for administrative reductions in number of loading spaces required to existing Art. 6.B.1.D, Loading Space Ratio's, which is more appropriately related to standards for minimum number of spaces required than the current location, which pertains to dimensional standards.

- 14
15
16 **H. Dimensional Standards and Design Requirements**
17 **7. Type I Waiver - Reduction of Loading Space ~~Reduction Width or Length~~**
18 ~~The minimum required width and length may be reduced for uses that require limited loading,~~
19 ~~to not less than 12 feet and 18.5 feet, respectively, subject to submittal and approval of~~
20 ~~documentation such as: evidence of actual loading demand for the proposed use(s), as well~~
21 ~~as other available technical data, traffic engineering and planning information. [Ord. 2007-~~
22 ~~001] [Partially relocated from Art. 6.B.1.H.7.b, Reduction of Width and Length, below]~~
23 ~~All required off-street loading spaces and their appurtenant aisles and driveways shall be~~
24 ~~deemed to be required space and shall not be encroached upon or reduced in any manner~~
25 ~~except upon approval by the DRO in the following circumstances: [Partially relocated to~~
26 ~~new Art. 6.B.1.C, Restrictions, above]~~
27 **a. ~~Reduction in Number of Spaces~~**
28 **1) ~~Change in Use~~**
29 ~~The number of loading spaces may be proportionately reduced if the space is not~~
30 ~~needed as a result of a reduction in size or change in use. [Relocated to Art.~~
31 ~~2.D.1.G.1, Modifications to BCC or ZC Approvals]~~
32 **2) ~~Type I Waiver - Eliminate or Reduce Loading Standards~~**
33 ~~For uses that contain less than 10,000 square feet of total GFA, the applicant may~~
34 ~~apply for a Type I Waiver to eliminate the loading space required or reduce the~~
35 ~~loading standards. [Ord. 2007-001] [Ord. 2012-027] [Partially relocated to new~~
36 ~~Art. 6.B.1.D.2, Reduction in Number of Minimum Required Loading Spaces,~~
37 ~~above]~~
38 **b. Reduction in Width and Length**
39 ~~The minimum required width and length may be reduced to not less than 12 feet and 18.5~~
40 ~~feet, respectively, subject to submittal and approval of documentation including but not~~
41 ~~limited to: evidence of actual loading demand for the proposed use(s), as well as other~~
42 ~~available technical data, traffic engineering and planning information. [Ord. 2007-001]~~
43 ~~[Partially relocated to renamed Art. 6.B.1.H.7, Reduction of Loading Space Width or~~
 ~~Length, above]~~

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EXHIBIT E

ZONING DISTRICT CONSISTENCY WITH FUTURE LAND USE ATLAS SUMMARY OF AMENDMENTS

(Updated 5/13/2016)

1
2 **Part 1. ULDC Table 3.D.1.A, Property Development Regulations (page 127 of 234), is hereby**
3 **amended as follows:**
4

Reason for amendments: [Zoning] Amend applicable future land use (FLU) designations for Residential Transitional (RT) Zoning district, to reflect recent Comprehensive Plan amendment which makes the RT district consistent with the Medium Residential 5 (MR-5), High Residential 8, 12 and 16 (HR-8, HR-12 and HR-16) FLU designations. See Exhibit "Zoning District Consistency with Future Land Use Atlas" for additional background and summary on the Plan amendments.

5
Table 3.D.1.A - Property Development Regulations

| Zoning District | Min Lot Dimensions | | | Density (6) | | Max FAR (7) | Max Building Coverage | Min Setbacks (12) | | | | |
|--|--------------------|--------------------|-------|-------------|-----|-------------|-----------------------|-------------------|------|-------------|------|--|
| | Size | Width and Frontage | Depth | Min | Max | | | Front | Side | Side Street | Rear | |
| | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | |
| AR | (2) (3)(4) | 300 | 300 | - | - | .15 | 15% | 100 | 50 | 80 | 100 | |
| RE | 2.5 ac. | 200 | 200 | - | - | - | 20% | 50 | 40 | 50 | 50 | |
| RT (LR-1) | 20,000 | | | | | | | | | | | |
| RT (LR-2/ LR-3 -HR-18) | 14,000 | 100 | 125 | - | - | - | 30% | 25 | 15 | 25 | 25 | |
| | | | | | | | | | | | | |
| [Ord. 2005 – 002] [Ord. 2005-041] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-027] | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| 2. The minimum lot size in the AR district corresponds to the FLU category as follows: RR20 – 20 acres; RR10 – 10 acres; RR5 – 5 Acres; RR2.5 – 2.5 acres; U/S Tier – 5 acres. | | | | | | | | | | | | |
| 3. Nonconforming lots in the AR district may use the setback provisions in Art.1.F.4, Nonconforming Lots. | | | | | | | | | | | | |
| 4. AR lots with an in the RR-2.5-FLU designation may use the RE PDR's. [Ord. 2005 – 002] | | | | | | | | | | | | |
| | | | | | | | | | | | | |

6
7
8 **Part 2. ULDC Table 4.A.3.A, Use Matrix [Related to Standard Zoning Districts] (page 12 of 171),**
9 **is hereby amended as follows:**
10

Reason for amendments: [Zoning] Implement change developed in 2015 as part of the Use Regulations Project (URP), which updates the Use Matrix to reflect the most restrictive approval process (Class A Conditional Use) for Townhouse and Zero Lot Line Home uses. Specifically, the change from Development Review Officer (DRO) approval to Class A Conditional Use reflects existing language which requires the higher level of approval for properties with Medium Residential 5 (MR-5) future land use designation. However, the Comprehensive Plan was recently amended to make the RS district consistent with the Low Residential (LR) FLU designations, which necessitates advancing this amendment.

Note, Townhome, Zero Lot Line Homes, and Multi-family are currently permitted in the LR designation when located within a Planned Unit Development (PUDs); however, the Plan amendment serves to address obstacles to infill redevelopment for properties that do not qualify for rezoning to PUDs. Thus, this amendment provides for a similar level of public participation and BCC review/approval of these housing types in lower density communities.

Other uses now allowed in the Low Residential future land use (FLU) designation where consistent with the RS district, include Non-profit Assembly Institutional and Nursing Convalescent Facility, both of which have frontage requirements and are subject to Class A Conditional Use approval.

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EXHIBIT E

ZONING DISTRICT CONSISTENCY WITH FUTURE LAND USE ATLAS
SUMMARY OF AMENDMENTS

(Updated 5/13/2016)

1

Table 4.A.3.A - Use Matrix

| Use Type | Zoning District/Overlay | | | | | | | | | | | | | | | | NOTE | | | | | | | |
|---|--------------------------|---|---|-------------|---|---|---|------------|---|---|---|---|-----------------|---|---|---|------|---|---|---|---|---|---|-----|
| | Agriculture/Conservation | | | Residential | | | | Commercial | | | | | Industry/Public | | | | | | | | | | | |
| | P | A | A | AR | R | R | R | R | C | C | C | C | C | C | I | I | | P | I | | | | | |
| C | G | R | S | S | A | A | | E | T | S | M | N | L | C | H | G | R | E | L | G | O | P | F | |
| Residential Uses | | | | | | | | | | | | | | | | | | | | | | | | |
| Single Family | | P | | P | P | P | P | P | | | | | | | | | | | | | | | A | 122 |
| Zero Lot Line Home | | | | | | | | AD | D | | | | | | | | | | | | | | A | 142 |
| Townhouse | | | | | | | | AD | D | | | | | | | | | | | | | | A | 132 |
| Multi-Family | | | | | | | | | P | | | | | | | | | | | | | | A | 87 |
| | | | | | | | | | | | | | | | | | | | | | | | | |
| [Ord. 2005-002] [Ord. 2005-041] [Ord. 2007-001] [Ord. 2008-037] | | | | | | | | | | | | | | | | | | | | | | | | |
| 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) | | | | | | | | | | | | | | | | | | | | | | | | |

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Part 3. ULDC Art. 4.B.1.A.132, Townhouse (page 103 of 171), is hereby amended as follows:

Reason for amendments: [Zoning]
 1. See Reasons #1 and 2 above.
 2. Establish exception to allow for administrative approval of Townhouse units when located adjacent to Single-family homes (other than TH or ZLL units) in low density communities, subject to deminimus performance standards for setbacks and buffering. While Townhouse units are permitted by right within a PUD, they would also be subject to BCC approval and additional public scrutiny. The additional standards would not apply to applications for Townhouse units that seek BCC approval of a Class A Conditional Use, as indicated in the Use Matrix for the RS district.

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ARTICLE 4 USE REGULATIONS

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

132.Townhouse

A dwelling unit located on an individual lot and attached by at least one but no more than two party wall(s) along 50 percent of the maximum depth of the unit, to one or more other dwelling units; has a continuous foundation; each on its own lot, with said party wall(s) being centered on the common property line(s) between adjacent lots.

a. Approval Process - RS Zoning District with MR5 FLU Designation

~~Townhouses A townhouse development in the RS zoning district with an HR-8, HR-12 or HR-18 a MR5 FLU designation, may be permitted subject to DRO shall require a Class A conditional use approval. [Ord. 2005 – 002]~~

1) Exception

Townhouses in the RS Zoning district with LR-1, 2 or 3, or MR-5 FLU designation, where located adjacent to parcels supporting Single-family Dwellings, excluding ZLL or Townhouse units, or vacant parcels with an Low Residential FLU designation, may be approved by the DRO subject to the following:

- a) The applicable Perimeter Buffer meets the minimum requirements for a Type I Incompatibility Buffer; and,
- b) Townhouses shall be setback a minimum of 50 feet from the applicable perimeter of the development.

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Notes:

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EXHIBIT E

ZONING DISTRICT CONSISTENCY WITH FUTURE LAND USE ATLAS SUMMARY OF AMENDMENTS

(Updated 5/13/2016)

1 Part 4. ULDC Art. 4.B.1.A.142, Zero Lot Line Home (page 112 of 171), is hereby amended as
2 follows:
3

Reason for amendments: [Zoning]

1. See Reasons #1 and 2 above.
2. Establish exception to allow for administrative approval of ZLL units when located adjacent to Single-family homes (other than TH or ZLL units) in low density communities, subject to de minimus performance standards for setbacks and buffering. While ZLL units are permitted by right within a PUD, they would also be subject to BCC approval and additional public scrutiny. The additional standards would not apply to applications for ZLL units that seek BCC approval of a Class A Conditional Use, as indicated in the Use Matrix for the RS district.

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5 **ARTICLE 4 USE REGULATIONS**

6 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

7 **Section 1 Uses**

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

9 **142.Zero Lot Line Home**

10 The use of a lot for one detached dwelling unit with at least one wall, but not more than two
11 walls or a portion thereof, located directly adjacent to a side lot line, excluding a mobile home
12 but including a manufactured building. Subject to additional standards in Article 3,
13 OVERLAYS & ZONING DISTRICTS.

14 a. **Approval Process - RS Zoning District with MR5 FLU Designation**

15 A ZLL development in the RS zoning district with an HR-8, HR-12 or HR-18 a-MR5 FLU
16 designation, may be permitted subject to DRO shall require a Class A conditional use
17 approval. [Ord. 2005 – 002]

18 **1) Exception**

19 ZLL in the RS Zoning district with LR-1, 2 or 3, or MR-5 FLU designation, where
20 located adjacent to parcels supporting Single-family Dwellings, excluding ZLL or
21 Townhouse units, or vacant parcels with an Low Residential FLU designation, may
22 be approved by the DRO subject to the following:

23 a) The applicable Perimeter Buffer meets the minimum requirements for a Type I
24 Incompatibility Buffer; and,

25 b) ZLL units shall be setback a minimum of 50 feet from the applicable perimeter of
26 the development.

U:\Zoning\CODEREV\2016\LDRAB\Meetings\5-25-16\4 - Final Packet\Exh. E - Zoning District Consistency with Future Land Use Atlas 5-9-16.docx

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

ARTICLE 1, GENERAL PROVISIONS

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3 Part 1. ULDC Art.1.I, Definitions & Acronyms (Page 116 of 119) is hereby amended as follows:
4

Reason for amendments: [Zoning] Add acronym for Development Order (DO) because the acronym has been referenced in the existing ULDC and other Zoning related Staff Reports.

5 CHAPTER 1 DEFINITIONS & ACRONYMS

6 Section 3 Abbreviations & Acronyms

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DO Development Order
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Part 2. ULDC Art.1.I.2.P.47, Plan, Planting (Page 85 of 119) is hereby amended as follows:

Reason for amendments: [Zoning] Proposed to revise the Heading of the Definition to read Planting Plan, instead of Plan, Planting as other Landscape types of Plans are organized as Landscape Plan, Alternative Landscape Plan, etc. With the change in heading, the reference has to be changed from Art.1.I.2.P.47 to Art.1.I.2.P.52, and renumbered the other definitions accordingly.

~~47. **Plan, Planting** – for the purposes of Art. 7, a plan that is not required to be done by a landscape architect, showing the location, quantity, and variety of plants to be installed on a single family, two-unit townhouse, or two-unit multi-family lot or other use as authorized by this Code. [Relocated below under Planting Plan]~~

48 ~~47.~~ **Plan** – the 1989 Comprehensive Plan of PBC, Florida, as amended.

49 ~~48.~~ **Planned Development** - a planned development district or a previously approved planned development. A regulation containing the term "planned development" that the regulation applies to a planned development district and a previously approved planned development.

50 ~~49.~~ **Planned Development, District (PDD)** - a zoning district which is approved pursuant to the policies and procedures of Art. 3.E, Planned Development Districts of this Code including: PUD, Residential Planned Unit Development District; MXPDP, Mixed-Use Planned Development District; MUPD, Multiple Use Planned Development District; PIPD, Planned Industrial Park Development District; MHPD, Mobile Home Park Planned Development District; RVPD, Recreational Vehicle Park Planned Development District; and LCC, Lifestyle Commercial Center. [Ord. 2010-005]

51 ~~50.~~ **Planned Development, Previously Approved** – for the purposes of Art. 3 - a Planned Development approved by rezoning, special exception or conditional use prior to the effective date of this Code. Previously Approved Planned Developments include: Planned Unit Developments (PUD); Traditional Neighborhood District (TND) Developments; Mixed-Use Developments; Planned Neighborhood Commercial Developments (PNCD); Planned General Commercial Developments (PGCD); Large Scale Community and Regional Shopping Center Developments 30,000 square feet and 50,000 square feet; Planned Office Business Park Developments (POBPD); Planned Industrial Park Developments (PIPD); Mobile Home Rental Park, Condominium, and Conditional Use Developments; Recreational Vehicle Park Developments (RVPD); Sanitary Landfill, Resource Recovery Facility, Volume Reduction Plant and Incinerator Developments; and other special exceptions, or conditional uses approved prior to the effective date of this Code which support land uses regulated by Art. 3.E, Planned Development Districts (PDDs).

52 ~~51.~~ **Planting/Amenity Zone** – for the purposes of the Priority Redevelopment Areas, accommodating streets and, landscaping or hardscaped areas, providing a transition between vehicular travel lanes and pedestrian circulation zones. [Ord. 2010-022]

53 ~~52.~~ **Plan, Planting Plan** - for the purposes of Art. 7, a plan that is not required to be done by a landscape architect, showing the location, quantity, and variety of plants to be installed on a single family, two-unit townhouse, or two-unit multi-family lot or other use as authorized by this Code. [Relocated from Art.1.I.2.P.47]

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES

Part 3. ULDC Art.2.A.1.D.1, Processes (Page 11 - 12 of 87) is hereby amended as follows:

Reason for amendments: [Zoning] Proposed to replace the Alternative Landscape Plan (ALP) process with the Type I Waiver. The Type I Waiver will allow applicant to seek minor modifications of the landscape requirements through the approval by the DRO.

CHAPTER A GENERAL

Section 1 Applicability

D. Authority

1. Processes

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

.....

d. Zoning Director

The Zoning Director, in accordance with the procedures, standards and limitations of this Article, shall approve, approve with conditions, withdraw, deny or revoke the following types of development order applications: **[Ord. 2006-036]**

1) Special Permit;

~~2) Alternative Landscape Plan (ALP);~~

~~3) Administrative Variances (Type 1A and Type 1B) except when Code regulations include prohibited provisions;~~ **[Ord. 2006-036] [Ord. 2014-001]**

~~4) Alternative Sign Plan (ASP); and~~

~~5) Administrative Development Order Abandonment.~~

Part 4. ULDC Art. 2.A.1.G.3.h, Other Types of Plans (Page 16 of 87) is hereby amended to read:

Reason for amendments: [Zoning] Relocate and consolidate Types of Plans from Art.7.B to Art.2.A.1.G.3, Plan Requirements. This Section of Article 2 describes each type of plans, and the assigned Authority that approves each type of Plan.

CHAPTER A GENERAL

Section 1 Applicability

G. Application Procedures

3. Plan Requirements

h. ~~Other Types of Plans~~ Landscape Related Plans

~~1) Landscape Plans~~

Article 7, Landscaping, identifies ~~three different~~ types of landscape related plans that are administered by the Zoning Division: Planting Plan, Landscape Plan, and Alternative Landscape Plan (ALP). All Plans shall be prepared consistent with the approved Master, Site or Subdivision Plan. Application requirements, labeling of Plans, and approval procedures for the Landscape related Plans ~~or Alternative Landscape Plans~~ shall be consistent, where applicable, with Article 2.A.1.G.3, Plan Requirements; ~~and Article 2.A.1.G.3.g.1), and Article 2.A.1.G.3.g.2)~~, Regulating Plans, and Article 7, LANDSCAPING. All types of Landscape Plans shall be submitted at Building Permit, unless it is required to be submitted at Final DRO through a Condition of Approval. The following Table summarizes the different types of Plans, applicability, and approval authority.

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Notes:

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

Table 2.A.1.G.3, Landscape Related Plans

| Types of Landscape Plan | Additional Plan Requirements | Applicability | Approval of Plan(s) | Approval Authority |
|--|---|--|---------------------|---|
| <u>Planting Plan (6)</u> | <u>Identify number, location, height and species of required trees, palms, or pines and shrubs (4)</u> | <u>Single Family</u> | (1) | <u>Zoning Director assigned to Landscape Inspectors</u> |
| | | <u>Two-unit Townhouse</u> | | |
| | | <u>A lot with two MF units</u> | | |
| | | <u>Vacant lots within 120 days of demolition</u> | | |
| <u>Landscape Plan</u> | <u>Identify number, location, height and species of required trees, palms, or pines and shrubs. (4)</u> | <u>Non-residential developments</u> | (1) (3) | <u>Zoning Director assigned to Landscape Inspectors</u> |
| | | <u>A lot with more than two MF units</u> | (1) (3) | <u>Zoning Director assigned to Landscape Inspectors</u> |
| | | <u>Common areas of PUD</u> | (1) (3) | <u>Zoning Director assigned to Landscape Inspectors</u> |
| | | <u>Variance</u> | (1) (3) | <u>ZC</u> |
| | | <u>Type 2 Waiver</u> | (1) (3) | <u>BCC</u> |
| | | <u>Type 1 Waiver</u> | (1) (3) | <u>DRO</u> |
| <u>ALP</u> | <u>Identify number, location, height and species of required trees, palms, or pines and shrubs. (4)</u> | (2) (5) | (1) (3) | <u>DRO</u> |
| Ord. | | | | |
| Notes: | | | | |
| (1) <u>Approval of Plan(s) must be completed prior to the issuance of a Building Permit, unless it is required to be approved at Final DRO by a Condition of Approval.</u> | | | | |
| (2) <u>Applicant may submit the ALP concurrent with the DO application to garner support of the Waiver request(s). The ALP may be required as a Condition of Approval by the ZC, BCC or DRO.</u> | | | | |
| (3) <u>Landscape Plan(s) and ALP (except Planting Plan) shall be signed and sealed by a Florida Licensed Landscape Architect prior to the approval of a Building Permit</u> | | | | |
| (4) <u>A Tree Disposition Chart may apply to all of the Landscape related Plans, where a Site has existing native vegetation, even if no Waivers or Variances are being requested. Refer to Technical Manual, Title 4.</u> | | | | |
| (5) <u>An ALP may be submitted by the Applicant concurrently with a Waiver request to modify Landscape standards. The DRO may determine that the Waiver for Landscape requirements pursuant to Art.7 could be shown on a Site, Subdivision or Regulating Plan in lieu of an ALP.</u> | | | | |
| (6) <u>May be approved by the Building Division. The amount of required plant material shall be indicated on the applicable Building Division submittal form and installed prior to issuance of Certificate of Occupancy.</u> | | | | |

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2)j. Sign Plans

Art. 8, Signage, identifies two types of sign plans: Master Sign Plan and Alternative Sign Plan. Application requirements, labeling of Plans, certification and approval procedures of Master Sign Plans or Alternative Sign Plans shall be consistent with Art. 2.A.1.G.3, Plan Requirements, Art. 2.A.1.G.3.g.1) and Art. 2.A.1.G.3.g.2), Regulating Plans and Art. 8, Signage. [Ord. 2009-040] [Ord. 2010-022]

....

Part 5. ULDC Art.2.D.3.D.2, Non Residential Projects, [Related to Type 1B Administrative Variances] (Pages 43 - 44 of 87) is hereby amended as follows:

Reason for amendments: [Zoning] Article 2.D, Administrative Process, propose to change the easement encroachment from a Type IB Administrative Variance to a Type I Waiver since the Waiver process is handled by the Development Review Officer (DRO), and the request for easement encroachment could be reviewed with a concurrent application for a DRO, ZC or BCC approval, whereas a Type IB Administrative Variance is a separate process administered by a different Section of the Zoning Division.

CHAPTER D ADMINISTRATIVE PROCESS
Section 3 Type 1A and Type 1B Administrative Variances

D. Type 1B Administrative Variances
2. Non Residential Projects

- A variance may be requested for the following: [Ord. 2008-003]
- a. Setback reduction greater than five percent but not exceeding 15 percent of the minimum requirement, [Ord. 2008-003]
 - b. Reduction in the number of parking spaces not exceeding 15 percent of the minimum requirement; [Ord. 2006-036] [Ord. 2008-003]
 - c. Relief from Article 5.B.1.A., Accessory Uses and Structures as follows: General; Fences, Walls and Hedges; Outdoor Storage; Outdoor Display; Entry Features; Fuel, Gas, or

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1 Chemical Storage Tanks; Dumpsters; Neighborhood Recreation Facility; Outdoor
2 Recreation Amenities; Screen Enclosures; and Permanent Generators. [Ord. 2008-003]
3 [Ord. 2013-001]

4 ~~d. Easement encroachment into a required landscape that exceeds five feet. [Ord. 2008-~~
5 ~~003]~~

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8 **Part 6. ULDC Art.2.D.6, Type I Waiver, (Pages 45 - 46 of 87) is hereby amended to read:**
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| Reason for amendments: [Zoning] 1) Amend Type I Waiver to allow DRO to approve minor modifications of landscape requirements. The list of requirements that can be processed through a Type I Waiver is listed in Table 7.B.2.B, Type I Waiver for Landscaping. 2) Consolidate Incompatibility Buffers for Recreation or Civic Pods, Areas or Tracts under Landscaping. 3) Also add a reference for the criteria pertaining to the allowable modifications under a Type I Landscape Waiver. |
|--|

10 CHAPTER D ADMINISTRATIVE PROCESS

11 Section 6 Type I Waiver

12 A. Purpose

13 The purpose of Type I Waivers is to allow flexibility for mixed use; ~~or~~ infill redevelopment
14 projects; ~~or~~ site design or layout; preservation or incorporation of existing native, non-prohibited
15 or specimen vegetation; or for the innovative use of plant material and improved site design
16 where alternative solutions can be permitted, subject to ~~performance~~ criteria ~~or limitations~~.
17 Waivers are not intended to relieve specific financial hardship nor circumvent the intent of this
18 Code. A Waiver may not be granted if it conflicts with other sections of this Code, or the Florida
19 Building Code. [Ord. 2011-016]

20 B. Applicability

21 Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC:
22 [Ord. 2011-016] [Ord. 2012-027]
23

Table 2.D.6.B - Summary of Type I Waivers

| Type I Waiver Summary List |
|--|
| Glades Area Overlay (GAO) |
| Infill Redevelopment Overlay (IRO) |
| Urban Redevelopment Overlay (URAO) |
| Lifestyle Commercial Center (LCC) |
| Required Parking for Location Criteria Exception in Type I Restaurant with Drive Through |
| Commercial Greenhouse Loading Zones |
| Solid Waste Transfer Station Landscape Buffer Planting |
| Screening for Room Mounted Mechanical Equipment |
| Green Architecture |
| Eliminate or Reduce Loading Standards |
| Requirements for Walls or Fences Where Adjacent to Existing Walls |
| Billboard Replacement – Billboard Location Criteria |
| Required Parking for Community Vegetable Garden |
| Incompatibility Buffers for Recreation or Civic Pods, Areas or Tracts |
| PUD Informational Signs |
| <u>Landscaping</u> |
| [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] |

24 C. Standards

25 When considering whether to approve, approve with conditions, or deny a Type I Waiver request,
26 the DRO shall consider the following standards in addition to any other standards applicable to
27 the specific Waiver as contained in this Code: For a Waiver application that requires the
28 submission of an ALP, the Applicant shall comply with additional standards pursuant to Art. 7.B.2.B,
29 Type I Waivers for Landscaping. [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027]

- 30 1. The Waiver does not create additional conflicts with other requirements of the ULDC, and is
31 consistent with the stated purpose and intent for the Zoning district or Overlay; [Ord. 2010-
32 022] [Ord. 2011-016] [Ord. 2012-027]
- 33 2. The Waiver will not cause a detrimental effect on the overall design and development
34 standards of the project, and will be in harmony with the general site layout and design
35 details of the development; and, [Ord. 2010-022] [Ord. 2012-027]
- 36 3. The alternative design option recommended as part of the Waiver approval, if granted, will
37 not adversely impact adjacent properties. [Ord. 2010-022] [Ord. 2012-027]

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Notes:

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

Part 7. ULDC Art.3.E.3.B.2.c, Landscape Buffers [Related to MUPD] (Page 173 of 232) is hereby amended as follows:

Reason for amendments: [Zoning] Allow easement overlap in the right-of-way buffer for a maximum of five feet; the Code already allows a 5-foot overlap into the landscape buffers in other non-MUPD types of developments.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 3 Multiple Use Planned Development (MUPD)

B. Objectives and Standards

2. Performance Standards

c. Landscape Buffers

A Type 3 incompatibility buffer shall be provided in any area of an MUPD adjacent to a residential use type or undeveloped land with a residential FLU designation. The BCC may allow an alternative buffer as a condition of approval.

~~1) No overlap or easement encroachment shall be permitted in R-O-W buffers.~~

ARTICLE 7, LANDSCAPING

Part 8. ULDC Art.7.B, Types of Plan (Page 12 - 13 of 52) is hereby amended as follows:

Reason for amendments: [Zoning] Relocate Art.7.B, Types of Plan to Art.2.A.1.G.3, Plan Requirements, this Section of Art. 2 provides a general description of each type of Plan. Reasons as mentioned in Part 2.

~~CHAPTER B — TYPES OF PLANS~~

~~A development that requires the review and approval of a building or paving permit may also require the review and approval of a Zoning Division Landscape Permit. When landscape review and approval is required, the applicant shall submit the appropriate application to the Zoning Division. Plans and applications shall be submitted in a manner and form established by the Zoning Division, and shall be reviewed for compliance with all applicable provisions of this Code. If approved, a Landscape Permit shall be issued. [Ord. 2009-040]~~

~~Section 1 — Planting Plan~~

~~For all single-family and two-unit dwellings on an individual lot, and uses requiring landscaping that would otherwise be exempt, a planting plan shall be submitted and approved prior to the issuance of a building permit. The planting plan shall, at a minimum, indicate the number, location, height, and species of required trees and shrubs. [Partially relocated to Table 2.A.1.G, Types of Landscape Plans]~~

~~Section 2 — Landscape Plan~~

~~For non-residential development, multi-family development greater than two units, and common areas of a PUD, a landscape plan shall be submitted and approved prior to the issuance of a building permit. [Partially relocated to Table 2.A.1.G, Types of Landscape Plans]~~

~~Section 3 — Alternative Landscape Plan (ALP)~~

~~A. Purpose and Intent~~

~~An ALP is intended to promote the preservation and incorporation of existing native vegetation or specimen palms or trees, or for the innovative use of plant material and improved site design. [Ord. 2007-001]~~

Reason for amendments: [ZONING] The process of an ALP is replaced by Type I Waiver; therefore defer to the Criteria under the Waiver process.

~~B. Applicability~~

~~Any application for a Development Order may be eligible to apply for an ALP. [Ord. 2007-001]~~

~~1. Design Principles~~

Notes:

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

- 1 To qualify for consideration an application for an ALP shall demonstrate compliance with the
 2 following principles. ~~[Ord. 2007-001]~~
 3 a. ~~Innovative use of plant materials and design techniques in response to unique~~
 4 ~~characteristics of the specific Tier and site. [Ord. 2007-001]~~
 5 b. ~~Preservation or incorporation of existing native vegetation. [Ord. 2007-001]~~
 6 c. ~~Use of a variety of plant material, including plants of color, form, and texture, in excess of~~
 7 ~~minimum requirements. [Ord. 2007-001]~~
 8 d. ~~Incorporation of naturalistic design principles, such as variations in topography,~~
 9 ~~meandering or curvilinear plantings, and grouping of dominant plant materials (trees,~~
 10 ~~large shrubs) in a manner consistent with existing native vegetation. [Ord. 2007-001]~~
 11 e. ~~Integration of landscaping and pedestrian facilities in a manner consistent with the Tier in~~
 12 ~~which the development is located. In U/S Tiers and in TDD's, this may include reduced~~
 13 ~~ground-level planting within the R-O-W buffer if canopy shade trees along sidewalks are~~
 14 ~~provided. [Ord. 2007-001]~~
 15 f. ~~Use of additional shade trees to create a greater canopy effect. [Ord. 2007-001]~~
 16 g. ~~A greater degree of compatibility with surrounding uses than a standard landscape plan~~
 17 ~~would offer, provided the resulting landscape conforms with the design principles and~~
 18 ~~guidelines of this Article. [Ord. 2007-001]~~
 19 h. ~~Use of water-efficient irrigation systems and xeriscaping at appropriate locations. [Ord.~~
 20 ~~2007-001]~~
 21 i. ~~Incorporation of specific environmental attributes such as soil, hydrology, and vegetative~~
 22 ~~communities unique to the site, and which are compatible with environmental features on~~
 23 ~~adjacent properties. [Ord. 2007-001]~~
 24

Reason for amendments: [Zoning] 1) Relocate and consolidate this Section under Art.7.B, and rename the Heading from Types of Plan to Approval Process and Applicability. The allowable Modifications will be restricted to the Type 1 Waiver since the ALP process will be replaced by this Waiver process. 2) Reorganize the headings and contents of this Chapter to specify the Approval process, the assigned Authority and the Submittal Requirements. Also clarify that an ALP is a plan that could be submitted concurrent with a companion DO application. The ALP can be used by an applicant to graphically demonstrate that the proposed design layout with its modifications of Code requirements could still meet the Purpose and Intent of Art.7. 3) Delete appeal of the ALP process and default to the Type 1 Waiver process. Appeal of the Type 1 Waiver goes to the Zoning Commission, and this process is already included in Art.2.A.1.S, Appeal, Non-Judicial.

- 25
 26 **2. Allowable Modifications to Standards**
 27 The standards that can be modified through the use of an ALP are listed below in Table
 28 7.B.3.A, Standards That Can Be Altered with an ALP. Any standard not listed herein shall
 29 not be eligible to be modified through an ALP. ~~[Ord. 2007-001]~~ **[Partially relocated to Art.**
 30 **7.B.2.A, Allowable Modifications Subject to a Type I Waiver]**
 31

Table 7.B.3.A – Standards That Can Be Altered With An ALP

| Specific Regulation | |
|----------------------------|--|
| Art. 7.F.2.A.1 | Minimum Tree Quantities |
| Art. 7.F.7.B | Shrub Hierarchy |
| Art. 7.F.7.C | Planting Pattern |
| Art. 7.F.7.D | Clustering |
| Art. 7.F.8 | Compatibility Buffer |
| Art. 7.F.9 | Incompatibility Buffer |
| Art. 7.F.10.A. | Perimeter Buffer |
| Art. 7.F.10.A.1 | R-O-W Buffer |
| Art. 7.F.10.A.2 | Compatibility Buffers |
| Art. 7.F.10.A.3 | Incompatibility Buffers |
| Art. 7.G.2.A | Terminal Islands |
| Art. 7.G.2.B | Interior Islands |
| Art. 7.G.2.C | Divider Median |
| Art. 7.G.2.D | Landscape Diamonds |
| Art. 7.G.2.E..1 | Curbing |
| Art. 7.G.2.F | Parking Structures |
| Table 7.C.3-1 | Minimum Tier Requirements (Only the following items listed in the table) |
| | Minimum Tree Height Perimeter |
| | Minimum Tree Height Interior |
| | Facades To Be Planted |
| | Percentage of Facade |
| [Ord. 2007-001] | |

32

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1 CHAPTER B APPROVAL PROCESS AND APPLICABILITY

2 Section 1. Approval Process for Landscape Plans

3 Approval process for Landscape Plans shall be subject to the requirements pursuant to Art.2,
4 Development Review Procedures.

5
6 **C Section 2.—Application Requirements**

7 An application for a ALP shall be in a form established by the Zoning Director, All Plans shall be prepared
8 and submitted in accordance with Art. 2.A.1.G, Application Procedures, Art. 2.A.1.G.3, Plan
9 Requirements, and the Technical Manual. to include the following: [Ord. 2007-001]

10 **1. Design Principles**

11 The ALP shall include a narrative and any necessary supporting documentation that clearly
12 details compliance with Art. 7.B.3.B.1, Design Principles. [Ord. 2007-001]

13 **2. Required Findings**

14 The applicant must provide documentation to demonstrate compliance with Art. 7.B.3.D.1,
15 Required Findings. [Ord. 2007-001]

16 **D. Approval**

17 ALPs must be submitted in conjunction with a Zoning application, in accordance with Article 2,
18 DEVELOPMENT REVIEW PROCESS, or a building permit application, subject to the following
19 requirements. [Ord. 2007-001]

20 **1. Required Findings**

21 An ALP shall only be approved upon finding that: [Ord. 2007-001]

22 a. There are unique characteristics of the property, site design or use that warrant special
23 consideration to modify or deviate from the requirements of this section and that these
24 characteristics are not self-created. [Ord. 2007-001]

25 b. The ALP meets or exceeds the minimum requirements of this Section, while recognizing
26 the unusual site design or use restraints on the property. [Ord. 2007-001]

27 c. Approval of the ALP will provide for both increased consistency and compatibility with
28 adjacent projects located in the Tier. [Ord. 2007-001]

29 d. The ALP conforms to the requirements of Table 7.B. Standards That Can Be Altered and
30 no exceptions to the limitations on the standards that may be modified are requested.
31 [Ord. 2007-001]

32 **4.A. Type I Waiver for Landscaping**

33 An Applicant may seek minor modifications to the requirements of this Article that are identified
34 in Table 7.B.2.A, Type I Waivers for Landscaping. Any requirements that are *not listed herein*
35 may be eligible to be modified through other applicable processes pursuant to Art.2, Development
36 Review Procedures The Applicant shall demonstrate in the Justification Statement and provide
37 supporting documents that the applicable criteria in the following Table have been met. [Ord.
38 2007-001] [Partially relocated from Art. 7.B.3.B.2, Allowable Modifications to Standards,
39 above]

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1

Table 7.B.2.A –Type I Waivers for Landscaping

| <u>Article/Table Reference and Title</u> | <u>Maximum Waiver</u> | <u>Criteria</u> |
|---|---|--|
| <u>Art.7.D.2.A,1, Canopy Trees Minimum Height</u> | <u>Allow 75 percent of the total required trees be reduced in height by 25 percent.</u> | <ul style="list-style-type: none"> <u>All proposed trees must be native species.</u> |
| <u>Art. 7.D.3.B.2 PDD and Non-residential Perimeter Buffer Hedge Height</u> | <u>Allow for hedge to exceed 12 feet in height, up to 20 feet, for industrial developments.</u> | <ul style="list-style-type: none"> <u>The proposed hedge is planted for the purpose of screening the outdoor industrial activities.</u> |
| <u>Art.7.D.9.A, Berm, Tier Restrictions</u> | <u>Allow landscape berms within the Exurban, Rural, Agricultural Preserve, or Glades Tiers.</u> | <ul style="list-style-type: none"> <u>Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues.</u> |
| <u>Art.7.D.11, Foundation Planting</u> | <u>Required plant material may be located within 30 feet of the foundation, along the front and side facades of drive-through establishments, including Freestanding ATMs. [Relocated from Art. 7.D.11]</u> | <ul style="list-style-type: none"> <u>Provide a minimum width of 5 feet for each area of foundation planting;</u> <u>The overall total required square footage of the planting area meets or exceeds the requirement; and,</u> <u>Location of relocated planting will be within proximity to the building it serves to still meet the general intent of enhancing the building</u> |
| <u>Art.7.F.3.B, Location of Planting</u> | <u>No minimum of percentage of required trees to be located on the exterior side of the wall or fence for ROW or Incompatibility Buffers.</u> | <ul style="list-style-type: none"> <u>The minimum perimeter buffer planting requirements is provided; and one or all of the below criteria:</u> <u>There are existing walls, fences, hedges or site conditions adjacent to the site that will create limitations to access for maintenance; or,</u> <u>There are existing overhead; or underground utilities, or buildings that are located in close proximity to the common property line that prohibits planting on the exterior.</u> |
| <u>Art.7.F.7.B, Shrub Hierarchy Minimum Height at Installation (Size)</u> | <u>A maximum of 50% of large shrubs may be substituted with medium shrubs.</u> | <ul style="list-style-type: none"> <u>The proposed quantity of medium and small shrubs exceeds the minimum Code requirement by a minimum of 10 percent.</u> |
| <u>Art.7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer</u> | <u>A maximum of 25% reduction of the continuous opaque vertical landscape screen.</u> | <ul style="list-style-type: none"> <u>The reduced quantity of groundcover and shrub planting could be relocated elsewhere on the site; and,</u> <u>Necessary to accommodate an entrance feature, an amenity and/or a walkway.</u> |

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1

Table 7.B.2.A –Type I Waivers for Landscaping -Continued

| <u>Article/Table Reference and Title</u> | <u>Maximum Waiver</u> | <u>Criteria</u> |
|--|---|--|
| <u>Art.7.F.8, Compatibility Buffer</u> | <u>Allow to waive the requirement to provide a solid opaque visual screen.</u> | <ul style="list-style-type: none"> • <u>There is an existing mature vegetative buffer screen on adjacent property; or</u> • <u>If it is determined by the DRO that screening is not necessary, such as if adjacent to open space, a lake or compatible use; or</u> • <u>If an alternative design approach results in adequate screening being provided.</u> |
| <u>Art.7.F.9.C.1, Existing Walls and Fences</u> | <u>Where there is an existing wall or fence on an adjacent property, the applicant may apply for a Type I Waiver to waive the wall or fence requirement. [Partially relocated from Art.7.F.9.C.1, Existing Walls or Fences]</u> | <ul style="list-style-type: none"> • <u>Condition of existing wall, fence or other barrier;</u> • <u>Effectiveness of visual screen; and</u> • <u>Type of construction.</u> <p>[Relocated from Art.7.F.9.C.1.a,b,c, Existing Walls or Fences]</p> |
| <u>Art.7.F.9.E, Recreational Pod</u> | <u>Allow to waive the requirement of an incompatibility buffer for pods, areas or tracts within a residential subdivision or PUD [Partially relocated from Art. 7.F.9.E, Type I Waiver]</u> | <ul style="list-style-type: none"> • <u>Adjacent to open space that is 100 feet or greater in width; or</u> • <u>The site layout will integrate recreational amenities with multi-family units.</u> <p>[Partially relocated from Art. 7.F.9.E, Type I Waiver]</p> |
| <u>Art 7.G.2.A, Terminal Island Width</u> | <u>Allow the reduction of terminal island green space width to 5 feet.</u> | <ul style="list-style-type: none"> • <u>For infill sites with less than 25 parking spaces.</u> |
| <u>Art.7.G.2.A, Terminal Island Planting</u> | <u>Allow for relocation of shrubs from terminal islands in industrial developments to other areas of the site.</u> | <ul style="list-style-type: none"> • <u>For industrial developments where the parking areas are not open to the public, and the nature of the use does not benefit for interior plantings in the parking areas.</u> |
| <u>Art. 7.G.2.C, Divider Median</u> | <u>Allow for relocation of shrubs from divider medians to other areas of the site.</u> | <ul style="list-style-type: none"> • <u>For industrial developments that do not have significant public visitation and the nature of the use does not benefit for interior plantings in parking areas.</u> |
| <u>Art.7.G.2.B.1, Interior Island Maximum Spacing</u> | <u>Allow to waive the maximum number of spaces or distance to provide larger interior islands.</u> | <ul style="list-style-type: none"> • <u>To allow for existing trees to be preserved or existing trees to be relocated within parking areas.</u> |
| <u>Art.7.G.2.G, Alternative Parking Lot Landscaping</u> | <u>Alternative parking lot landscape designs may be approved. [Partially relocated from Art. 7.G.2.G, Alternative Parking Lot Landscaping]</u> | <ul style="list-style-type: none"> • <u>Provided that the total landscaped area and plant material quantities equal or exceed the code requirements.</u> <p>[Partially relocated from Art. 7.G.2.G, Alternative Parking Lot Landscaping]</p> |
| [Ord.2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [2016-016] | | |

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2B. Optional Preliminary Mandatory Pre-Application Meeting for a Type I Waiver

Applicants ~~may~~ shall be required to schedule a ~~preliminary~~ pre-application meeting with Zoning staff to review and discuss preservation of existing vegetation; possible design alternatives; and any Waivers that may be requested as part of the application. **[Ord. 2007-001]**

3. Approval Process

Application for an ALP shall be approved in accordance with the following: **[Ord. 2007-001]**

a. Building Permit

An application for an ALP for projects ~~only requiring building permits shall be submitted concurrently at time of building permit application.~~ The Zoning Division must approve the ALP prior to issuance of a building permit. **[Ord. 2007-001]**

b. DRO Approval

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1 ~~An application for an ALP for projects requiring DRO approval, including projects~~
2 ~~approved by the ZC or BCC, shall be submitted concurrently at time of application for~~
3 ~~DRO approval. The Zoning Division must approve the ALP prior to DRO approval,~~
4 ~~unless approved by the ZC or BCC. [Ord. 2007-001]~~
5 **c. Optional Submittal with a Zoning Application**
6 ~~If submitted with an application for a rezoning, conditional use, requested use, variance,~~
7 ~~or development order amendment, an applicant may opt to request that the ZC or BCC,~~
8 ~~whichever is applicable, approve the ALP. [Ord. 2007-001]~~
9 **4. D. Appeals**
10 ~~If an application for an ALP is denied by the DRO or Zoning Division, an applicant may appeal the~~
11 ~~decision through a Peer Review, as follows: The applicant may select a landscape architect licensed in~~
12 ~~the State of Florida to certify to the Zoning Division, that the proposed ALP is in compliance with this~~
13 ~~Article. The Zoning Division shall provide a Peer Review Certification Form for this purpose.~~
14 ~~Certification shall substitute for a staff determination of consistency with this Article. [Ord. 2007-001]~~
15

| |
|---|
| Reason for amendments: [Zoning] This is not a Zoning type of Plan, and it is already addressed under Engineering submittal requirements. |
|---|

16 **~~Section 4 — Street Planting Plan~~**

17 ~~Plans for landscaping within streets shall be provided for new subdivisions in accordance with Article~~
18 ~~11.B.3.B.3, Construction Plans and Supplemental Engineering Reports.~~
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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1 **Part 9. ULDC Art.7.C.3, Minimum Tier Requirements (Page 16 of 52) is hereby amended as**
 2 **follows:**

Reason for amendments: [Zoning] Correct Note 5, lakes were erroneously being deleted from the interior tree calculation during the amendment in 2014. Also since there is no longer a Note 9, and correct the numbering order to replace it as Note 8.

Table 7.C.3 - Minimum Tier Requirements

| Code Requirements | U/S Tier ⁸ | AGR and Glades Tiers | Exurban and Rural Tiers |
|---|-----------------------|----------------------|-------------------------|
| Landscape Buffers ⁷ | | | |
| | | | |
| Interior Landscaping ^{7, 9-2} | | | |
| | | | |
| Minimum Tree <u>Shrub</u> Quantities Multi-family Residential Lots ⁵ | 3 per 1,250 sq. ft. | 3 per 1,000 sq. ft. | 3 per 800 sq. ft. |
| | 3 per 2,000 sq. ft. | 3 per 1,500 sq. ft. | 3 per 1,200 sq. ft. |
| Plant Standards ⁷ | | | |
| | | | |
| Foundation Planting ^{6, 7} | | | |
| | | | |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-025] [Ord. 2014-031] | | | |
| Notes: | | | |
| 1. May be allowed with an approved ALP. 2. Landscape requirements (including walls and fences) for Incompatibility buffers, refer to Table 7.F.9.A, Incompatibility Buffer Standards. [Ord. 2009-040] 3. Walls and fences shall be built from natural materials, including but not limited to: wood, stone, etc. [Ord. 2009-040] 4. This requirement is only for Perimeter R-O-W Buffers. Applicants shall also reference Table 7.F.7.B, Shrub Planting Requirements for installation size, quantity, spacing and maturity height for perimeter and interior shrub planting. [Ord. 2009-040] 5. Interior quantities for trees and shrubs planting shall be calculated based on gross lot area, excluding preservation areas <u>and lakes</u> . [Ord. 2009-040] [Ord. 2014-025] 6. TDDs, LCC, IRO and PRA Development Orders are exempt from foundation planting requirements for primary and secondary, or other similar types of building frontages, buildings along an alleyway or accessway to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004] [Ord. 2010-022] 7. Deviations shall be permitted for publicly owned and operated public parks in accordance with Art. 5.D.2.G, Public Park Landscape Standards [Ord. 2006-004] [Ord. 2011-001] 8. Tree and shrub planting requirement calculations for Zero Lot Line and Single Family Residential Lots shall be based upon gross lot area minus the building coverage for the principal residential structure. The building coverage percentage shall be based upon the zoning district and the applicable property development regulations. [Ord. 2014-025] | | | |

5
6
7 **Part 10. ULDC Art.7.D.2.A (Page 17-19 of 52) is hereby amended as follows:**

Reason for amendments: [Zoning] Amend to clarify that the size of a Canopy tree must include height and caliper. Also clarifying that if the height of a tree is reduced, then the caliper could be reduced, but may not be consistent with the minimum requirements of the Florida Grades and Standards because these Standards may not be updated reflecting the current availability of trees. In addition, industry and landscape architects encourage to allowing the use of different types of native trees to meet the requirement of Canopy trees. These native trees may not all follow the Florida Grades and Standards, and suggest that any height or caliper reduction should be subject to a Type I Waiver process.

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10 **CHAPTER D GENERAL STANDARDS**

11 **Section 2 Trees**

12 **A. Canopy Trees**

13 The size of a Canopy trees shall be include the height and caliper. The minimum size of a
 14 Canopy tree shall be 12 feet in height with a two and one half inch caliper at installation, subject
 15 to the following standards. [Ord. 2014-025]

16 **~~1. Minimum Height~~**

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EXHIBIT F

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

(Updated 05/17/16)

~~Canopy trees shall meet the standards in Table 7.C.3. Minimum Tier Requirements and Figure 7.D.2.A, Canopy Tree Measurement Standards, at installation. [Ord. 2014-025]~~

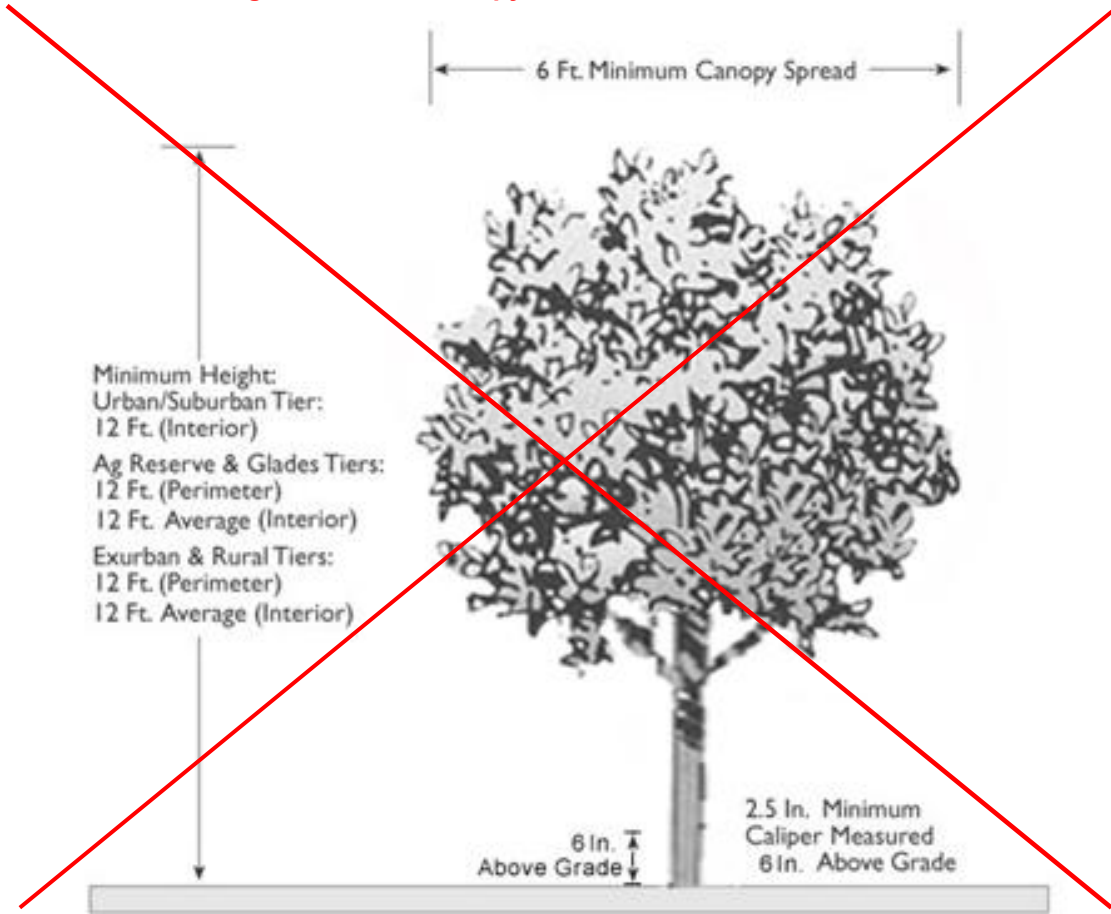
A1. Height Reduction

A maximum of 25 percent of the total number of required trees may be reduced in height by 25 percent. One additional tree, a minimum of eight feet in height, shall be planted for each tree with reduced height. [Ord. 2014-025]

~~**2. Minimum Canopy Spread and Caliper**~~

~~The minimum canopy spread and caliper shall be consistent with the most current edition of the Florida Grades and Standards. [Ord. 2014-025]~~

~~Figure 7.D.2.A - Canopy Tree Measurement Standards~~



Reason for amendments: [Zoning] Amend Art.7.D.2.A.1.B, Palms to clarify that the size of a palm must include overall height and height of either clear trunk or grey wood. Certain Palm species are measured using grey wood, e.g. Royal Palms. Also clarify how to measure the size of pines in Art.7.D.2.A.1.C, Pines

B. Palms

~~Palms, in clusters of same species, may be used in place of required canopy trees, subject to the standards in Table 7.D.2.B, Palm Height Standards, and Figure 7.D.2.B, Palm Measurement Standards. Palms may not be used in excess of 25 percent of the total number of required trees. When using palms in a perimeter buffer, refer to Article 7.F.2.A, Palms. [Relocated to Art. 7.D.2.B.1]~~

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

Table 7.D.2.B - Palm Height Standards

| | |
|------------------|--|
| Minimum Height | 12 feet overall height as noted below; 8 feet foot clear trunk for Sabals and similar species 6 feet foot Grey wood for Royals and similar species 4 feet foot Grey wood for Phoenixes and similar species 4 feet clear trunk for preserved native palms |
| Minimum Diameter | See Florida Standards for specific species |

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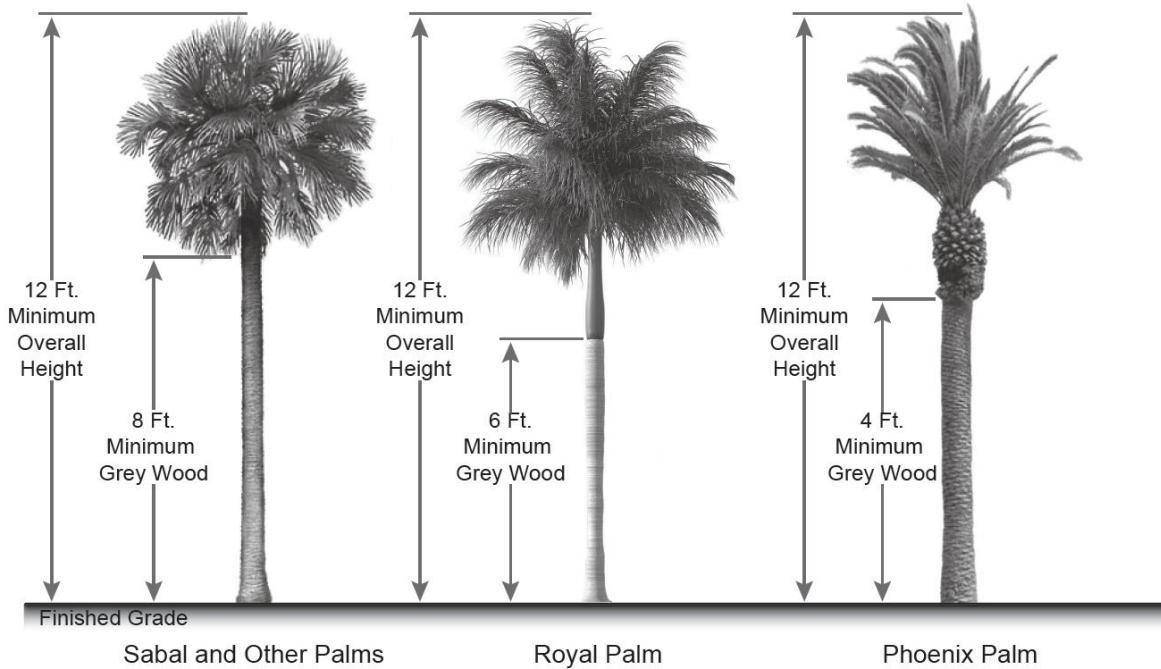
EXHIBIT F

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

(Updated 05/17/16)

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Figure 7.D.2.B - Palm Measurement Standards



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1. Canopy Tree Substitute

Palms, in clusters of same species, may be used in place of required canopy trees, subject to the standards in Table 7.D.2.B, Palm Height Standards, and Figure 7.D.2.B, Palm Measurement Standards. Palms may not be used in excess of 25 percent of the total number of required trees. When using palms in a perimeter buffer, refer to Article 7.F.2.A, Palms. [Relocated from Art.7.D.2.B]

C. Pines

The size of a pine shall include the height and the caliper of the pine. The minimum size of a pine shall be 12 foot in height with a two and one half inch caliper at installation subject to the following standards. [Ord. 2014-025]

1. Canopy Tree Substitute

- a. *Three pPines, planted in groups of three may be substituted for one required canopy tree, provided the overall accumulated height of the three pines is 24 feet or more; or*
- b. *One pine with a minimum height of 14 feet.*

Pines may not be used in excess of 25 percent of the total number of required canopy trees. When using pines in a perimeter buffer, refer to Article 7.F.2.A,3 Pines. [Ord. 2014-025]

....

Part 11. ULDC Art.7.D.2.E.3, Tree Credit Formula (Page 19 of 52) is hereby amended as follows:

Reason for amendments: [Zoning] Amend measuring methodology to be consistent with the current Florida Grades and Standards. In addition, add minimum size for pines that are subject to preservation, mitigation or replacement.

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CHAPTER D GENERAL STANDARDS

Section 2 Trees

E. Tree Credit

3. Tree Credit Formula

All existing trees to be preserved, mitigated on or off site, replaced on or off site Existing trees shall be credited according pursuant to the formula in Table 7.D.2.E, Tree Credit and Replacement. Only pines with a caliper of two inch or more shall be subject to preservation, mitigation or replacement.

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

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Table 7.D.2.EF - Tree Credit and Replacement

| Crown Spread of Tree | Or | <u>Diameter Caliper measuring at 4.5 Feet 6 inches Above Grade</u> | = | Credits or Replacements |
|----------------------|----|--|---|-------------------------|
| Less than 5 Ft. | or | Less than 2 in. | = | 0 |
| 5-9 Ft. | or | 2-6 in. | = | 1 |
| 10-19 Ft. | or | 7-11 in. | = | 2 |
| 20-29 Ft. | or | 12-16 in. | = | 3 |
| 30-39 Ft. | or | 17-21 in. | = | 4 |
| 40-49 Ft. | or | 22-26 in. | = | 5 |
| 50-59 Ft. | or | 27-31 in. | = | 6 |
| 60-89 Ft. | or | 32-36 in. | = | 7 |
| 90 Ft. or Greater | or | 37 in. or more | = | 8 |

[Ord. 2014-025]
Notes:
~~1.~~ Preserved relocated, or new pines a minimum of 14 feet in height may count as one required canopy tree. [Ord. 2014-025]
~~2.1.~~ Fractional measurements shall be rounded down.
~~3.2.~~ One palm may count as one required palm canopy tree. [Ord. 2014-025]

2

3

4 **Part 12. ULDC Art.7.D.4, Ground Treatment (Page 21 of 52) is hereby amended as follows:**

5

Reason for amendments: [Zoning] Housing keeping modifications.

6 **CHAPTER D GENERAL STANDARDS**

7 **Section 4 Ground Treatment**

8 The ground within required landscaped areas shall receive appropriate ground treatment at installation.
 9 ~~landscaping such as grass, groundcover, mulch or shrubs and present a finished appearance upon~~
 10 ~~planting.~~ Ground cover treatment is shall not be required in preservation areas ~~shown on approved~~
 11 ~~landscape plans.~~ Sand, gravel, shellrock, or pavement is are not considered appropriate ground
 12 ~~landscape~~ treatment. The following standards shall apply to the installation of ground treatment:

13 **A. Ground Cover**

14 ~~Live material used as ground~~ Containerized Ground cover shall provide a minimum of 50 percent
 15 coverage immediately upon planting and 100 percent coverage within six months. Seeded ground
 16 cover such as native wildflowers, shall provide a minimum of 50 percent coverage after six month
 17 of planting and 50 percent coverage within one year. 100 percent coverage shall be achieved at
 18 the second year of planting.

19 **B. Mulch**

20 Mulch shall be installed and maintained ~~at a minimum compacted depth of three inches~~ at all
 21 times in all planted areas not containing ground cover. All mulch material shall be free of seeds
 22 and weeds to prevent tree sprouting and ~~re-growth~~ regrowth.

23 **C. ~~Pebble, Egg Rock and Decorative Sand~~ Alternative Materials**

24 Alternative materials such as pebbles Pebble, egg rocks, or decorative sand may be used up to a
 25 maximum of ten percent of ground coverage and only in areas needed to accommodate limited
 26 roof water runoff.

27 **D. Lawn and Turf ~~Grass~~**

28 Grassed areas shall be planted with species suitable as permanent lawns and shall reach 100
 29 percent coverage within six months of planting. Grassed areas may be sodded, plugged,
 30 sprigged, or seeded. ~~However, provided that sod grass shall be required between landscape~~
 31 ~~buffers and swales and in other areas subject to erosion).~~ In areas where grass seed is used,
 32 millet or rye shall also be sown. ~~These areas shall be properly maintained to ensure for~~
 33 ~~immediate effect, and immediate maintenance shall be provided until complete coverage is~~
 34 ~~complete.~~ Because of their drought resistant characteristics, it is recommended that Bahia grass
 35 species be used. Use of drought-tolerant ground cover instead of lawn and turf grass is
 36 encouraged. Undeveloped parcels shall be planted as required in Art. 7.E.5.G, Vacant Lots.

37 **E. Artificial Turf**

38 Artificial turf may be installed in the interior, terminal or divider medians of a bull pen vehicle
 39 storage area. The Applicant shall receive product approval from the Zoning Director, prior to
 40 indicating in on the Landscape Plan or installation

41

42

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1
2 **Part 13. ULDC Art.7.D.9, Berms (Page 22 of 52) is hereby amended as follows:**

3
4 **Reason for amendments:** [Zoning] Replace ALP with the Type I Waiver process.

4 **CHAPTER D GENERAL STANDARDS**

5 **Section 9 Berms**

6 Berms may be used as non-living landscape barriers only when used in conjunction with plant materials
7 and where existing natural vegetation is not disturbed. Berms may be used in conjunction with fences,
8 walls, hedges and shrubs to meet the total height requirements of incompatibility landscape buffers, as
9 illustrated in Figure 7.D.9.C-4, Berm Elevation and Drainage Requirements, provided that hedges and
10 shrubs are installed at the height necessary to provide the total six foot screen at the time of planting.
11 Berms may be installed in preservation areas only where they will not affect the viability of preserved
12 trees and vegetation. Runoff from berms shall be contained within the property, as illustrated in Figure
13 7.D.9.C-4, Berm Elevation and Drainage Requirements, or in a manner approved by the County
14 Engineer.

15 **A. Tier Restrictions**

16 Landscape berms are not allowed within the Exurban, Rural, Agricultural Preserve, or Glades
17 Tiers, unless approved ~~as part of an ALP~~ through a Type I Waiver or located along a Rural
18 Parkway.

19

20
21
22 **Part 14. ULDC Art.7.D.11, Foundation Planting (Page 23 of 52) is hereby amended as follows:**

23
24 **Reason for amendments:** [Zoning] Amend to clarify how Foundation Planting could be waived for
facilities that have drive-through and those without.

24 **CHAPTER D GENERAL STANDARDS**

25 **Section 11 Foundation Plantings**

26 Foundation plantings shall be provided along facades as required by Table 7.C.3, Minimum Tier
27 Requirements, for non-residential structures unless specifically exempted by this Section. ~~Required plant
28 material may be located within 30 feet of the foundation, along the front and side facades of drive-through
29 establishments, including Freestanding ATMs. (Partially relocated to Art. 7.D.11.A.1)~~ All required
30 foundation plantings shall include a minimum of one tree or palm for each 20 linear feet of building facade
31 and one shrub or ground cover for every 10 square feet of planting area. ~~The relocation of foundation
32 plantings may be approved by the DRO provided the minimum required square footage of the planting
33 area is maintained.~~ Partially Relocated to Art. 7.B.2.A – Type 1 Waivers for Landscaping [Ord. 2013-
34 021] [Ord. 2014-025]

35
36
37 **Part 15. ULDC Art.7.D.12.C, Detention/Retention Areas, Swales, and Drainage Easements,**
38 **[Related to Landscape in Easements] (Page 27 of 52) are hereby amended as follows:**

39
40 **Reason for amendments:** [Zoning] Quantify the maximum allowable overlap into the landscape buffer.
Allow required interior tree planting to be located in the lake maintenance easement.

40 **CHAPTER D GENERAL STANDARDS**

41 **Section 12 Landscape in Easements**

42 Easements may overlap a required landscape buffer by a maximum of five feet, provided there remains a
43 minimum of five clear feet for planting. If a wall with a continuous footer is used, a minimum of ten clear
44 feet for planting is required. The landscape buffer may be traversed by easements or access ways as
45 necessary to comply with the standards of this Article, and Article 11, SUBDIVISION, PLATTING, AND
46 REQUIRED IMPROVEMENTS, and other PBC codes. Easements shall be identified prior to the
47 preparation of site or subdivision plans and any proposed overlap shall be approved by the DRO or
48 Zoning Division.

49 **C. Detention/Retention Areas, Swales, and Drainage Easements**

50 Detention/retention areas, drainage easements, and sloped, directional swales greater than one
51 foot below finished grade, ~~shall not be located in or~~ may overlap required landscape buffers

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

1 ~~provided a minimum of five feet remains for planting unless otherwise approved in writing by the~~
2 ~~Land Development Division. [Ord. 2006-004]~~

3 ~~1. Planting may be allowed in the dry detention area if approved by the Land Development~~
4 ~~Division.~~

5 **D. Lake Maintenance Easements (LME)**

6 ~~Planting of new trees or relocation of native, non-prohibited or specimen vegetation may occur in~~
7 ~~the LME subject to the approval by the Land Development Division.~~

8
9
10 **Part 16. ULDC Art.7.F.1.A, R-O-W, [Related to Buffer Types] (Page 35 of 52) is hereby amended**
11 **as follows:**

12 **Reason for amendments:** [Zoning] Developments that abut the Intercoastal Waterway should not be providing landscape buffers since most of these lots may have land that are submerged in water. The current practice is to require the applicant to seek relief through a Type II Variance for unable to meet the perimeter buffer requirement.

13 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

14 Landscape buffers shall be installed and maintained in accordance with the following standards.

15 **Section 1 Buffer Types**

16 **A. R-O-W**

17 R-O-W buffers shall be provided along all street R-O-W, ~~except for alleys.~~

18 **1. Exemptions**

19 R-O-W buffers are not required for individual single-family residential, ZLL, ~~or~~ townhouse lots;
20 ~~or lots that abut the Intercoastal Waterway, private street right-of-ways internal to a PDD, and~~
21 ~~alleys.~~

22

23
24
25 **Part 17. ULDC Art.7.F.5, Area Measurement (Page 37 of 52) is hereby deleted as follows:**

26 **Reason for amendments:** [Zoning] The Landscape Section allows deletion of access points/driveways be deducted when calculating the quantity of trees.

27 28 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

29 **Section 5 Area Measurement**

30 The width of access ways that traverse required perimeter landscape buffers shall be ~~included~~ excluded
31 in the calculation of linear dimension.

32
33
34 **Part 18. ULDC Art.7.F.7.D, Clustering (Page 38 of 52) is hereby deleted as follows:**

35 **Reason for amendments:** [Zoning] Relocate this Section of the Code and consolidate under the proposed Table 7.B.3.A – Requirements That Can be Altered Through a Type I Waiver

36 37 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

38 **Section 7 R-O-W Buffer**

39 **D. Clustering**

40 Canopy trees and same species palms may be clustered in R-O-W buffers for non-residential
41 development, subject to the following standards:

- 42 1. Clusters shall be spaced no more than 40 feet on center.
- 43 2. Clusters shall consist of trees of varied height, which when averaged, equal the minimum tree
44 height requirements of Article 7.D.2.A, Canopy Trees.
- 45 3. Created ~~windows-visible openings to the site~~ shall only be permitted on properties with a
46 minimum of 300 feet of lot frontage.
- 47 4. A maximum of two ~~windows-visible openings to the site~~ are allowed ~~per lot for a~~ frontage that
48 is 300 feet. A maximum of three openings are allowed for a frontage that is 301 feet to 1,000
49 feet. A maximum of four openings for frontage that is over 1,001 feet.

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EXHIBIT F

ARTICLE 7 - LANDSCAPING SUMMARY OF AMENDMENTS

(Updated 05/17/16)

- 1 5. The minimum distance between ~~open window areas~~ visible openings to the site created by
2 clusters shall be 100 feet.

3

4
5
6 **Part 19** **ULDC Art.7.F.9.C.1 Determining Incompatibility Buffer Type (Page 39 of 52) is hereby**
7 **amended as follows:**

8

| |
|--|
| Reason for amendments: [Zoning] These requirements have been consolidated in Table 7.B.2.B, Type I Waivers for Landscaping. |
|--|

9 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

10 **Section 9 Incompatibility Buffer**

11 **C. Walls and Fences**

12 **1. Existing Walls or Fences**

13 ~~Where there is an existing wall or fence, the applicant may apply for a Type I Waiver to waive~~
14 ~~the wall or fence requirement. [Relocated to Table 7.B.2.B, Type I Waivers for~~
15 ~~Landscaping] The following conditions shall be considered when determining if the wall~~
16 ~~requirements may be waived: [Ord. 2012-027]~~

17 ~~a. Condition of existing wall; [Relocated to Table 7.B.2.B]~~

18 ~~b. Effectiveness of visual screen; and [Relocated to Table 7.B.2.B]~~

19 ~~c. Type of construction. [Relocated to Table 7.B.2.B]~~

20
21
22 **Part 20.** **ULDC Art.7.F.9.E, Type I Waiver (Page 40 of 52) is hereby deleted as follows:**

23

| |
|---|
| Reason for amendments: [Zoning] Relocate this Section of the Code and consolidate under the proposed Table 7.B.3.A –Type I Waiver for Landscaping. |
|---|

24 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

25 **Section 9 Incompatibility Buffer**

26 ~~**E. Type I Waiver**~~

27 ~~The applicant may apply for a Type I Waiver, pursuant to Article 2.D.6, to be relieved of the~~
28 ~~requirement to install the incompatibility buffer for pods, areas or tracts within a residential~~
29 ~~subdivision or PUD that meet one of the following: [Ord.2005-002] [Ord. 2012-027] [Ord. 2014-~~
30 ~~025] [Ord. 2015-031] [Partially relocated to Table 7.B.2.B - Type I Waivers for Landscaping]~~

31 ~~1. Adjacent to open space that is 100 feet or greater in width or greater, or [Ord. 2015-031]~~

32 ~~2. Demonstration that the site layout will integrate recreational amenities with multi-family units.~~
33 ~~[Ord. 2015-031] [Partially relocated to Table 7.B.2.B - Type I Waivers for Landscaping,~~
34 ~~above]~~

35 **Part 21.** **ULDC Art.7.G.2.G, (Page 47 of 52) is hereby deleted as follows:**

36

| |
|--|
| Reason for amendments: [Zoning] Relocated this Section of the Code to the proposed Table 7.B.3.A – Type I Waiver for Landscaping. |
|--|

37 **CHAPTER G OFF-STREET PARKING REQUIREMENTS**

38 **Section 2 Landscape Islands**

39 ~~**G. Alternative Parking Lot Landscaping**~~

40 ~~Alternative parking lot landscape designs may be approved under the provisions of Art. 7.B.3,~~
41 ~~Alternative Landscape Plan (ALP), provided that the total landscaped area and plant material~~
42 ~~quantities equal or exceed the requirements of this Article. [Ord. 2005 – 002] [Relocated to~~
43 ~~Table 7.B.2.B - Type I Waiver for Landscaping]~~

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EXHIBIT G

DESIGN STANDARDS (DS) ALTERNATIVE SUMMARY OF AMENDMENTS

(Updated 05/10/16)

1
2 **Part 1. ULDC Art. 2.A.1.G.3.g.3), Design Standards (DS) Alternative (page 16 of 87), is hereby**
3 **deleted:**
4

Reason for amendments: [Zoning] Alternative design standards were added originally to the Code by Ordinance 2004-040. The regulations in that Ordinance provided options for Planned Development Districts (PDDs) applications to submit partial graphic details of the project in the regulating plan at time of Public Hearing while remaining details were to be provided during the Development Review Officer (DRO) certification of the PDD. The information required to be shown to the Board of County Commissioners (BCC) included: housing types, focal points, bus shelters, elevations, pedestrian circulation, phasing, screening details, exemplary features, public amenities, entry details, and neighborhood parks at time of public hearing. At time of DRO certification of the PDD, the regulating plan should be expanded to include details of street cross sections, landscape buffers, median landscape, and, master sign program/plan.

Later, Ordinance 2009-040 consolidated Application Requirements in Article 2, Development Review Process, and submittal of regulating plans was applicable to all developments subject to public hearing or administrative approval (DRO). The alternative design standards language was within the relocated text and gave the Zoning Director authority to allow submittal of the design standards in lieu of a regulating plan.

In 2015, a task team comprised by Development Review Advisory Committee (DRAC) members and Zoning staff was created to discuss the development of alternative design standards to address flexibility by submitting conceptual designs elements of the project instead of specific details in a Regulating Plan. After reviewing multiple examples from other municipalities and considering the regulations contained in the Code, this amendment is proposed to remove the existing Design Standard Alternate language in Art. 2. The decision contained in this amendment was presented to DRAC on May 6, 2016 and they agree with the Design Standards Alternative to be removed from the Code. Future discussion on the Regulating Plan may result on amendments in Round 2016-02.

5 **CHAPTER A GENERAL**

6 **Section 1 Applicability**

7 **G. Application Procedures**

8 **3. Plan Requirements**

9 **g. Regulating Plans**

10 **1) Preliminary Regulating Plan (PRP) for Public Hearing Approval**

11

12 **2) Final Regulating Plan (FRP) for Public Hearing Approval or Administrative** 13 **Approval**

14

15 ~~**3) Design Standards (DS) Alternative**~~

16 ~~An applicant may submit Design Standards in lieu of a Regulating Plan, provided that~~
17 ~~approval is granted by the Zoning Director at DRO. The DS shall contain text,~~
18 ~~graphics and pictures to illustrate prevailing design theme and concept applicable to~~
19 ~~the project. Requirements for Design Standards review and approval process shall~~
20 ~~be in compliance with Article 2.A.1.G.3.g.1, Preliminary Regulating Plan (PRP) for~~
21 ~~Public Hearing and Article 2.A.1.G.3.g.2), Final Regulating Plan (FRP) for Public~~
22 ~~Hearing Approval or Administrative Approval. [Ord. 2004-040] [Ord. 2009-040]~~

23

24
25
26 **Part 2. ULDC Art. 3.B, Overlays (pages 63 of 147), is hereby amended as follows:**
27

Reason for amendments: [Zoning] Delete from Infill Redevelopment Overlay (IRO) a reference to the alternative design standards as an option to provide graphic details of a development. The amendment is the result of the deletion of the Design Standards Alternative text from Article 2,.A.1.G.3, Plan Requirements.

28 **CHAPTER B OVERLAYS**

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

30 **D. Application Requirements**

31 **1. Pre-Application Conference (PAC)**

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EXHIBIT G

DESIGN STANDARDS (DS) ALTERNATIVE SUMMARY OF AMENDMENTS

(Updated 05/10/16)

1 2. Plan Requirements

2 b. Other Plans

3 1) Regulating Plan

4 The DRO shall approve a regulating plan ~~or alternative design standards.~~ [Ord.
5 2010-005]

6

7
8 **Part 3. ULDC Art. 3.B, Overlays (pages 116 of 147), is hereby amended as follows:**

9
10 **Reason for amendments:** [Zoning] Recognize that Design Standards Alternative submitted as part of an approval in the Agricultural Enclave Overlay (AGEO) are to be conforming. This amendment looks to avoid any non-conforming issues associated with design elements approved in projects located in that overlay.

11 **CHAPTER B OVERLAYS**

12 **Section 17 Agricultural Enclave Overlay (AGEO)**

13 **D. Development Review Procedures**

14 **1. Master Plan and Regulating Plan**

15 The Master Plan and Regulating Plan, or Design Standards Alternative, shall include the
16 following information from the AGE FLUA Conceptual Plan: Previously approved Design
17 Standards Alternative shall be considered conforming unless changed to a Regulating Plan.
18 [Ord. 2014-031]

19 a. The location and boundaries of the transect zones; [Ord. 2014-031]

20 b. Allocation and range of density and intensity; [Ord. 2014-031]

21 c. General location of all civic sites and a summary chart for required or additional civic
22 acreages; [Ord. 2014-031]

23 d. General location of existing or proposed arterials, thoroughfares and collector streets,
24 and access points for each Pod; and, [Ord. 2014-031]

25 e. Any applicable Implementing Principles. [Ord. 2014-031]

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EXHIBIT H

ART. 1.E, PRIOR APPROVALS [F.S. 723.041 MOBILE HOME PARKS] SUMMARY OF AMENDMENTS

(Updated 4/15/16)

1
2 Part 1. ULDC Art. 1.E.1.C, Modification of Prior Approvals (page 15 of 119), is hereby amended
3 as follows:
4

Reason for amendments: [Zoning] A 2003 Florida law, pre-empts local updates to prior approvals for mobile home parks, further recognizing trends in the increased size of mobile homes commonly resulting in the replacement of older single-wide units with larger double or triple wide models. Note that for purposes of interpreting the timing provision of the law "in affect at the time of approval" would mean the original Development Order, or any subsequent Development Order Amendment, if applicable.

ARTICLE 1, GENERAL PROVISIONS

CHAPTER E PRIOR APPROVALS

Section 1 General

C. Modification of Prior Approvals

5
6
7
8
9
10 A development order or permit, which was approved under ~~the~~ prior Code provisions, shall
11 comply with the current review process for any modifications and the following: [Ord. 2010-005]

1. Determination of Extent of Vested Status in the Area of Modification

12 The proposed modification shall comply with the current Code to the greatest extent possible
13 in the affected area, which also includes the determination of whether the prior approval has
14 nonconformities. A prior approval may be subject to rezoning in accordance with the
15 requirements of Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas
16 (FLUA). [Ord. 2010-005] [Ord. 2011-016]

2. Modification to a Prior Approval with Nonconformities

17 Proposed modifications may not increase a nonconformity. The applicant shall identify the
18 extent of the proposed modification on the applicable plan and in the application pursuant to
19 Art. 2, Plan Requirements. The application and plan shall: [Ord. 2010-005]

- 20
21
22 a. list all prior Zoning resolutions and prior ULDC Amendment Ordinances to establish a
23 record of any prior vesting claim; [Ord. 2010-005]
24 b. delineate on the plan the boundary of the affected area and indicate all proposed
25 modifications; If necessary, the Zoning Director shall render decision on the affected
26 area. [Ord. 2010-005]
27 c. identify all nonconformities with prior approved development orders, which includes: lot,
28 structure, use, and site elements of the subject property or affected area of the subject
29 property to establish a record of nonconformities in the tabular data of the plan, and
30 notate on the plan these nonconformities, where applicable. [Ord. 2010-005]
31 d. all nonconformities outside of the affected area that are clearly shown on a prior
32 development order shall be vested. [Ord. 2010-005]

3. Mobile Home Park Exception

33 Pursuant to F.S. 723.041(4), the placement of any size new or used mobile home and
34 appurtenances on a mobile home lot shall be permitted in accordance with the lot sizes,
35 separation and setback distances, and other requirements in effect at the time of the approval
36 of the Development Order for the mobile home park, or any subsequent Development Order
37 Amendment, if applicable.
38

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EXHIBIT I

ART. 3.A.3, ZONING DISTRICT CONSISTENCY WITH THE FUTURE LAND USE ATLAS SUMMARY OF AMENDMENTS

(Updated 4/27/16)

1

General Reason for amendments: [Zoning] This amendment implements the October 2015 BCC adoption of Comprehensive Plan Future Land Use Element (FLUE) Policy 2.2.1-j, which was also mirrored in concurrent amendments to the Glades Region under revised FLUE Policy 1.6-d, which served to establish partial residential future land use (FLU) and Zoning district consistency tables within the Plan, as follows:

- Applies to applicable residential Standard districts and Planned Development Districts (PDDs), but does not include Traditional Development Districts (TDDs).
- Expands the list of allowable Zoning districts in the Low Residential (LR) 1, 2 and 3 flu designation to include the Single-family Residential (RS) district, which was previously limited to use in the Medium Residential 5 (MR-5) or higher flu designations, unless developed as a Planned Unit Development (PUD). The general rationale is to encourage additional infill redevelopment opportunities within underutilized areas within the Urban/Suburban (U/S) Tier, and the Urban Service Area (USA) of the Glades Tier.
- Also expands list of allowable residential Zoning districts for higher density Residential FLU designations, including Residential Estate (RE) which requires a minimum of 2.5 acres, and Residential Transitional (RT), which would likely require 14,000 square feet (approx. 1/3rd acre). While it's unlikely this will result in new rezoning to larger lot districts, it does offer additional flexibility to owners of larger parcels with those districts, should they wish to subdivide using larger lot sizes.

[Planning 2015 Residential Future Land Use Designation Data Analysis for New FLUE Policy 2.2.1-j, FLU and Zoning Consistency] *“This amendment will add the FLU and Zoning Consistency Table to the Comprehensive Plan and broaden the consistent FLU and Zoning Districts. Many to most local governments establish FLU / Zoning consistency in the Comprehensive Plan, and the County had initially established this table with the 1980 Comprehensive Plan. This change will allow lower density zoning districts to be allowed in higher density FLU reflecting the absence of minimum density requirements currently in designations less than 8 units per acre, and with this amendment, all future land use designations. This amendment will also make AP & AR consistent with any residential FLU in the Glades Tier to allow the continuation of agriculture until such time that the urban areas of the Glades Urban Suburban Tier convert to urban uses pursuant to the existing urban designations.”* **See the following website for full Planning staff report:** http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-3_15-2_Text-GladesRegion-Rpt.pdf.

[Planning 2015 Glades Region Amendments Data Analysis for revised FLUE Policy 1.6-d] *“This policy was revised to remove the outdated deadline of 2002, and to allow the continuation of both agricultural and residential uses in the unincorporated Glades Urban/Suburban Tier. Table 1.6-a was added to provide the Glades Tier with a consistent Zoning District for each Residential Future Land Use designation. This table establishes consistency for 181 acres of land in the Glades Tier which have been residentially zoned prior to the adoption of the Comprehensive Plan on August 31, 1989. Additionally, this policy will allow the Lake Harbor area to be consistent with Agricultural Production for such properties which received Residential Estate zoning district designation prior to August 31, 1989.”* **See the following website for full Planning staff report:** http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-2_15-2-Text-ResidentialFLU-Rpt.pdf.

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EXHIBIT I

**ART. 3.A.3, ZONING DISTRICT CONSISTENCY WITH
THE FUTURE LAND USE ATLAS
SUMMARY OF AMENDMENTS**

(Updated 4/27/16)

Part 1. ULDC Art. 3.A.3.B, Standard Districts (pages 16-18 of 234), is hereby amended as follows:

ARTICLE 3

OVERLAYS & ZONING DISTRICTS

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

B. Standard Districts

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

Reasons for amendments:

1. See General Reason for Amendments above.
2. Add new note 3 to clarify that previously relocated notes generally apply to specific FLU/Zoning consistency provisions of Table 3.A.3.B.

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

| FLU Designation | Zoning District | | | | | |
|---|-----------------|--------|--------|--------|----|--|
| | | | | | | |
| Residential | | | | | | |
| RR-20 | AR | | | | | |
| RR-10 | AR | CRE | | | | |
| RR-5 | AR | | | | | |
| RR-2.5 | AR | RE | | | | |
| LR-1 | AR (2) | RE | RT | RS AP | | |
| LR-2 | AR (2) | RE (2) | RT | RS | | |
| LR-3 | AR (2) | RE (2) | RT | RS | | |
| MR-5 | AR (2) | RE (2) | RT (2) | RS | RM | |
| HR-8 | AR (2) | RE (2) | RT (2) | RS | RM | |
| HR-12 | AR (2) | RE (2) | RT (2) | RS (2) | RM | |
| HR-18 | AR (2) | RE (2) | RT (2) | RS (2) | RM | |
| | | | | | | |
| [Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2014-025] | | | | | | |
| Notes: | | | | | | |
| 1. Unless exempted otherwise all applications for a Development Order shall require the subject site be rezoned to a shaded district. | | | | | | |
| 2. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with the exceptions listed below. | | | | | | |
| 3. <u>See Art. 3.A.3.B.1, Standard District Exceptions and Limitations below, for additional notes.</u> | | | | | | |
| Typical Example of a "shaded district." [REDACTED] | | | | | | |

Reason for Amendment: Implements new FLUE Policy 1.6-e, "Within the Glades Tier, the Agricultural Production zoning district is consistent with all future land use designations, excluding Conservation." This broad policy pre-empts the need for the prior provision recognizing existing residential development with an LR-1 FLU north of Canal Point.

[Planning 2015 Glades Region Amendments Data Analysis for new FLUE Policy 1.6-e] "This new policy will make the Agricultural Production (AP) Zoning District consistent with all future land use designations in the Glades Tier, except for properties with a Conservation Future Land Use. This policy will allow the 13,995 acres of land that have AP or AR zoning with an urban residential future land use designation to continue agricultural operations without having to have a land use amendment. Although the intent of the 1989 Comprehensive Plan was to facilitate development in the Glades communities, this policy change is necessary for existing agricultural uses to not be impeded due to that intent."

1. Standard District Exceptions and Limitations

-
- g. Within the Glades Tier, the AP District is consistent with all FLU designations, excluding Conservation the LR-1 designation in the Glades Tier only for legal lots of

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EXHIBIT I

ART. 3.A.3, ZONING DISTRICT CONSISTENCY WITH THE FUTURE LAND USE ATLAS SUMMARY OF AMENDMENTS

(Updated 4/27/16)

1
2
3

~~records located north of Pahokee, on the east side of US 441, for the unincorporated
community of Canal Point. [Ord. 2011-016]~~

....

U:\Zoning\CODEREV\2016\LDRAB\Meetings\5-25-16\4 - Final Packet\LDRC\Exh. I- Art. 3.A.3, Zoning District Consistency with FLUA.docx

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

General Reason for amendments: Minor revisions for previously recognized Bioscience Research Protection Overlay (BRPO), which by its nature didn't originally merit establishing an Overlay in Art. 3.B, and the Lion Country Safari Overlay (LCSO), which is a similar site specific Overlay. It is hoped that these revisions will provide additional guidance to outside parties, while furthering the connection between the Plan and ULDC.

Part 1. ULDC Art. 1.1.3, Abbreviations and Acronyms (pages 115 and 117 of 11), is hereby amended as follows:

Reason for amendments:

1. [Zoning] Establish BRPO acronym, applicable to ULDC Art. 4.B.1.A.76.c, Bioscience Research Protection Overlay (BRPO), and proposed amendments to Art. 3.B, Overlays, to recognize previously implemented FLUE Objective 1.9.
2. [Zoning] Establish LCSO acronym, applicable to ULDC Art. 3.E.2.G.1.c.1), Purpose and Intent [Related to Lion Country Safari], and proposed amendments to Art. 3.B, Overlays, to recognize previously implemented FLUE Objective 1.1.

ARTICLE 1, GENERAL PROVISIONS

CHAPTER I DEFINITIONS & ACRONYMS

Section 3 Abbreviations and Acronyms

| | | |
|-------------|--|--|
| | | |
| <u>BRPO</u> | <u>Biotechnology Research Protection Overlay</u> | |
| | | |
| <u>LCSO</u> | <u>Lion Country Safari Overlay</u> | |
| | | |

Part 2. ULDC Art. 3.A.1.B.1, Overlays

Reason for amendments: [Zoning]

1. Identify existing Overlays recognized elsewhere within the ULDC to improve ease of use. In some instances, the requirements of some Overlays were determined not to merit a separate set of standards within this Chapter of the ULDC; however, adding an additional reference herein may help staff and interested persons more readily recognize when additional standards or incentives are applicable to a project.
2. Delete reference to SR7 EDO due to annexation of affected area by the Village of Royal Palm Beach.

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER A GENERAL

Section 1 Districts

B. Overlays and Zoning Districts

In order to carry out and implement the Plan, the following Overlays, Standard Zoning Districts, Planned Development Districts (PDDs), and Traditional Development Districts (TDDs) are hereby established. **[Ord. 2011-016]**

1. Overlays

- AGEO, Agricultural Enclave Overlay **[Ord. 2011-016]**
- AZO, Airport Zone Overlay
- COZ, Conditional Overlay Zone
- GAO, Glades Area Overlay
- IOZ, Indiantown Road Overlay
- IRO, Infill Redevelopment Overlay **[Ord. 2011-016]**
- LOSTO, Lake Okeechobee Scenic Trail Overlay
- NBOZ, Northlake Boulevard Overlay Zone
- NEO, Native Ecosystem Overlay
- PBIAO, Palm Beach International Airport Overlay
- RTO, Research and Technology Overlay

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1 SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay [Ord. 2004-
2 **040]**
3 ~~SR-7 EDO, State Road 7 Economic Development Overlay [Ord. 2011-016]~~
4 SR-80, Non-residential Overlay
5 TAPO, Turnpike Aquifer Protection Overlay
6 URAO, Urban Redevelopment Area Overlay [Ord. 2011-016]
7 WCRAO, Westgate Community Redevelopment Agency Overlay
8 BRPO, Bioscience Research Protection Overlay
9 LCSSO, Lion Country Safari Overlay

10
11
12 **Part 3. ULDC Art. 3.B.18, SR-7 Economic Development Overlay (pages 115 – 118 of 232), is**
13 **hereby deleted.**
14

Reason for amendments: [Zoning] Affected area annexed by the Village of Royal Palm Beach. Overlay established by Objective 1.10 of the Comprehensive Plan, which will also be amended at a later date.

15
16
17 **Part 4. Art. 3.E, Planned Development Districts (PDDs) (Pages 149, 178, of 232), is hereby**
18 **amended as follows:**
19

Reason for amendments: [Zoning] Additional references to SR7 EDO to be deleted due to annexation of affected area by the Village of Royal Palm Beach.

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

21 **Section 1 General**

22 **C. Objectives and Standards**

23 **2. Performance Standards**

24 **a. Access and Circulation**

25 **1) Minimum Frontage**

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

27

28 ~~(5) where applicable, the reduction is necessary to allow for development of new~~
29 ~~SR-7 EDO projects that establish access by means of interconnectivity~~
30 ~~requirements of the overlay; [Ord. 2010-022] [Ord. 2012-027]~~

31

32 **Section 5 Planned Industrial Park Development (PIPD)**

33 **A. General**

34

35 **3. Conflicts**

36 If a conflict exists between this Section and other Sections in this Code, the provisions of this
37 Section shall apply to the extent of the conflict, ~~with exception to the SR-7 EDO.~~ [Ord. 2010-
38 **022]**

39

40 **B. Objectives and Standards**

41 **1. Design Objectives**

42

43 b. Be designed as a predominantly industrial development, with exception to: ~~[Ord. 2014-~~
44 ~~**025]**~~

45 ~~1) the SR-7 EDO, which shall allow for larger percentages of business or professional~~
46 ~~office uses, or other similar uses that are identified in Art. 3.B.18, SR-7 EDO; and,~~
47 ~~[Ord. 2010-022] [Ord. 2014-025]~~

48 ~~2) the EDC FLU designation, which shall be primarily utilized by office and research~~
49 ~~parks, but may also include manufacturing and processing, research and~~
50 ~~development, wholesale distribution and storage of products. [Ord 2014-025]~~

51

52 **E. Pods**

53 **3. Residential Pod**

54 **a. Use Regulations**

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1 Uses shall be permitted in accordance with the provisions for a PUD Residential Pod,
2 indicated under Table 3.E.1.B, PDD Use Matrix; ~~except for a SR-7 EDO~~; and, Article
3 4.B.1.A, Supplementary Standards. [Ord. 2004-040] [Ord. 2008-003] [Ord. 2010-022]
4

5 **Part 5. ULDC Art. 4.B.1.A, Definitions and Supplementary Standards for Specific Uses (Pages**
6 **37, 57, 89 and 92 of 171), is hereby amended as follows:**
7

| |
|--|
| Reason for amendments: [Zoning] Additional references to SR7 EDO to be deleted due to annexation of affected area by the Village of Royal Palm Beach. |
|--|

ULDC ART. 4 - USE REGULATIONS

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

- 12
13
14 **21. Broadcast Studio**
15 **a. SR-7 EDO**
16 ~~Accessory broadcast towers or antennae are prohibited. [Ord. 2010-022]~~
17
18 **55. Financial Institution**
19
20 **d. SR-7 EDO**
21 ~~Drive through uses are prohibited. [Ord. 2010-022]~~
22 [Renumber accordingly]
23 **109. Restaurant, Type I**
24
25 **f. SR-7 EDO**
26 ~~Drive through uses are prohibited. [Ord. 2010-022]~~
27 [Renumber accordingly]
28 **114. Retail Sales, General**
29
30 **f. SR-7 EDO**
31 ~~Shall be prohibited as a principal use. [Ord. 2010-022]~~
32 [Renumber accordingly]
33
34

35 **Part 6. ULDC Art. 3.B, Overlays (page 118 of 232), is hereby amended as follows:**
36

| |
|---|
| Reason for amendments: |
| 1. [Zoning] Establish placeholder for the Bioscience Research Protection Overlay (BRPO) to further support previous 2007 amendment to ULDC Art. 4.B.1.A.76.c [Related to Industrial Research Laboratory], which implemented FLUE Objective 1.9, by streamlining the approval process for the Research Laboratory use to encourage bioscience development. |
| 2. [Zoning] Establish placeholder for the Lion Country Safari Overlay (LCSO) to further support previous 2007 amendment to ULDC Art. 4.B.1.A.76.c [Related to Industrial Research Laboratory], which implemented FLUE Objective 1.9, by streamlining the approval process to encourage bioscience development. |

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER B OVERLAYS

41

Section 19 Bioscience Research Protection Overlay (BRPO)

- 43 **A. Purpose and Intent**
44 To promote the growth and stability of bioscience research/biotechnology uses in proximity to the
45 Scripps Research Institute (TSRI) campus at Abacoa/Briger, and deterring the conversion of
46 those uses to commercial or residential uses. This will be accomplished in coordination with the

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park, with the objective to provide opportunity for a minimum 8,000,000 square feet of bioscience/biotechnology use cluster in Northern Palm Beach County. The BRPO does not limit the uses currently allowed consistent with the property's existing land use designation and zoning designation including uses allowed pursuant to planned development approvals and development of regional impact approvals.

B. Boundaries

Generally located and bifurcated North and South of Blue Heron Blvd, West of the C-17 canal and Garden Road and East of I-95; bordered in the North by Consumer Street and in the South Interstate Park Way; The larger portion of the overlay lying in the area to the North of Blue Heron Blvd, with a smaller portion comprised of 8 parcels to the South, as well as the area included in the Florida Research Park (Palm Beach Park of Commerce) DRI approval – shall be depicted on the Special Planning Areas Map in the Comprehensive Plan Map Series.

C. Applicability

See Art. 4.B.1.A.76, Research Laboratory, and FLUE Objective 1.9, Bioscience Research Protection Overlay (BRPO).

Section 20 Lion Country Safari Overlay (LSCO)

A. General

See ULDC Art. 3.E.2.G.6, Lion Country Safari Overlay, for Purpose and Intent, Boundaries and Applicability, and additional site development requirements.

Part 4. ULDC Art. 3.E.2.G.1.c, Lion Country Safari (LCS) (page x of 232), is hereby relocated to new ULDC Art. 3.E.2.G.6, Lion Country Safari Overlay, and amended as follows:

| |
|--|
| <p>Reason for amendments: [Zoning] The relocation of previously adopted provisions implementing Objective 1.1, Lion Country Safari Overlay (LCSO), responds to input from interested parties who commented that the original placement within the Rural Residential Planned Unit Development (RR PUD), created confusion for projects (e.g. Burt Reynolds Ranch) that were not within the Overlay. This amendment simply relocates these standards to the end of the RR PUD Section in response to industry input to improve ease of use.</p> |
|--|

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

Section 2 Planned Unit Development (PUD)

G. RR PUD

1. Rural Residential

....

~~6c.~~ **Lion Country Safari Overlay (LCSO)**

In addition to the standards for a RR PUD, an ~~an~~ application for a RR-PUD within the LCSO that includes the transfer of density from the Lion Country Safari MUPD or RVPD, shall be limited to Option 1, Rural Cluster, and the following: [Ord. 2011-016]

~~a.1.)~~ **Purpose and Intent**

The purpose of the LCSO is to acknowledge the importance of the Lion Country Safari Park as a unique tourist attraction and recognize that the viability of the park is important for the County's tourism industry, pursuant to Plan Objective 1.11, Lion Country Safari Overlay. The Overlay establishes a mechanism to encourage the preservation of the Safari Park (MUPD), RV Park (RVPD) and related commercial recreation activities, while allowing for residential development at an overall density that is compatible with the surrounding area. This is accomplished by allowing the density of the Safari and RV Parks (excluding hotel approval) to be transferred to the development area of a RR PUD within the boundaries of the Overlay. [Ord. 2011-016]

~~b.2.)~~ **Applicability**

The LCSO is approximately one square mile in size, generally located north of Southern Boulevard and West of Seminole Pratt and Whitney Road in Section 23, Range 40, Township 43, as depicted in the Special Areas Planning Map LU 3.1, in the Map Series of the Plan. The provisions of the LCSO are optional, and shall only apply to projects that propose to relocate density from the Safari Park to a PUD within the boundaries of the Overlay. [Ord. 2011-016]

~~c.3.)~~ **Application Requirements**

Any application that proposes to relocate density from the Safari or RV Parks to a RR PUD within the Overlay shall comply with the following: [Ord. 2011-016]

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

- 1 **1a) Pre-Application Conference**
2 Each application shall require a PAC in accordance with Art. 2.A.1.E, Pre-Application
3 Conference. **[Ord. 2011-016]**
- 4 **2b) Master Plan**
5 A Preliminary or Final Master Plan shall be required to depict the overall boundaries
6 of the LCSO, include any Zoning approvals, identify Open Space Preserve Areas
7 from which density will be relocated to the development area of a RR-PUD, location
8 of access and interconnectivity, and related tabular data. **[Ord. 2011-016]**
- 9 **d.4) RR PUD Development Area**
10 In addition to the Development Area requirements for a Rural Cluster PUD, the following
11 shall apply: **[Ord. 2011-016]**
- 12 **1a)** Clustered residential units which provide a variety of lot sizes to allow for a range of
13 housing choices; **[Ord. 2011-016]**
- 14 **2b)** Smaller sized lots shall be located towards the center of the Development Area and
15 should transition to larger lot sizes located at the edge, adjacent to the existing
16 residential neighborhoods. **[Ord. 2011-016]**
- 17 **e.5) Other Requirements**
- 18 **1a)** Existing native vegetation and other natural features located within the LCSO,
19 including a minimum of 37 acres of upland native vegetation, shall be preserved. At
20 the time a PUD is requested, higher quality upland native vegetation shall be
21 preserved in accordance with Art. 14.C.7.B.3, Establishing Native Upland Preserves.
22 This requirement shall not preclude the relocation of existing native upland preserves
23 to other areas with higher quality upland native vegetation. **[Ord. 2011-016]**
- 24 **2b)** Interconnectivity shall be provided between uses within the LCSO. This shall not
25 preclude the use of security gates within the RR PUD. **[Ord. 2011-016]**
- 26 **3e)** A neighborhood serving commercial store of up to 3,500 square feet shall be
27 permitted within the RVPD to serve campers, or should the RVPD be abandoned, the
28 neighborhood store may be incorporated into a RR-PUD. **[Ord. 2011-016]**
- 29 **4d)** Golf courses are prohibited within the LCSO. **[Ord. 2011-016]**
- 30 **e.6) Additional Notification Requirements**
31 Pursuant to the adoption of a LCSO Overall Master Plan, any subsequent applications for
32 a Development Order Amendment within the boundaries of any designated Open Space
33 Preserve Areas or associated RR-PUD shall provide for the following notification to all
34 affected land owners and Property Owners Associations, as follows: **[Ord. 2011-016]**
- 35 **1a)** The Notice shall describe the applicant's request for a DOA; **[Ord. 2011-016]**
- 36 **2b)** The list of landowners and Property Owners' Association(s) shall be pursuant to the
37 latest PBC Property Appraisal list; **[Ord. 2011-016]**
- 38 **3e)** The Notice shall be sent to the landowners and Property Owners' Association(s) by
39 certified mail within ten days of filing its applications; and, **[Ord. 2011-016]**
- 40 **4d)** The applicant shall provide to the Zoning Division a copy of the Notice and written
41 confirmation the Notice requirements have been satisfied. **[Ord. 2011-016]**
- 42

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EXHIBIT K

PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

1
2 **Part 1. ULDC Art. 5.D.2.B.2, Calculation of Required Recreation [Related to Community and**
3 **Neighborhood Park Recreation Standards] (page 49 of 100), is hereby amended as**
4 **follows:**
5

| |
|---|
| Reason for amendments: [Parks & Recreation] Update the Person Per Household (PPH) rate to reflect the 2010 Census PPH rate of 2.39 as provided by the United States Census Bureau. |
|---|

6 **CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS**

7 **Section 2 Types of Parks**

8 **B. Community and Neighborhood Park Recreation Standards**

9 **2. Calculation of Required Recreation**

10 The required recreation area shall be the equivalent of two and one-half acres of developed
11 land per 1,000 people population, based on ~~2.32~~ the 2010 Census average Person Per
12 Household (PPH) rate of 2.39 people per unit. Development of recreational facilities shall be
13 of a type suitable for general neighborhood or community park use. The dollar amount to be
14 spent on recreational improvements per acre shall be no less than 75 percent of PBC's
15 average cost per acre for developing community and neighborhood park type facilities as
16 calculated by the Park and Recreation Department based on the current PBC cost per acre to
17 develop Community or Neighborhood park facilities. The minimum dollar amount to be spent
18 on recreation facilities shall be determined by the Parks and Recreation Department at the
19 time of final site plan submission.

20 **a. WCRAO**

21 The required recreation area shall be the equivalent of one and one quarter acres of
22 developed land per 1,000 people population, based on ~~2.32~~ 2.39 people per unit. **[Ord.**
23 **2008-037]**
24

25
26 **Part 2. ULDC Art. 5.D.2.B.9, Other Credits [Related to Community and Neighborhood Park**
27 **Recreation Standards] (page 50 of 100), is hereby amended as follows:**
28

| |
|-------------------------------|
| Reason for amendments: |
|-------------------------------|

| |
|--|
| 1. [Parks & Recreation] Modify the Recreation Standards to allow for underground easements within recreation parcels as long as the utility of the site is not adversely impacted. Recognize placing utility, drainage and lake maintenance easements within recreation parcels allows greater flexibility in site design enhancing a project's livability, while not adversely impacting the recreation parcel's utility. |
|--|

| |
|--|
| 2. Allow for an exception to the Recreation Standards for Congregate Living Facilities (CLF), to recognize the recreational needs of CLF residents can often be satisfied by recreational facilities that are more passive in nature and are often provided in part by indoor recreational areas. Allowing an exception to the minimum parcel size and minimum dimensions allows greater flexibility in design, and provides the opportunity for the creation of walking paths and outdoor seating area. |
|--|

29 **CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS**

30 **Section 2 Types of Parks**

31 **B. Community and Neighborhood Park Recreation Standards**

32 **9. Other Credits**

33 Any parcel used to satisfy Parks and Recreation Standards shall meet the following
34 requirements: **[Ord. 2006-004]**

35 **a. Minimum Parcel Size**

36 Minimum parcel size shall be 7,500 square feet exclusive of above ground easements
37 and landscape buffers. **[Ord. 2006-004]**

38 **b. Minimum Parcel Width**

39 Minimum parcel width shall average 75 feet with no dimension less than 50 feet. **[Ord.**
40 **2006-004]**

41 **c. Minimum Parcel Depth**

42 Minimum parcel depth shall average 100 feet with no dimension less than 75 feet. **[Ord.**
43 **2006-004]**

44 **d. Waiver of Minimum Parcel Dimensions**

45 The Parks and Recreation Department may reduce the minimum recreation parcel
46 dimensions by not more than ten percent when considering location, abutting land uses,

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EXHIBIT K

PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

accessibility, recreation facilities to be offered and the parcels function in the overall recreation and open space network of the development. [Ord. 2006-004]

e. Underground Easements

Underground easements are permitted in the recreation parcel with prior approval by the Director of the Parks and Recreation Department, and as long as the utility of the recreation parcel is not adversely impacted.

f. Exceptions

1. CLFs may be exempt from the minimum parcel size and minimum dimensions, with prior approval by the Director of the Parks and Recreation Department.

2. CLF recreational requirements may be satisfied using a combination of interior and exterior recreation areas, with prior approval by the Director of the Parks and Recreation Department.

Part 3. ULDC Art. 5.D.2.F, Phasing [Related to Types of Parks] (page 51 of 100), is hereby amended as follows:

Reason for amendments: [Parks & Recreation] Recognize the requirement to complete and open the recreational facilities by the time 40% of the building permits are pulled is a hardship for the builders of multifamily and congregate living facilities. Completing the recreational facilities as required by the ULDC often results in recreation areas complete and open several months prior to the first occupancy.

CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

Section 2 Types of Parks

F. Phasing

Any development required to provide recreation shall follow one of the following phasing plans:

1. Single Phasing

When the development is to be constructed in a single phase, or where each phase will provide recreational facilities specifically for the residents of that phase, then the recreational site(s) for that phase shall be site planned, or platted, concurrent with that phase of construction. No more than 40 percent of the building permits for residential units shall be issued for the phase until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, or unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department. [Ord. 2006-004]

2. Multiple Phasing

When the development is to be constructed in multiple phases or plats and one or more required recreational site(s) is/are intended to serve the residents of two or more phases of the development, then the following sequence shall be adhered to:

a. The recreation site(s) shall be site planned concurrent with the site plan for the first phase of residential development for which the recreational site will serve.

b. The recreation site(s) shall be platted concurrent with the plat for the residential development phase they will serve. No more than 40 percent of the building permits for residential units shall be issued for any phase until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, or unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department. [Ord. 2006-004]

3. Multifamily and Congregate Living Facilities

No more than 20 percent of the Certificates of Occupancy for the residential units shall be issued for the phase until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, or unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department.

Part 4. ULDC Art. 3.E.2.C.2, Land Use Mix (page 160 of 232), is hereby amended as follows:

Reason for amendments: [Zoning] Calibrate standard for Planned Development District Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, to allow for alternatives for complying with minimum recreation needs for Congregate Living Facilities (CLF).

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Notes:

- Underlined indicates new text.
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EXHIBIT K

PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

1 **Section 2 Planned Unit Development (PUD)**

2 **C. Thresholds**

3 **2. Land Use Mix**

4 Table 3.E.2.C, PUD Land Use Mix, indicates the minimum and maximum percentage of each
5 land use allowed in a PUD.
6

Table 3.E.2.C - PUD Land Use Mix

| | Res. | Civic (1) | Comm. | Rec. (2) | OS (32) | Preserve Area | Dev. Area |
|---|------|-----------|-------|----------------------------|---------|-------------------------------------|--|
| MIN | 60% | 2% (1) | - | .006 acre <u>per du</u> | 40% | 80/20 AGR – 80% 60//40 AGR – 60% | - |
| MAX | - | 65% | 1% | - | - | - | 80/20 AGR –25% (43) 60/40 AGR – 40% |
| [Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-001] | | | | | | | |
| Notes: | | | | | | | |
| 1. Minimum civic pod requirement may be waived, subject to the following: [Ord. 2011-001] Public civic may not be required where two percent of the gross acreage of a PDD is less than 1.5 acres in size, subject to FD&O approval; and, [Ord. 2011-001] If located in a CCRT area, shall be labeled as private civic unless waived by the BCC. [Ord. 2011-001] | | | | | | | |
| 2. <u>Minimum recreation area required for a CLF may be reduced in accordance with Art. 5.D.2.B.9, Exceptions.</u> | | | | | | | |
| 32. Calculation of open space may include recreation pods, civic pod and open space areas within residential. [Ord. 2006-004] | | | | | | | |
| 43. See 80/20 option exception. | | | | | | | |

7
8
9 **Part 5. ULDC Table 3.E.2.D, PUD Property Development Regulations (page 161 of 232), is**
10 **hereby amended as follows:**
11

| |
|---|
| Reason for amendments: [Zoning] |
| 1. Calibrate property development regulations for Planned Development District (PDD*) Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, which may allow for alternative methods for providing recreational amenities for Congregate Living Facilities more appropriate to the clientele served (e.g. indoor alternatives, walking paths, etc.) in lieu of traditional recreational pods. |
| 2. Recognize need for exemption from “frontage” required for Recreation pods located in PDDs for specific uses such as Multi-family Residential, CLFs, or other similar uses, which typically do not provide internal streets necessary to comply with the frontage requirement. Locations for recreation amenities for these types of uses have historically been appropriately located through the development review process, which further considers additional Parks and Recreation standards, among others, to ensure proper location and function. |
| * Note, Recreation Pod standards for Planned Unit Developments (PUD) typically apply to all other PDDs with residential uses, as well as some forms of development within Traditional Development Districts (TDD). |

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

| POD | Lot Dimensions | | | Density | | FAR (2) | Building Coverage | Setbacks | | | |
|---|----------------|--------------------|-------|---------|------|---------|-------------------|----------|------|-------------|------|
| | Size | Width and Frontage | Depth | Min. | Max. | | | Front | Side | Side Street | Rear |
| **** | | | | | | | | | | | |
| Recreation | | | | | | | | | | | |
| Recreation Pod (3) | - | 65 | 75 | - | - | - | 30 percent | 25 | 15 | 25 | 15 |
| **** | | | | | | | | | | | |
| Preservation (1) | | | | | | | | | | | |
| [Ord. 2005-002] [Ord. 2007-001] [Ord. 2008-037] | | | | | | | | | | | |
| Notes: | | | | | | | | | | | |
| **** | | | | | | | | | | | |
| 3. <u>Recreation pods required for multi-family units, CLFs, or other similar uses may be exempt from the following:</u> | | | | | | | | | | | |
| a) <u>Minimum frontage requirement, where internal street frontages are not available in the area required for recreation amenities, upon demonstration that access is provided by frontage on internal access ways, the pedestrian network other as maybe approved by Parks and Recreation; and,</u> | | | | | | | | | | | |
| b) <u>Minimum PDRs may be reduced proportionate to or in accordance with Art. 5.D.2.B.9, Exceptions</u> | | | | | | | | | | | |

- 13
14
15
- Notes:**
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EXHIBIT K

PARKS & RECREATION SUMMARY OF AMENDMENTS

(Updated 3/11/16)

1 Part 6. ULDC Art. 3.E.2.E, Recreation Pod (page 163 of 232), is hereby amended as follows:
2

Reason for amendments: [Zoning] Calibrate standard for Planned Development District Recreation Pods to recognize Parks and Recreation amendment in Part 3 above, to allow for alternatives for complying with minimum recreation needs for Congregate Living Facilities (CLF).

3 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

4 Section 2 Planned Unit Development (PUD)

5 E. Pods

6 3. Recreation Pod

7 Recreation areas shall be designated on the Master Plan as recreation pods, except where in
8 conflict with Art. 5.D.2.B.9, Exceptions, and shall comply with Art. 5.B.1.A.9, Neighborhood
9 Recreation Facility, and Art. 5.D, Parks and Recreation Standards, in addition to the
10 requirements of this section. [Ord. 2011-001] [Ord. 2013-001]

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EXHIBIT L

ART. 6 – PARKING [NON-RESIDENTIAL USE PARKING DIMENSIONS] SUMMARY OF AMENDMENTS

(Updated 4/8/16)

1
2 **Part 1. ULDC Art. 6.A.1.D.14, (page 19 of 39), is hereby amended as follows:**
3

Reason for amendments: [Zoning] Originally established based on the higher parking turnover associated with retail sales trip generation rates, the standard is not applied to other similar high trip generation uses, nor is it realistic for many commercial centers which may experience varying degrees of turnover with retail, office, personal service, restaurant or a myriad of other tenants. Noted also, many jurisdictions have trended towards narrower parking spaces in response to the proliferation of smaller vehicles versus those manufactured in the 1970's or earlier (notwithstanding trends towards larger SUVs and pickups). Reference to "commercial uses" has also been revised to recognize applicability to "non-residential uses" and consistency with Table 6.A.1.D - Minimum Parking Dimensions for Nonresidential Uses and Residential Uses with Shared Parking Lots.

ARTICLE 6, PARKING

CHAPTER A PARKING

Section 1 General

D. Off-Street Parking

14. Design and Construction Standards

a. Dimensions

The dimensions and geometrics of off-street parking areas shall conform to the following minimum standards.

1) Residential

a) Individual Parking Space

Each parking space for dwelling units that do not share a common parking lot shall be a minimum of eight feet wide and 20 feet long. Parking spaces may be side to side, end to end or not contiguous to each other.

b) Common Parking Lots

For dwelling units that share a common parking lot, parking spaces and aisles shall be subject to Table 6.A.1.D, Minimum Parking Dimensions.

2) Nonresidential

All nonresidential uses and residential uses with shared parking lots shall provide parking spaces that comply with Table 6.A.1.D, Minimum Parking Dimensions, and Figure 6.A.1.D, Typical Example of General Parking Schematic. Parking angles that are not illustrated in Table 6.A.1.D, Minimum Parking Dimensions, or Figure 6.A.1.D, Typical Example of General Parking Schematic shall be interpolated from the tables and approved by the DRO. For the purpose of applying the "Use" column in Table 6.A.1.D, Minimum Parking Dimensions, the following rules shall apply:

a) General

The term "general" applies to parking spaces designated to serve ~~all-commercial~~ non-residential uses ~~except-retail~~ and residential uses with shared parking lots.

Reason for amendment: Update references to parking or persons with disabilities for consistency with Art. 6.A.1.D.6, Parking Spaces for Persons Who Have Disabilities, and related Florida Statutes and Florida Building Code laws and regulations.

b) Accessible

Spaces reserved for use by disabled persons shall be governed by the rows labeled "~~accessible handicap~~";

[Renumber accordingly]

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EXHIBIT L

ART. 6 – PARKING [NON-RESIDENTIAL USE PARKING DIMENSIONS] SUMMARY OF AMENDMENTS

(Updated 4/8/16)

1

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

| A Angle | Use (1) | B Space Width (feet) | C Space Depth (feet) | D (3) Aisle Width (feet) | E Curb Length (feet) | F Module Width (feet) |
|---|---|----------------------------|----------------------------|--------------------------------|----------------------------|-----------------------------|
| 45 | General | 9.0 | 17.5 | 12.0 | 12.5 | 47.0 |
| | Retail | 9.5 | 17.5 | 12.0 | 13.5 | 47.0 |
| | <u>Accessible *</u> <u>Handicapped</u> | 12.0 | 17.5 | 12.0 | 17.0 | 47.0 |
| 60 | General | 9.0 | 19.0 | 16.0 | 10.5 | 54.0 |
| | Retail | 9.5 | 19.0 | 15.0 | 11.0 | 53.0 |
| | <u>Accessible *</u> <u>Handicapped</u> | 12.0 | 19.0 | 14.0 | 14.0 | 52.0 |
| 70 | General | 9.0 | 19.5 | 19.0 | 9.5 | 58.0 |
| | Retail | 9.5 | 19.5 | 18.0 | 10.0 | 57.0 |
| | <u>Accessible *</u> <u>Handicapped</u> | 12.0 | 19.5 | 17.0 | 12.5 | 56.0 |
| 75 | General | 9.0 | 19.5 | 23.0 | 9.5 | 62.0 |
| | Retail | 9.5 | 19.5 | 22.0 | 10.0 | 61.0 |
| | <u>Accessible *</u> <u>Handicapped</u> | 12.0 | 19.5 | 21.0 | 12.5 | 60.0 |
| 80 | General | 9.0 | 19.5 | 24.0 | 9.0 | 63.0 |
| | Retail | 9.5 | 19.5 | 23.0 | 9.5 | 62.0 |
| | <u>Accessible *</u> <u>Handicapped</u> | 12.0 | 19.5 | 22.0 | 12.0 | 61.0 |
| 90 | General | 9.0 | 18.5 | 26.0 | 9.0 | 63.0 |
| | Retail | 9.5 | 18.5 | 25.0 | 9.5 | 62.0 |
| | <u>Accessible *</u> <u>Handicapped</u> | 12.0 | 18.5 | 24.0 | 12.0 | 61.0 |
| 90 | Low Speed Electric Vehicle (LSEV) | Min. 6.0 Max. 7.0 | Min. 12.0 Max. 13.0 | Min. 15.0 Max. 17.0 (2) | Min. 6.0 Max. 7.0 | Min. 39.0 Max. 43.0 (2) |
| [Ord. 2005-002] [Ord. 2012-027] | | | | | | |
| Notes: | | | | | | |
| * <u>Accessible applies to parking for persons who have disabilities.</u> | | | | | | |
| 1. Use – See Art. 6.A.1.D.14, Design and Construction Standards. | | | | | | |
| 2. Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles. | | | | | | |
| 3. Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking stalls, or unless stated otherwise herein. [Ord. 2012-027] | | | | | | |

2

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EXHIBIT M

HEIGHT MEASUREMENT FOR FENCES, WALLS AND HEDGES SUMMARY OF AMENDMENTS

(Updated 3-11-16)

1
2 Part 1. ULDC Art. 7.D.3.B.1, Height Measurement (page 20 of 50), is hereby amended as
3 follows:
4

Reason for amendments: [Zoning] Scrivener's error, previously approved text inadvertently omitted from final Ordinance. The amended text below was presented to the LDRAB/LDRC on November 18, 2015, and adopted by the BCC on January 28, 2016, as part of broader amendments for Height Measurement for Fences and Walls. The text was included in the Exhibit for BCC Adoption, but was inadvertently omitted from the final signed Ordinance [Ord. 2016-016].

ARTICLE 7, LANDSCAPING

CHAPTER D GENERAL STANDARDS

Section 3 Shrubs and Hedges

B. Hedges

1. Height Measurement

b. Grade Change

Height may be increased when the hedge abuts a retaining wall, subject to the following:
[Ord. 2016-016]

1) Residential

The height of the hedge located within the front, side or rear setback of a lot supporting a single family dwelling unit, may be increased when located adjacent to a lot having a different grade when a retaining wall is installed along the property line, in accordance with the following: [Ord. 2016-016]

a) Grade Measurement

The difference in grade shall be determined by measuring the elevation of the retaining wall and the elevation of the abutting lot at the property line. [Ord. 2016-016]

b) Maximum Height Increase

The height of the hedge may be increased by the difference in grade up to a maximum of two feet, whichever is less, as follows: [Ord. 2016-016]

(1) Within the required front setback: Up to a maximum of six feet. [Ord. 2016-016]

(2) Within a side or rear setback: Up to a maximum of ten feet. [Ord. 2016-016]

(3) A guardrail shall be installed on the retaining wall if required by Florida Building Code, subject to the height limitations for fences and walls.

2) PDD or Non-residential

Height may be increased when the hedge abuts a retaining wall subject to the requirements of Art. 7.F.10, Perimeter Buffers with Grade Changes.

....

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EXHIBIT N
ARTICLE 14
ENVIRONMENTAL STANDARDS
(Updated 2/10/16)

Part 1. ULDC Art. 14, Appendix 9 (page 51 of 52), is hereby amended as follows:

Reason for amendments: [ERM] The purpose of this amendment is to update the list on palm Beach County Natural areas by adding new natural areas and revised location data for existing natural areas.

APPENDIX 9 NATURAL AREAS

The following are ultimate boundaries of natural areas acquired under the 1991 Sensitive Lands or 1999 Conservation Lands bond issues as listed in Resolution 99-1073 as well as natural areas acquired by other governmental entities in PBC. Maps of each area are designated by Range, Township and **Chapter Section** with its associated 500 foot buffer and are on file at ERM for inspection.

Incorporated Palm Beach County

| | |
|----------------------------|--|
| Boca Raton: | Blazing Star Preserve (R42 T47 S25) [Ord. 2006-036] |
| | Cypress Knee Slough Preserve (R42 T47 S23-24) |
| | Florida Atlantic University Ecological Site (R42 T47 S12/13; R43 T47 S07/18) |
| | Gopher Tortoise Preserve (R43 T46 S32) |
| | Gumbo Limbo Environmental Complex & Red Reef Park Dune (R43 T47 16/21) |
| | Pond Hawk Pondhawk Natural Area (R42 T47 S12) |
| | Rosemary Ridge Preserve (R43 T46 S32) |
| | Serenoa Glade Preserve (R42 T47 S24) |
| | South Beach Park Dune (R43 T47 S21) |
| | Yamato Scrub Natural Area (R43 T46 S31; R43 T47 S06) |
| Boynton Beach: | Rosemary Scrub Natural Area (R43 T45 S09/16) |
| | Seacrest Scrub Natural Area (R43 T46 S04) |
| Delray: | Delray Oaks Natural Area (R43 T46 S30) |
| | Leon Weeks Preserve (R43 T46 S29) |
| Highland Beach: | Highland Beach Mangrove Preserve (R43 T46 S33) |
| Hypoluxo: | Hypoluxo Scrub Natural Area (R43 T45 S10) |
| Juno: | Juno Dunes Natural Area (R43 T41 S20/21/28/29) |
| Jupiter: | Delaware Scrub Natural Area (R42 T41 S02) [Ord. 2006-036] |
| | Jupiter Ridge Natural Area (R43 T41 S07/08/17/18) |
| | Limestone Creek Natural Area (R42 T41 S03) |
| | North Jupiter Flatwoods Natural Area (R42 T40 S32/33) |
| | Riverbend Park (R42 T40 S32/33; R42 T41 S05/06/07/08/17) |
| Lake Park: | Lake Park Scrub Natural Area (R43 T42 S20) |
| Lantana: | Lantana Scrub Natural Area (R43 T44 S32) |
| North Palm Beach: | John D. MacArthur Beach State Park (R43 T42 S10/15) |
| Ocean Ridge: | N. Ocean Ridge Hammock Park Mangroves (R43 T45 S22) |
| | Ocean Ridge Natural Area (R43 T45 S27) [Ord. 2008-040] |
| Palm Beach: | Palm Beach Island Sanctuaries (R43 T43 S34; R43 T44 S03/10/15) |
| Palm Beach Gardens: | Frenchman's Forest Natural Area (R43 T41 S32; R43 T42 S05) |
| | Hungryland Slough Natural Area (R41 T41 S19/20/28/29/30/31/32/33/) |
| | Loxahatchee Slough Natural Area -includes Sandhill Crane (R41 T41 S23/24/25/26/27/28/34/35/36; R41 T42 S01/02/11/12/13; R42 T41 S19/20/21/28/29/30/31/32; R42 T42 S05/06/07/08/09/16/17) |
| | Prosperity Oaks Natural Area (R43 T42 S05) |
| Royal Palm Beach: | Royal Palm Beach Pines Natural Area (R41 T43 S15/16) |
| West Palm Beach: | Winding Waters Natural Area (R42 T42 S35; R42 T43 S02) |
| | Grassy Waters Preserve (R42 T42 07/08/16/17/18/19/20/21/28/29/30/31/ 32/33; R42 T43 03/04/05/06/07/08/09/10/15/16/17/18) |
| [Ord. | |

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EXHIBIT N
ARTICLE 14
ENVIRONMENTAL STANDARDS
(Updated 2/10/16)

1

Unincorporated Palm Beach County

| |
|---|
| Acreage Pines Natural Area (R41 T42 S32) |
| Arthur R. Marshall Loxahatchee NWR (R39 T44 S12/13/23/24/25/26/27/34/35/36; R39 T45 S01/02/03/10-15/22-27/34-36/L1/L2/L3; R39 T46 S01-03/10-14/23-25; R40 T43 S32/L5; R40 T44 S04-09/15-36; R40 T45 S01-42; R40 T46 S01-36; R40 T47 S01-06/08-14; R41 T44 S30-32/40-42; R41 T45 S04-10/14-23/26-35; R41 T46 S02-11/14-23/26-35; R41 T47 S03-10/15-19) |
| C-18 Triangle Natural Area (R42 T41 S08) |
| Cypress Creek Natural Area (R41 T40 S 3435/36 ; R42 T40 S31/32; R42 T41 S06) |
| Daggerwing Nature Center Preserve (R41 T47 S11/14) |
| Donald Ross Road at the ICW (R43 T41 S29) |
| DuPuis Management Area (R38 T40 S31-36; R38 T41 S01-06/08-12/13-16/22-26/36; R39 T41 S19/30-31) |
| East Conservation Area (R41 T45 S14/ 23/24) [Ord. 2006-036] |
| High Ridge Scrub Natural Area (R43 T45 S09) |
| <u>Hungryland Slough Natural Area (R41 T41 S19/20/29/30/31/32)</u> |
| <u>Jackson Riverfront Pines (R42 T40 S25)</u> |
| <u>Jupiter Inlet (R43 T40 S31)</u> |
| <u>J.W. Corbett/ LoxRefuge Connector (R40 T43 S05/06/08)</u> |
| J.W. Corbett Wildlife Management Area (R39 T40 S31-36; R39 T41 S01-36; R39 T42 S01-06/08-16; R40 T40 S31-32, R40 T41 S05-08/18-36, R40 T42 S01-18/21-22; R41 T41 S31; R41 T42 S06-07/18) |
| <u>Lake Okeechobee Connector (R37 T40 S35/36)</u> |
| Loxahatchee Mitigation Bank (R41 T46 S14/23/25-26/35; R41 T47 S02) |
| <u>Loxahatchee River Natural Area (R42 T40 S31)</u> |
| Sweetbay Natural Area (R41 T41 S34; R41 T42 S01/02/03) [Ord. 2006-036] |
| Okeehelée Nature Center Preserve (R42 T44 S04-05) |
| Pine Glades Natural Area (R40 T40 S31/32/33/35/36 ; R40 T41 S01/02/03/04/10/11/12/13; R41 T40 S31/32 ; R41 T41 S01/05/06/07/08/09) [Ord. 2006-036] |
| Paw-Paw Preserve Natural Area (R43 T42 S04) |
| Pine Jog Environmental Education Center (R42 T44 S03) |
| Pond Cypress Natural Area (R41 T43 S01/12/13/24) |
| Riverbend Park (Reese Property) - See Riverbend Park under Jupiter Municipality |
| Royal Palm Beach Pines Natural Area (R41 T43 S 15/16) |
| Strazzulla Tract (R41 T44 S34/39-40; R41 T45 S03-04/10/11/14-15) |
| [Ord. |

2
3
4
5

Part 2. ULDC Art. 14, Appendix 10 (page 52 of 52), is hereby amended as follows:

Reason for amendments: [ERM] The purpose of this amendment is to correct several minor spelling errors.

6

APPENDIX 10
Prohibited Vegetation Removal Schedule

| Common Name | Scientific Name | Year |
|----------------------------|-------------------------------------|------|
| climbing fern (non-native) | <i>Lygodium ssp.</i> | 2004 |
| Air Potato vine | <i>Dioscorea bulbifera</i> | |
| Melaleuca, Punk Tree | <i>Melaleuca quinquenervia</i> | 2006 |
| Brazilian pepper | <i>Schinus terebinthifolius</i> | 2008 |
| Carrotwood | <i>Cupaniopsis anacardioides</i> | |
| Earleaf acacia | <i>Acacia auriculiformis</i> | 2010 |
| Schefflera | <i>Schefflera actinophylla</i> | |
| Australian pine | <i>Casuarina spp.</i> | 2012 |
| Kudzu | <i>Pueraria montana var. lobata</i> | |

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EXHIBIT O
HEALTH REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 1/20/16)

1
2 **Part 1. ULDC Art. 15.B.8.A.9.c, [Related to Construction and Design Requirements] (page 12 of**
3 **24), is hereby deleted as follows:**
4

| |
|---|
| Reason for amendments: [Health] To make the ULDC more consistent with other agency regulations related to water wells. |
|---|

5
6 **ARTICLE 15, HEALTH REGULATIONS**

7 **CHAPTER B (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS**
8 This Article shall be designated as "PBC Environmental Control Rule II Drinking Water Supply Systems."

9 **Section 8 Construction and Design Requirements**

10 **A. Design Criteria**

11 Approval for construction, extension, expansion or use of any community, non-transient non-
12 community, transient non-community and limited use water supply system shall be based on the
13 criteria below, in addition to the design criteria specified in Chapters 62-532, 62-555, 64E-8,
14 F.A.C., and the standards considered as modern engineering practices. Criteria in the references
15 listed below are incorporated into this Code. If any differences in design criteria exist, the more
16 stringent standard shall be used. **[Ord. 2011-002]**

- 17 1. Lead pipes, solder and flux are prohibited for use in the installation or repair of any drinking
18 water system. This does not apply to leaded joints necessary for the repair of cast iron pipes.
19 Solders and fluxes must contain not more than 0.2 percent lead and fittings not more than 8.0
20 percent lead.
- 21 2. A minimum of two drinking water supply wells and pumps shall be provided for each
22 community water system that will serve 350 or more persons or 150 or more service
23 connections upon completion of construction. **[Ord. 2005 – 003]**
- 24 3. All water wells shall be constructed by a water well contractor licensed by the SFWMD in
25 accordance with Chapter 62-531, F.A.C., as applicable.
- 26 4. All water wells shall be constructed in accordance with Chapters 40E-3, 62-532, 62-555 and
27 64E-8 F.A.C., as applicable.
- 28 5. For private and multi-family water wells and irrigation wells the casing shall be surrounded at
29 grade level by a two-inch thick concrete pad extending at least six inches in all directions and
30 the upper terminus of the well casing shall project at least 12 inches above finished grade.
31 **[Ord. 2005 – 003]**
- 32 6. Whenever the pump is not set at the vertical casing, the line between the vertical casing and
33 pump shall be considered an extension of the casing and protected from sanitary hazards in
34 a similar manner as the casing.
- 35 7. For community, non-community and non-transient non-community water systems having
36 OSTDS wells shall be located as specified in Chapter 62- 555, F.A.C.
- 37 8. Limited use wells shall be placed a minimum distance of 100 feet from any OSTDS.
- 38 9. Private and multi-family water wells shall be placed a minimum distance of 75 feet from any
39 OSTDS or brine disposal area.
 - 40 a. 75 feet from any OSTDS or brine disposal area. **[Ord. 2005 – 003]**
 - 41 b. 50 feet from any non-potable water well, pond, canal or other body of water. **[Ord. 2005**
42 **– 003]**
 - 43 c. ~~25 feet from poisoned soils, including but not limited to building foundations. This~~
44 ~~distance may be reduced to 15 feet for wells having the uppermost 20 feet of casing~~
45 ~~grouted with a minimum 2 inch thickness of cement grout. **[Ord. 2005 – 003]**~~

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Notes:

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 05/17/16)

PART USED AS REFERENCE ONLY -DEFINITIONS IN ART. 1.I WILL BE SHOWN AS SEPARATE DRAFT IN THE USE REGULATIONS PROJECT.

Part 1. ULDC Art. 1.1.2, Definitions (page 35, 46, 48, 64, 77, 94, 101, and 107 of 119), is hereby amended as follows:

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 1. | Relocate definitions of Commercial Communication Tower types from article 1 to consolidate towers standards in Article 4, Use Regulations. |
| 2. | Clarify definition of "Street" by indicating the term pertains to commercial communication towers located in Electrical Transmission Lines or Florida Department of Transportation right-of-ways (R-O-W) or easements within that R-O-W that have a minimum width of 250 feet. |

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

....

~~72. **Antenna** -- a transmitting and/or receiving device used for AM/FM radio, television, microwave, telephone, cellular, personal wireless services, and related forms of electronic communications. This excludes amateur radio antennas and satellite dishes. [Relocated to Art. 4.B.9.C.6.a, Definition]~~

....

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

~~1. **Camouflage Tower** -- a tower or structure, which is incorporated into and is compatible with existing or proposed uses on site (i.e., antenna incorporated into site lighting at a park or incorporated into an electrical distribution center). [Relocated to Art. 4.B.9.C.2.a, Definition]~~

....

~~49. **Communication Tower, Commercial** -- for the purposes of Art. 4.C, any tower whose principal use is to facilitate transmissions for AM/FM radio, television, microwave, cellular, digital, personal communication services, enhanced specialized radio, and related communication services. Towers located on school sites and utilized for educational purposes only, pursuant to F.S. Chapter 1013.18, shall not be considered commercial communication towers. [Partially relocated to Art. 4.B.9.C, Definitions and Supplementary Use Standards for Specific Uses]~~

....

~~50. **Communication Tower, Monopole** -- see Monopole tower.~~

....

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

....

~~37. **Guyed Tower** -- a structure that is supported either partially or completely by guy wires and ground anchors. [Relocated to Art. 4.B.9.C.5.a, Definition]~~

....

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

....

~~50. **Monopole Tower** -- for the purposes of Art. 4, a structure that consists of a single pole supported by a permanent foundation. [Relocated to Art. 4.B.9.C.3.a, Definition]~~

....

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

....

~~23. **Self Support/Lattice Tower** -- for the purposes of Art. 4, a structure that is constructed without guy wires or ground anchors. [Relocated to Art. 4.B.9.C.4.a, Definition]~~

....

~~84. **Stealth Facility** -- for the purposes of Art. 4, a structure, which is not readily identifiable as a tower and is compatible with existing or proposed uses on site. The structure may or may not have a secondary function (i.e., bell tower, spire, flagpole, etc.). [Relocated to Art. 4.B.9.C.1.a, Definition]~~

....

100. **Street** -

a. a strip of land, owned privately or publicly, which affords legal access to abutting land and is designated for vehicular traffic. "Street" includes road, thoroughfare, parkway, avenue, boulevard, expressway, lane, throughway, place, and square, or however otherwise designated. Streets are further classified according to the function they perform.

b. For the purposes of Art. 4.B.9, Commercial Communication Towers, means Electric Transmission lines or Florida Department of Transportation I-95 and the Florida Turnpike corridors having 250 feet in width or more of right-of way (R-O-W) or easements.

....

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 05/17/16)**

T. Terms defined herein or referenced in this Article shall have the following meanings:
~~43. Tower Hierarchy for the purposes of Art. 4, for the purpose of determining impact the following hierarchy has been established.~~ [Partially relocated to Art. 4.B.9.B, General Commercial Communication Tower Standards]

LEAST IMPACT
Stealth
Camouflage
Monopole
Self support/Lattice
Guyed
MOST IMPACT

[Relocated to Art. 4.B.9.F.2, Replacement]

Part 2. ULDC Art. 2.D.1.G.2.b, Agency Review (page 41 of 87), is hereby amended as follows:

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 1. | Currently Stealth Towers when less than 100 feet in height and located in Agricultural Reserve (AGR), Agricultural Residential (AR) Urban and Rural Service areas, and Residential Estate (RE) Zoning Districts are allowed to be subject to DRO Agency Review process which allows amendments to existing approved plans. This amendment creates cross reference between the regulations related to DRO Agency Review process contained in Art. 2.G.2, Administrative Modification, and the Stealth Tower standard in Art. 4; and, clarifies it applies only to sites with existing DRO site plans, otherwise the tower will be subject to the review of all DRO agencies. |

CHAPTER D ADMINISTRATIVE PROCESS

Section 1 Development Review Officer (DRO)

G. Modifications to Prior Development Orders

2. Administrative Modifications

b. Agency Review

Agency Review is for applications that require amendment(s) to existing approved plan(s). This type of application requires review, comments, and conditions by a maximum of five DRO Agencies. The DRO shall determine which Agencies are required to review the amendment based upon the request and compliance with County Ordinances. The Zoning Director shall maintain PPM Z0-0-29, Administrative Modifications to Approved Site Plans, outlining a list of minor amendments and establishing items that are exempt from the Administrative Modifications process. Amendments include the following, provided Art. 2.D.1.G.1, Modifications to BCC/ZC Approvals, requirements are not exceeded: [Ord. 2008-003] [Ord. 2011-001] [Ord. 2014-001] [Ord. 2015-006] [Ord. 2016-016]

....
11) Stealth Towers equal to or less than 100 feet in height located in the AGR, AR and RE Zoning Districts, provided the parcel has an existing DRO approved site plan.

PART USED AS REFERENCE ONLY - ART. 4.B. WILL BE SHOWN AS DELETED IN THE FINAL DRAFT OF THE USE REGULATIONS PROJECT.

Part 3. ULDC Art. 4.B.1.A.31, Communication Towers, Commercial (page 41 of 171), is hereby deleted as follows:

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 1. | Consolidate definitions in new Art. 4.B.9, Commercial Communication Towers. |

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

~~**31. Communication Towers, Commercial**~~

~~Any tower whose principal use is to facilitate transmissions for AM/FM radio, television, microwave and cellular telephone transmission towers, antennae and accessory equipment and buildings. All tower and antennae types are subject to standards in Article 4.C, COMMUNICATION TOWER, COMMERCIAL. [Partially relocated to Art. 4.B.9.B, General Standards]~~

~~**a. Communication Panel Antennas, Commercial**~~

Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
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(Updated 05/17/16)**

~~Standards shall apply to commercial communication panels and antennas mounted on roofs, or attached to buildings or legal billboards.~~

b. Communication Cell Sites on Wheels (COWs)

~~A temporary facility utilized to ensure adequate telecommunications capacity during periods of high usage or during periods when traditional modes of communication are unavailable. COWs consist of a folding or telescoping monopole or guyed structure, with attached antenna, mounted on a trailer or truck.~~

AMENDMENTS TO IRO, URA, PDDs, TDDs, AND STANDARD ZONING DISTRICTS SHOWN BELOW ARE FOR INFORMATION ONLY. - THESE AMENDMENTS ARE PART OF A GENERAL DELETION OF USE MATRICES WHICH WILL BE CONSOLIDATED IN ONE TABLE.

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

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 1. | Relocate approval process for Mobile Communication Cell Site on Wheels (COW) as contain in the Use Matrices for IRO, URA, PDD, TDD and standard zoning districts to a consolidated Use Matrix for Temporary Use Classification. |
| 2. | Delete approval process for Communication Panel Antennas from Uses Matrices as specific provisions that address antennas approval in Article 4.C, Commercial Communication Towers. Antenna provisions will be relocated to Article 5, Supplementary Standards. |
| 3. | Approval of Commercial Communication Towers is based on the specific tower type as indicated in table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review. The existing approval processes of towers contained in the IRO, URA, PDD, TDD and standard zoning districts Use Matrices are not specifying tower type and the approval was always referenced to the table noted above. As a result, staff is proposing to delete the Commercial Communication Tower approval process from the Use Matrices. |

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 | |
| | | | | | | Utilities and Excavation | | | | | |
| | | | | | | <i>Communication Cell Sites on Wheels (COW) Tower, Mobile</i> | S | S | S | S | 31 |
| | | | | | | <i>Communication Panels or Antennas, Commercial</i> | D | D | D | D | 31 |
| | | | | | | <i>Communication Tower, Commercial</i> | A | A | A | A | 31 |
| | | | | | | | | | | | |
| [Ord. 2010-005] [Ord. 2012-007] [Ord. 2013-001] | | | | | | | | | | | |
| 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. | | | | | | | | | | | |

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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 05/17/16)**

1

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 | | | | | | |
| | | | | | | |
| <i>Communication Cell Sites on Wheels (COWS)</i> | S | S | S | S | S | 31 |
| <i>Communication Panels, or Antennas, Commercial</i> | A | A | A | A | A | 31 |
| <i>Communication Tower, Commercial</i> | A | A | A | A | A | 31 |
| ... | | | | | | |
| [Ord. 2011-016] [Ord. 2013-001] | | | | | | |
| Note: | | | | | | |
| 1. Deviations from this table shall be prohibited. | | | | | | |
| 2. Any outdoor uses shall comply with Art. 3.B.16.E.4.a, Residential Setbacks | | | | | | |
| 3. Those uses that were legally established prior to the adoption of Zoning Resolutions R-10-1344 and R-10-1345 (Applications 2010-00667 and 00668, UC and UI Districts, respectively) shall be permitted to continue in accordance with Art. 1.E, Prior Approvals, or 1.F, Non-conformities. Change in use permitted subject to limitations of Art. 3.B.16.E.2.a, Right to Continue or Change Use. | | | | | | |
| 4. The change in use for a previously approved non-residential structure shall be permitted by right, if in compliance with Art. 3.B.16.E.2.a, Right to Continue or Change Use. | | | | | | |
| 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. | | | | | | |

2

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

| Use Type | PUD | | | | | MUPD | | | | | MXPD | | PIPD | | | LCC | | NOTE | | | | |
|---|------|---|---|---|---|------|---|---|---|---|------|---|----------|---|---|-----|---|------|---|---|----|---|
| | Pods | | | | | FLU | | | | | FLU | | Use Zone | | | FLU | | | | | | |
| | R | C | R | C | A | C | C | C | C | C | I | I | C | C | I | C | I | | M | R | C | C |
| E | O | E | I | G | L | H | L | H | R | N | N | H | H | N | O | N | H | V | L | L | H | |
| S | M | C | V | R | | | O | O | | D | S | O | | D | M | D | P | P | | | | |
| | | | | / | | | | | | | | | | / | | / | | | | | | |
| | | | | P | | | | | | | | | | L | G | | | | | | | |
| Utilities and Excavation Uses | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| <i>Communication Cell Sites On Wheels (COW) Tower, Mobile</i> | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | 31 | |
| <i>Communication Panels, Or Antennas, Commercial</i> | B | D | D | D | | D | D | D | D | P | D | D | D | P | P | P | | | D | D | 31 | |
| <i>Communication Tower, Commercial</i> | | | | | | R | | | | R | R | R | | R | R | R | | | R | | 31 | |
| | | | | | | | | | | | | | | | | | | | | | | |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2013-001] | | | | | | | | | | | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | | | | | | | | | | | |

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 05/17/16)**

1

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 U S A | R E T S M | R E T S M | R E T S M | R E T S M | C N | C L O | C C O | C H O | C G R E | I L | I G | P O | I P F | | |
| Utilities & Excavation | | | | | | | | | | | | | | | | | | | |
| <i>Communication Cell Sites on Wheels (COW) Tower, Mobile</i> | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | S | 31 |
| <i>Communication Panels, or Antennas, Commercial</i> | | D | P | B | B | B | B | B | D | D | D | D | D | D | P | P | P | B | 31 |
| <i>Communication Tower, Commercial</i> | A | A | D | A | A | A | A | A | A | A | B | B | B | B | D | D | D | A | 31 |
| [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2013-001] | | | | | | | | | | | | | | | | | | | |
| 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) | | | | | | | | | | | | | | | | | | | |

2

Table 3.F.1.F - Traditional Development Permitted Use Schedule (Continued)

| District Tier Land Use Zone | TND | | | | | | TMD | | | | N O T E S |
|---|----------------------|-----------------------------|-----------------------|---------------|-----|-----------------------|-----|--------------|-----|----------|-----------------------|
| | 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 | |
| Commercial Uses | | | | | | | | | | | |
| | | | | | | | | | | | |
| Utilities and Excavation | | | | | | | | | | | |
| <i>Communication panel, antennas, commercial</i> | S | | | | | | D | D | D | | 31 |
| <i>Communication tower, commercial</i> | | | | | | | D | D | D | | 31 |
| <i>Communication cell sites on wheels (COW)</i> | | | | | | | S | | | | 31 |
| | | | | | | | | | | | |
| [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] [Ord. 2013-001] | | | | | | | | | | | |
| 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. | | | | | | | | | | | |

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END OF PART USED FOR INFORMATION ONLY.

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1 **Part 5. Table 4.C.3.I, Residential District Tower Location and Type of Review and Table 4.C.3.I,**
2 **Non-Residential Districts, Tower Location, and Type of Review, are hereby deleted and**
3 **approval processes are consolidated in the Commercial Communication Towers**
4 **Matrix as follows:**
5

| Reason for amendments: [Zoning] | |
|--|--|
| 1. | Consolidate Commercial Communication Tower approval processes in residential and non residential zoning districts in one Use Matrix to facilitate ease of use and reduce possible glitches in the future. |
| 2. | Delete Expedited DRO (DE) approval from Stealth Towers equal to or less than 100 feet to reflect a "D" in the consolidated Use Matrix as the correct acronym related to Development Review Officer (DRO). Stealth Tower supplementary standard is updated to reflect that in Agricultural Reserve (AGR), Agricultural Residential (AR) Rural Service Area (RSA), AR Urban Service Area (USA); and Residential Estate (RE) Zoning Districts, Stealth Tower equals to or less than 100 feet is reviewed by DRO Agency Review which is the process that equates to DE in today's Code. Footnote in the table is deleted also for consistency with the noted change. |
| 3. | Delete "BP" for Building Permit Review as shown in the Residential and Non-Residential District Tower Location and Type of Review tables to reflect a "P" for Permitted by Right use in the consolidated Use Matrix. |
| 4. | Delete footnote # 1 that relates to location of towers in public and private Civic pod, Commercial pod and Golf Courses in Recreation pod of Planned Unit Development (PUD). The consolidated Use Matrix reflects the approval process in the specific pods as described in the note. |

6
7 (This space intentionally left blank)

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

Table 4.C.3.I – Residential District Tower Location and Type of Review

| TOWER TYPE | AGR | AR/ RSA | AR/ USA | RE | RT | RS | RM | PUD Pods (1) | | RVPD | MHPD | TND |
|--|------|------------|------------|------|------|------|------|---------------|------|------|------|------|
| | | | | | | | | CIV or COM | REC | | | |
| Stealth Towers ≤ 100' | DE | DE | DE | DE | D | D | D | D | A | * | * | D |
| Stealth Towers >100' ≤ 125' | D | D | D | D | B | B | B | D | A | * | * | D |
| Stealth Towers > 125' | B | B | B | B | A | A | A | B | A | * | * | B |
| Camouflage Towers | BP | BP | BP | BP | D | D | D | D | A | * | * | D |
| Monopole Towers ≤ 60' | BP | D | D | D | * | * | * | D | * | * | * | D |
| Monopole Towers > 60' and ≤ 100' | D | B | B | B | * | * | * | B | * | * | * | B |
| Monopole Towers > 100' and ≤ 150' | B | B | B | B | * | * | * | B | * | * | * | B |
| Monopole Towers > 150' and ≤ 200' | B | B | B | B | * | * | * | * | * | * | * | * |
| Monopole Towers > 200' and ≤ 250' | A | A | A | * | * | * | * | * | * | * | * | * |
| Monopole Towers > 250' | A | A | A | * | * | * | * | * | * | * | * | * |
| Self Support Towers ≤ 60' | BP | D | D | B | * | * | * | D | * | * | * | D |
| Self Support Towers > 60' and ≤ 100' | D | B | B | A | * | * | * | B | * | * | * | B |
| Self Support Towers > 100' and ≤ 150' | B | A | A | A | * | * | * | A | * | * | * | A |
| Self Support Towers > 150' and ≤ 200' | A | A | A | * | * | * | * | * | * | * | * | * |
| Self Support Towers > 200' and ≤ 250' | A | A | A | * | * | * | * | * | * | * | * | * |
| Self Support Towers > 250' | A | A | A | * | * | * | * | * | * | * | * | * |
| Guyed Towers ≤ 60' | BP | D | D | B | * | * | * | D | * | * | * | D |
| Guyed Towers > 60' and ≤ 100' | D | B | B | A | * | * | * | B | * | * | * | B |
| Guyed Towers > 100' and ≤ 150' | B | A | A | * | * | * | * | * | * | * | * | * |
| Guyed Towers > 150' and ≤ 200' | A | A | A | * | * | * | * | * | * | * | * | * |
| Guyed Towers > 200' and ≤ 250' | A | A | A | * | * | * | * | * | * | * | * | * |
| Guyed Towers > 250' | A | A | A | * | * | * | * | * | * | * | * | * |
| FDOT | D(2) | D(2) | D(2) | D(2) | D(2) | D(2) | D(2) | D(2) | * | D(2) | D(2) | D(2) |
| FPL (3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) | D(3) |

[Ord. 2014-001]

Notes:

- D = Development Review Officer (No Public Hearing)
- DE = Expedited Review
- BP = Building Permit Review (No Public Hearing)
- B = Conditional use Review by ZC (1 Public Hearing)
- A = Conditional use Review by BCC (2 Public Hearings)
- (1) = Public or Private Civic, and Commercial pods; or, a *Recreational Pod only when located on a Golf Course.* [Ord. 2014-001]
[Partially relocated to Art. 4.B.9.C.1.b.2), Recreation pod of PUD]
- (2) = *I-95 and Florida Turnpike streets at least 250 feet in width.* [Relocated to Table 4.B.9.A, Commercial Communication Towers Matrix, note #2]
- (3) = *Electrical transmission streets at least 250 feet in width.* [Relocated to Table 4.B.9.A, Commercial Communication Towers Matrix, note #1]
- * = Not permitted in zoning district, unless otherwise allowed in association with non-residential uses as provided in this Section.
[Relocated to Art. 4.B.9.A, Commercial Communication Tower Use Matrix]

2 [Approval processes relocated to Table 4.B.9.A, Commercial Communication Towers Matrix]

3

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 5. | Delete footnote #2 in table 4.C.3.I, Non-Residential Districts, Tower Location and Type of Review which clarifies towers in Mixed Use Planned Development (MXPDP) are allowed only when located in Commercial High (CH) Future Land Use (FLU) designation. The consolidated Use Matrix identifies CH and Commercial High Office (CHO) FLU designations contained in MXPDP. As a result of the note, the approval will be reflected only in MXPDP with CH FLU designation for the same tower types that are |

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

| | |
|----|---|
| | currently shown in table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review. |
| 6. | Delete table footnote #3 related to Self Support and Guyed Towers in MXP to be located only in Industrial (IND) FLU designation given the fact that MXP is not consistent with IND FLU designation. |

1

Table 4.C.3.I - Non-Residential Districts, Tower Location, and Type of Review

| TOWER TYPE | AP | PO | CN | GLO | CC | CG | CHO | GRE | IL | IG | MUPD (1) | MXP | PIPD | PC |
|---------------------------------------|----|----|----|-----|----|----|-----|-----|----|----|----------|-------|------|----|
| Stealth Towers ≤ 100' | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP |
| Stealth Towers >100' ≤ 125' | D | D | D | D | D | D | D | D | D | D | D | D(2) | D | D |
| Stealth Towers > 125' | B | B | B | B | B | B | B | B | B | B | B | B | B | B |
| Camouflage Towers | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP | BP(2) | BP | BP |
| Monopole Towers ≤ 60' | D | D | B | B | D | D | B | B | D | D | B | B(2) | D | B |
| Monopole Towers > 60' and ≤ 100' | D | D | B | B | D | D | B | B | D | D | B | B(2) | D | B |
| Monopole Towers >100' and ≤ 150' | D | D | B | B | D | D | B | B | D | D | B | B(2) | D | B |
| Monopole Towers > 150 and ≤ 200' | D | D | B | B | D | D | B | B | D | D | B | B(2) | D | B |
| Monopole Towers >200' and ≤ 250' | D | A | A | A | B | B | A | A | D | D | A | A(2) | D | A |
| Monopole Towers >250' | B | A | A | A | A | A | A | A | B | B | A | A(2) | B | A |
| Self Support Towers ≤ 60' | BP | BP | * | * | * | BP | * | * | BP | BP | * | BP(3) | BP | BP |
| Self Support Towers > 60' and ≤ 100' | D | D | * | * | * | D | * | * | D | D | * | D(3) | D | D |
| Self Support Towers >100' and ≤ 150' | D | D | * | * | * | D | * | * | D | D | * | D(3) | D | D |
| Self Support Towers > 150' and ≤ 200' | D | B | | | | B | | | D | D | | D(3) | D | D |
| Self Support Towers > 200' and ≤ 250' | B | B | | | | B | | | B | B | | B(3) | B | B |
| Self Support Towers > 250' | B | A | | | | A | | | B | B | | B | A | A |
| Guyed Towers ≤ 60' | BP | BP | | | | BP | | | BP | BP | BP | BP(3) | BP | BP |
| Guyed Towers > 60' and ≤ 100' | D | D | | | | D | | | D | D | D | D(3) | D | D |
| Guyed Towers > 100' & ≤ 150' | D | D | | | | D | | | D | D | D | D(3) | D | D |
| Guyed Towers > 150' & ≤ 200' | D | B | | | | B | | | D | D | B | D(3) | D | B |
| Guyed Towers > 200' & ≤ 250' | B | B | | | | B | | | B | B | B | B(3) | B | B |
| Guyed Towers > 250' | B | A | | | | A | | | B | B | A | B(3) | B | A |
| FDOT (4) | D | D | D | D | D | D | D | D | D | D | D | D | D | D |
| FPL (5) | D | D | D | D | D | D | D | D | D | D | D | D | D | D |

Notes:

- D = Development Review Officer (No Public Hearing)
- BP = Building Permit Review (No Public Hearing)
- B = Conditional use Review by ZC (1 Public Hearing)
- A = Conditional use Review by BCC (2 Public Hearings)
- (1) = Permitted in CH of CL FLU Designation over five acres [Relocated to Supplementary use standards for Stealth Tower in Article 4.B.9.C.1.c; Camouflage Tower in Article 4.B.9.C.2; Monopole in Article 4.B.9.C.3; Self Support in Article 4.B.9.C.4; and Guyed Tower in Article 4.B.9.C.5]
- (2) = CH and IND FLU Designation [CH relocated to Consolidate Use Matrix in Table 4.B.9.A, Commercial Communications Tower Use Matrix]
- (3) = Limited to IND FLU Designation
- (4) = I-95 and Florida Turnpike streets at least 250 feet in width [Relocated to Table 4.B.9.A, Commercial Communication Towers Matrix, note #2]
- (5) = Electrical transmission streets at least 250 feet in width [Relocated to Table 4.B.9.A, Commercial Communication Towers Matrix, note #1]
- * = Not permitted in zoning district, unless otherwise allowed in association with non-residential uses as provided in this Section

2 [Approval processes relocated to Table 4.B.9.A, Commercial Communication Towers Matrix]

3

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1 **Part 6. New ULDC Art. 4.B.9, Communication Towers, Commercial, is hereby established as**
 2 **follows:**
 3

| Reason for amendments: [Zoning] | |
|--|---|
| 1. | In 1998, a comprehensive Commercial Communication Tower amendment was introduced in the Unified Land Development Code (ULDC) throughout Ordinance 1998-1 in response to Federal regulations and industry trends in cellular communication. Later, during re-write of the ULDC in Ordinance 2003-067, Commercial Communication Tower regulations were placed under Article 4.C. Multiple amendments have since been made to the Code that affected the approval processes and references of the uses contained in the Commercial Communication Towers section. |
| 2. | This amendment consolidates all Commercial Communication Tower regulations regarding approval processes, general standards, definitions, and Supplementary Use Standards in order to make it consistent with the formatting and construction of the Code proposed for Article 4 as part of the Use Regulations Project (URP). |

4 **CHAPTER ~~CB~~ COMMUNICATION TOWER, COMMERCIAL USE CLASSIFICATION**

5 **Section 9 Commercial Communication Tower Uses**

6 **A. Commercial Communication Tower Use Matrix**
 7

| Reason for amendments: [Zoning] | |
|--|--|
| 3. | Indicate in the Use Matrix "P" for Permitted use where previously shown as "BP" for Building Permit review for consistency with construction of the consolidated Use Matrix. |
| 4. | Allow Stealth, Camouflage, Monopole and Guyed Towers to be located in Institutional and Public Facilities (IPF) Zoning District and Multiple Use Planned Development (MUPD) with Institutional (INST) FLU designation. <ul style="list-style-type: none"> • MUPD with INST FLU designation is proposed to use the same approval process as MUPD with Commercial Low (CL) and CH FLU designation, where the towers are already allowed. Commercial Communication Towers are likely to be collocated with uses already permitted on institutional land. • IPF Zoning District was added to the ULDC through Ord. 2000-015 but was not recognized in the approval process table in Article 4.C for Commercial Communication Towers. The approval process assigned to the use is based on the same approval given to the towers located in Institutional (INST) FLU designation of MUPD. |
| 5. | Delete Expedited DRO (DE) approval from Stealth Towers 100 feet in height or less to reflect a "D" in the consolidated Use Matrix and indicate the correct acronym related to DRO. |
| 6. | The approval processes contained in table 4.C.3.I, Residential Districts, Tower Location, and Type of Review, limited approval of towers to Civic and Commercial pods of PUD as noted in the table footnote #1. The consolidated Use Matrix which includes all pods in PUD reflects that Residential pod and Agricultural/Preserve are not allowed to include any tower type. |
| 7. | Amend Stealth and Camouflage Towers approval in Civic and Commercial pods of PUD to require Class A Conditional instead of DRO approval. In 2013, an amendment to the ULDC took place to allow Stealth and Camouflage Towers in Golf Courses located in Recreational pod of PUD subject to Class A Conditional Use. Zoning administration advised the BCC of the future change in the approval process for Civic and Commercial pods of PUD to protect adjacent residential uses. Standards under the provisions of these two tower types allow the towers to be DRO approval when the height of the tower is less or equal to 60 feet. This change is consistent with Monopole, Self Support/Lattice and Guyed towers existing DRO approval for towers less than 60 feet in height. |
| 8. | Indicate the most restrictive approval process in the Use Matrix, in this case prohibited, for Stealth Towers in Recreation pod of PUD. A Supplementary Use Standard for Stealth Tower has been added to indicate Class A Conditional Use approval when the use is located in Golf Courses in Recreation pod of PUD. The standard reflects the approval and the only location allowed for this type of tower in Recreation pod of PUD as contained in footnote of table 4.C.3.I, Residential Districts, Tower Location, and Type of Review. |
| 9. | Allow all tower types in MUPD with IND FLU designation consistent with the towers approved in other industrial zoning districts such as Industrial Light and Industrial General pods of Planned Industrial Park Development (PIPD) and industrial standard zoning districts. The approval process proposed for MUPD with IND FLU is the same as in Industrial General pod of PIPD since both Planned Development Districts (PDDs) have IND FLU designation. |
| 10. | Ord. 2014-025 clarified Economic Development Center (EDC) FLU designation by creating consistency with the Plan FLU Element Section III.C.4-2 now Policy 2.2.24-c that indicates EDC "is intended to accommodate employment opportunities, research parks, and employment centers" and "shall be limited those (uses) that demonstrate Light Industrial characteristics." Such consistency is reflected by including the EDC FLU designation in the Use Matrix for MUPD and including approval processes for applicable uses through the different use classifications. EDC was not added to the approval process table for Commercial Communication Towers in Article 4.C.3.I, Non-Residential |

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EXHIBIT P
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SUMMARY OF AMENDMENTS
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| | Districts, Tower Location and Type of Review. This amendment adds EDC to indicate the same approval process in towers types already permitted in Light Industrial pod of PIPD. Approval for Electrical Transmission Line R-O-W and the FDOT R-O-W has been added to the MUPD with EDC FLU equally consistent with Light Industrial pod of PIPD. |
| 11. | Currently all Use Matrices through the Code differentiate the approval process for Industrial Light pod, Industrial General pod and Commercial pod in PIPD. Table 4.C.3.I, Non-Residential Districts, Tower Location and Type of Review indicate approval for PIPD but does not specify what particular pod the approval is for. The consolidated Use Matrix simply utilizes the same approval process contained in the referenced table and makes it applicable to all pods. |
| 12. | Amend the Use Matrix to reflect Article 4.B.9.D.1.c.1).e) standard related to Electrical Transmission Line R-O-W. The standard limits the approval of combined transmission/communication structures in Electrical Transmission Line R-O-W to Class A Conditional Use when the R-O-W is in a PUD. As a result, the Use Matrix will be changed from DRO as currently shown to Class A Conditional Use in the Civic, Commercial and Recreation pods of PUD as they are pods where towers are currently allowed. |
| 13. | Clarify in the Use Matrix the maximum height allowed for Stealth Tower is 200 feet for consistency with existing maximum tower height standards for this tower type, already contained in the Code. |
| 14. | Clarify in the Use Matrix the maximum height allowed for Camouflage Tower is 150 feet for consistency with existing maximum tower height standards for this tower type, already contained in the Code. |
| 15. | Approval of towers in the Traditional Neighborhood Development (TND) Zoning District indicated in table 4.C.3.I, Residential District Tower Location and Type of Review, does not specify the land use zones where towers are permitted. The consolidated Use Matrix is not going to include approval of towers in Residential land use zone of TND for consistency with the prohibition of the use in Residential pod of PUD. The same situation applies to Open Space Recreation (OS Rec) in TND as when compared with PUD Recreation pod, TND does not include Golf Course which is the only case when some of the towers are allowed in the Recreation pod of PUD. Approval in TND will be applied to Neighborhood Center in the Urban/Suburban, Exurban and Rural Tiers only for those towers originally shown in table 4.C.3.I. The same concept is applied for the approval applicable to Electrical Transmission Line R-O-W and the FDOT R-O-W. |
| 16. | Add Lattice to the name of Self Support Tower in the Use Matrix for consistency with the terminology used in Article 4.B.9.C.4 that has specific standards for this tower type. |
| 17. | Antennas are regulated by specific requirements established by State Statutes 365.172 (13) which are indicated in Article 4.B.9.E, Share Use/Collocation. As a result, Antenna is removed from the Use Matrix. |
| 18. | Indicate in the Use Matrix Electrical Transmission Line Right of Way (R-O-W) instead of FPL (Florida Power and Light) as the Commercial Communication Tower provisions are for any Electrical Transmission Line R-O-W regardless of what utility company is the utilizing it. |
| 19. | Clarify in the Use Matrix that FDOT means Florida Department of Transportation and that the approval relates to the right-of-way for consistency with the standards in Article 4.B.9.D, Collocation in Right of Ways. |

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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 20. | Relocate to consolidate reference for waivers applicable to government owned towers under the Waiver provisions contained in Article 4.B.9.G, Exemptions and Waivers. |
| 21. | Clarify what types of towers are regulated by the provisions developed in this part of the Code. |

2 **CHAPTER C — COMMUNICATION TOWER, COMMERCIAL**

3 **B. General Standards**

4 ~~Commercial communication tower use shall comply with the following supplementary use~~
 5 ~~standards. If this Section prohibits a government-owned tower from being located at a specific~~
 6 ~~site and the tower is required to protect the public health, safety, or welfare, the applicable criteria~~
 7 ~~of this Section may be waived or modified by the BCC. In such cases the BCC shall make a~~
 8 ~~finding of fact justifying the modification.~~ **[Partially relocated to Art. 4.B.9.G.2, Government**
 9 **Towers, related to Exemptions and Waivers]**

10 ~~Commercial Communication Towers include provisions for any tower, pole or structure that~~
 11 ~~supports a device whose principal use is to facilitate transmissions for AM/FM radio, television,~~
 12 ~~microwave, cellular, personal wireless services, or related forms of electronic communications.~~
 13 ~~The regulations include provisions for Stealth, Camouflage, Monopole, Self Support/Lattice,~~
 14 ~~Guyed Towers.~~ **[Partially relocated from Art. 1.1.2.C.49, Communication Tower, Commercial**
 15 **and Art. 4.B.1.A.31, Communication Towers, Commercial]**

16 **Section 1 States of Emergency**

17 ~~The PZ&B Executive Director may waive the review timeframes in the event of a declared state of~~
 18 ~~emergency.~~ **[Ord. 2006-004] [Ord. 2012-027] [Relocated to Art. 4.B.9.G.1, States of Emergency]**

19 **Section 2 Definitions**

20 ~~See Art. 1.I, DEFINITIONS AND ACRONYMS~~

21 **Existing text under Section 4, Standards, shown below was relocated to be above current Section**
 22 **3, Siting Requirements.**

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 22. | The Code includes standards in Articles 4.B.9.C.1.g and 4.B.9.C.2.f, Associated Uses, applicable to Stealth and Camouflage Towers, that limit collocation of these two tower types to specific uses. This amendment clarifies that approval of Commercial Communication Towers on sites with other principal use may apply to some tower types only. |

23 **Section 4 Standards**

24 **A1. Additional Uses Permitted on Lot Collocated Tower and Accessory Structures**

25 ~~Communication towers may be permitted on a lot with another principal use as provided~~
 26 ~~herein unless stated otherwise.~~ **[Relocated from Art. 4.C.4.A, Additional Uses Permitted**
 27 **on Lot]**

28 **a. Owned Parcel**

29 ~~Communication towers may be located on lots containing another principal use, including~~
 30 ~~another communication tower.~~ **[Relocated from Art. 4.B.9.B.1.b, Leased Parcel,**
 31 **below]**

32 **4b. Leased Parcel**

33 ~~Communication towers may be located on lots containing another principal use, including~~
 34 ~~another communication tower.~~ **[Relocated to Art. 4.B.9.B.1.a, Owned Parcel, above]**
 35 ~~Separation between communication towers and other uses on the lot may be required to~~
 36 ~~ensure compatibility.~~ **[Relocated to Art. 4.B.9.B.2, Separation and Setbacks,**
 37 **below]** ~~Towers may occupy a leased parcel on a lot that meets the minimum lot size~~
 38 ~~requirement of the district in which it is located. PBC may require execution of a unity of~~
 39 ~~title control, or other documentation as determined appropriate by the County Attorney,~~
 40 ~~for leased parcels that do not meet the minimum lot size requirement for the district in~~
 41 ~~which they are located.~~ **[Relocated from Art. 4.C.4.A.1, Lease Parcel]**

42 **2c. Accessory Structures**

43 ~~Any structure accessory to communication towers, other than peripheral supports and~~
 44 ~~guy anchors, shall conform to the setback requirements for the district in which it is~~
 45 ~~located.~~ **[Relocated from Art. 4.C.4.A.2, Accessory Structures]**

46 **B. Measurement of Height**

47 ~~All antennas, panels, and other attachments shall be included in the height measurement of the~~
 48 ~~tower structure, and shall not extend beyond its maximum permitted height. Lightning rods and~~
 49 ~~whip antennas, less than six inches in diameter, shall be excluded from this requirement.~~
 50 **[Relocated from Art. 4.B.9.B.6, Measurement of Height]**

Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

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| Reason for amendments: [Zoning] | |
| 23. | Consolidate standard that requires all tower types to be subject to the minimum separation and setbacks from residential and non-residential zoning districts. The provisions were repeated under all tower type standards. |

C2. Separation and Setbacks from Residential Uses
Separation between communication towers and other uses on the lot may be required to ensure compatibility. [Relocated from Art. 4.C.4.A.1, Lease Parcel] Separation or setbacks for all towers shall be established, as provided in Tables 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts, and Table 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, unless stated otherwise herein. [Relocated from Art. 4.C.3.A.2, 4.C.3.B.2, 4.C.3.E.2, 4.C.3.F.2, and 4.C.3.G.2, Separation and Setbacks]

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 24. | Consolidate redundant standards repeated for each tower type and all zoning districts to improve ease of use of the tower separation and setbacks table by reducing the current five-page table to one page. |
| 25. | Revise table title to better clarify that contents establish "Minimum" setbacks and separations. |
| 26. | Correct scrivener's error made during the 2003 Code re-write and reflected in Ord. 2003-067. This amendment includes Multifamily Residential (RM) Zoning District in the separation and setbacks table of residential zoning districts applicable to 250 feet height Guyed Tower and Self Support/Lattice Tower. Ordinance 1998-1 clearly includes RM Zoning District in the separation and setbacks table for these towers. |
| 27. | Clarify the maximum height of Stealth Tower is 200 feet for consistency with supplementary use standards in Article 4.B.9.C.1.b.5), Stealth Tower. |
| 28. | Indicate that the maximum height of Camouflage Tower is 150 feet for consistency with the supplementary use standards in Article 4.B.9.C.2.b.2)c), Camouflage Tower. Includes a footnote clarification to indicate that Camouflage Tower height is subject to additional height requirements based on number of providers. |
| 29. | Include a footnote to clarify that separation and setbacks for Monopole, Self Support/Lattice and Guyed Towers apply regardless of the height of the tower. |
| 30. | Add minimum setback and separation standard for Monopole, Self Support/Lattice and Guyed Towers when adjacent to nonresidential use or public right-of-way. The provision has been missing in the Code and it is added for consistency with the existing standard under Stealth Tower more than 125' in height. |

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

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a. Towers Located in Residential Zoning Districts

Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts

| TOWER TYPE | Adjacent to | AGR | AR/ RSA | AR/ USA | RE | RT | RS | RM | PUD | RVPD | MHPD | TND |
|--|--|--|---------|---------|----|----|----|----|-----|------|------|-----|
| Stealth Tower ≤ 100' to ≤ 125' | Residential Existing | 150% of tower height for separation between tower and adjacent residential structures 100% of tower height for setback from property line | | | | | | | | | | |
| | Residential Vacant | 100% of tower height for setback from property line | | | | | | | | | | |
| | Non-residential Vacant and Public ROW | 100% of tower height for setback from property line | | | | | | | | | | |
| Stealth Tower > 125' to Max. 200' | Residential Existing | 150% of tower height for separation between tower and adjacent residential structures 100% of tower height for setback from property line | | | | | | | | | | |
| | Residential Vacant | 100% of tower height for setback from property line | | | | | | | | | | |
| | Non-residential and Public ROW | 20% of tower height or district setbacks whichever is greater | | | | | | | | | | |
| Camouflage Tower Max. 150' (1) | Residential Existing | 150% of tower height for separation between tower and adjacent residential structures 100% of tower height for setback from property line | | | | | | | | | | |
| | Residential Vacant | 100% of tower height for setback from property line | | | | | | | | | | |
| | Non-residential and Public ROW | 20% of tower height or district setbacks whichever is greater | | | | | | | | | | |
| Monopole Tower (2) | Residential Existing | 600% of tower height for separation between tower and adjacent residential structures 150% of tower height for setback from property line | | | | | | | | | | |
| | Residential Vacant | 150% of tower height for setback from property line | | | | | | | | | | |
| | Non-residential and Public ROW | 20% of tower height or district setbacks whichever is greater | | | | | | | | | | |
| Self Support / Lattice Tower (2) | Residential Existing | 600% of tower height, separation between tower and adjacent residential structures 150% of tower height setback from property line | | | | | | | | | | |
| | Residential Vacant | 150% of tower height setback from property line | | | | | | | | | | |
| | Non-residential and Public ROW | 20% of tower height or district setbacks whichever is greater | | | | | | | | | | |
| Guyed Tower (2) | Residential Existing | Lesser of 600% of tower height or 1,500' separation between tower and adjacent residential structures and 150% of tower height for setback from property line | | | | | | | | | | |
| | Residential Vacant | 150% of tower height for setback from property line | | | | | | | | | | |
| | Non-residential and Public ROW | 20% of tower height or district setbacks whichever is greater | | | | | | | | | | |
| Electric Transmission Line FPL FDOT | Height, tower type, and setbacks limited as provided in this section—Art. 4.B.9, Commercial Communication Towers | | | | | | | | | | | |
| [Ord. 2005-002] | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | |
| (1) | Maximum height subject to the specific requirements contained in the Supplementary Use Standards. | | | | | | | | | | | |
| (2) | Applicable to any tower height | | | | | | | | | | | |

3 [Consolidated Tables 4.C.3.I - Distances for Towers Located in and Adjacent to Residential Districts Separation and
4 Setback]

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Notes:

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**EXHIBIT P
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1 **b. Towers Located in Non-Residential Zoning Districts**

2 **Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts**

| TOWER TYPE | Adjacent to | PC | AP | CN | CLO | CC | CHO | CG | CRE | UC | UI | IRO | IL | IG | IPF | PO | MUPD | MXPD | PIPD | LCC |
|---|---------------------------------------|---|----|----|-----|----|-----|----|-----|----|----|-----|----|----|-----|----|------|------|------|-----|
| Stealth Towers Max. 200' | <i>Residential Existing (1)</i> | 150% of tower height for separation and 100% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Residential Vacant (2)</i> | 100% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-Residential and Public ROW</i> | 20% of tower height or zoning district setbacks whichever is greater | | | | | | | | | | | | | | | | | | |
| Camouflage Towers Max. 150' (1) | <i>Residential Existing (1)</i> | 150% of tower height for separation and 100% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Residential Vacant (2)</i> | 100% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-Residential and Public ROW</i> | 20% of tower height or zoning district setbacks whichever is greater | | | | | | | | | | | | | | | | | | |
| Monopole Tower (2) | <i>Residential Existing (1)</i> | 600% of tower height for separation and 150% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Residential Vacant (2)</i> | 150% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-Residential and Public ROW</i> | 20% of tower height or zoning district setbacks whichever is greater | | | | | | | | | | | | | | | | | | |
| Self Support/Lattice Tower (2) | <i>Residential Existing (1)</i> | 600% of tower height for separation and 150% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Residential Vacant (2)</i> | 150% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-Residential and Public ROW</i> | Lesser of 100% of tower height or zoning district setback substantiated by breakpoint calculations | | | | | | | | | | | | | | | | | | |
| Guyed Tower (2) | <i>Residential Existing (1)</i> | Lesser of 600% of tower height or 1,500' separation and 150% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Residential Vacant (2)</i> | 150% of tower height for setback from property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-Residential and Public ROW</i> | Lesser of 100% of tower height or district setback substantiated by breakpoint calculations | | | | | | | | | | | | | | | | | | |
| Electric Transmission Line FPL | <i>Residential</i> | 150' setback from abutting residential property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-residential</i> | 100' setback from abutting non-residential property line | | | | | | | | | | | | | | | | | | |
| FDOT | <i>Residential</i> | 150' setback from abutting residential property line | | | | | | | | | | | | | | | | | | |
| | <i>Non-residential</i> | 75' setback from abutting residential property line | | | | | | | | | | | | | | | | | | |
| [Ord. 2015-006] | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | |
| (1) Maximum height subject to the specific requirements contained in the Supplementary Use Standards. | | | | | | | | | | | | | | | | | | | | |
| (2) Applicable to any tower height | | | | | | | | | | | | | | | | | | | | |
| % Separation or setback as a percentage of tower height | | | | | | | | | | | | | | | | | | | | |

3
4 **[Relocated from Table 4.C.3.I - Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts]**

5
6
7 **c. Conforming Use or Structure**
8 *Construction of any lawful residential or nonresidential structure within the required*
9 *separation distance shall not create a nonconforming use or structure when an existing*
10 *communication tower is established pursuant to the provisions of this Section in Art.*
11 *4.B.9.B.2, Separation and Setbacks. [Relocated from Art. 4.C.4.R, Creation of*
12 *Nonconforming Use or Structure]*

13 **G3. Measurement of Separation and Setback from Residential Uses**

14 **1. Measurement of Separations and Setbacks**

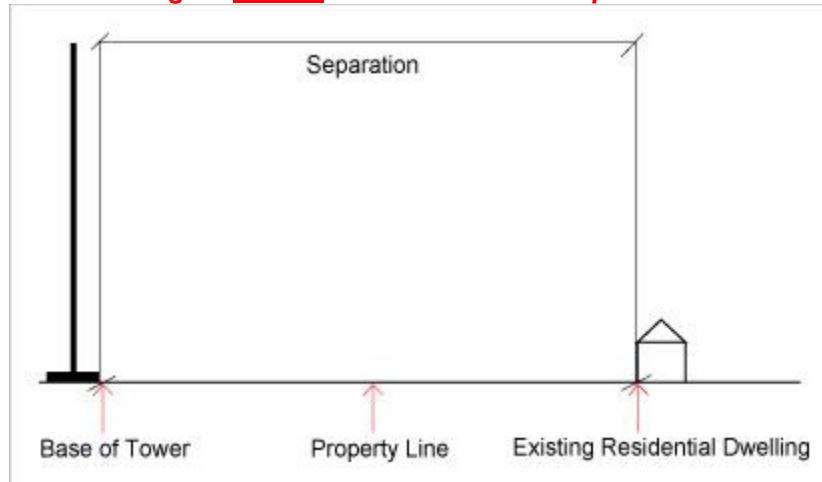
15 **a. Existing Residential Use**

16 *Separations from existing residential structures shall be measured from the wall of the*
17 *closest principal residential structure to the base of the tower (See Figure 4.C.4.C,*
18 *Measurement of Separation). [Relocated from Art. 4.C.4.C.1.a, Existing Residential*
19 *Use]*

20
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Figure 4.B.9.B - Measurement of Separation



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b. Vacant Residential Parcel

Setbacks from vacant residential parcels shall be measured from adjacent property lines to the base of the tower (See ~~Figure 4.C.4.C, Measurement of Setback~~). [Relocated from Art. 4.C.4.C.1.b, Vacant Residential Parcels]

Figure 4.B.9.B - Measurement of Setback



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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
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1

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 31. | Complete Distance Between Towers table to include zoning districts where towers are allowed per the Use Matrix. The changes include: 1) Commercial and Recreation pods in PUD, Urban Center and Urban Infill, MUPD Commercial FLU designation, MXP, Lifestyle Commercial Center (LCC), and Open Space Recreation area of Traditional Marketplace Development (TMD) were grouped with commercial and recreation zoning districts of high intensity; 2) TND neighborhood Center was added to the provisions applicable to low intensity commercial zoning districts and residential zoning districts; and, 3) PUD Civic pod and MUPD with INST FLU designation were added to the same group of provisions applicable to IPF Zoning District as they have similar characteristics. |

2
3
4 **D4. Distances/Separation Between Towers**
5 *Towers shall be subject to the following minimum distances between towers:* [Relocated
6 from Art. 4.C.4.D, Distance/Separation Between Towers]

Table 4.B.9.B - Distances Between Towers

| ZONING DISTRICT Tower Type | Zoning District | | | | | | | |
|-------------------------------------|--|--|---|--|--|------------|---|-----------------------------------|
| | AGR, AR less than 10 acres, PC, and parcels less than 10 acres in AR | CC, CHO, CLO, CN, RE, RM, RS, RT, TND - NC | PUD: Commercial and Recreation pods. UC, UI CG, CRE, MUPD: CL and CH FLU. MXP, LCC, TND OSREC | Pparcels less than 10 acres in: AP, IG, IL, PIPD | Pparcels 10 or more acres in: AP, AR, IG, IL, PIPD | PO | PUD:Civic pod, MUPD: INST FLU, Public Civic Sites IPF | FPL Trans. R-O-Ws and FDOT R-O-Ws |
| Stealth | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Camouflage | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Monopole | | | | | | | | |
| 60' or less in height | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| >60' and to 100' or less in height | 500 feet | 660 feet | 500 feet | N/A | N/A | N/A | 300 feet | N/A |
| >100' and to 150' or less in height | 660 feet | 660 feet | 660 feet | N/A | N/A | N/A | 600 feet | N/A |
| >150' and to 200' or less in height | 1,320 feet | 1,320 feet | 1,320 feet | 1,320 feet | 660 feet | 660 feet | 660 feet | 660 feet |
| >200' and to 250' or less in height | 2,640 feet | 2,640 feet | 2,640 feet | 2,640 feet | 1,320 feet | 1,320 feet | 1,320 feet | 1,320 feet |
| >250' in height | 3,960 feet | 5,280 feet | 5,280 feet | 2,640 feet | 1,320 feet | 2,640 feet | 2,640 feet | 2,640 feet |
| Self Support/ Lattice | 5,280 feet | Not permitted | 5,280 feet | 1,320 feet | N/A | N/A | 5,280 feet | 5,280 feet |
| Guyed | 5,280 feet | Not permitted | 5,280 feet | 2,640 feet | N/A | N/A | 5,280 feet | 5,280 feet |

7 [Relocated from Art. 4.C.4.D, Distance/Separation Between Towers]
8

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 32. | Delete duplicated text related to Type 2 Waiver applicable to distance between towers. It is already covered in Article 4.B.9.G.4, Type 2 Waivers. |
| 33. | Delete reference to the figure that relates to the distance between towers as the figure is immediately below the reference. |

9
10 **4. Type II Waiver**
11 A Type II Waiver to reduce the distance between towers may be granted subject to the requirements of Article
12 4.C.3.K, Type II Waiver from Required Dimensional Criteria. [Ord. 2012-027]
13
14 (This space intentionally left blank)

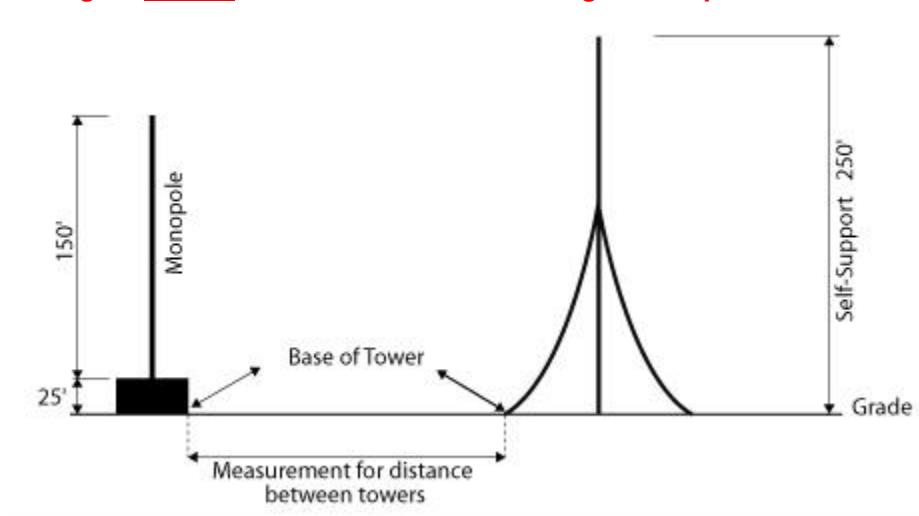
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2a. Measurement of Distance Between Towers

The distance between an existing and a proposed tower shall be measured at grade in a direct lineal fashion between the closest points of the base of the existing and the base of proposed towers (see ~~Figure 4.B.9.B, Distance Between Existing and Proposed Towers~~). [Relocated from Art. 4.C.4.D.2, Measurements]

Figure 4.B.9.B - Distance Between Existing and Proposed Towers



Separations between towers located in different zoning districts shall be measured as follows: [Relocated from Art. 4.C.4.D.2, Measurements]

a.1) Residential and Residential

The greater of the distance between towers requirements shall apply between residentially zoned parcels. [Relocated from Art. 4.C.4.D.2.a, Residential and Residential]

b.2) Residential and Non-Residential

The greater of the distance between towers requirements shall apply between residentially and non-residentially zoned parcels. [Relocated from Art. 4.C.4.D.2.b, Residential to Non- Residential]

c.3) Non-Residential and Non-Residential

The lesser of the distance between towers requirements shall apply between non-residentially zoned parcels. [Relocated from Art. 4.C.4.D.2.c, Non- Residential and Non- Residential]

d.4) Certification of Distance

The distance between towers shall be certified by a professional engineer or a professional land surveyor, each of whom shall be licensed by the State of Florida. [Relocated from Art. 4.C.4.D.2.d, Certification of Distance]

B5. Measurement of Tower Height

All antennas and other attachments shall be included in the height measurement of the tower structure, and shall not extend beyond its maximum permitted height. Lightning rods and whip antennas, less than six inches in diameter, shall be excluded from this requirement. [Relocated from Art. 4.C.4.B, Measurement of Height]

16. Parking

Communication towers shall be exempt from the parking requirements of Article 6, Parking, unless otherwise required by the Zoning Director. [Relocated from Art. 4.C.4.I, Parking]

Reason for amendments: [Zoning]

| | |
|-----|---|
| 34. | Relocate barbed wire provisions to consolidate with standards in Article 5.B.1.A.2.e.1), Bared Wire Exception, related to dangerous wall materials. |
|-----|---|

E7.-Perimeter Buffering

1a. Fence or Wall

A fence or wall, a minimum of eight feet in height measured from finished grade, shall be constructed around the base of each communication tower and accessory equipment structure, and around each guy anchor. Access to the communication tower shall be through a locked gate. ~~Barbed wire along the top of the fence or wall may be used in any zoning district to preclude unauthorized tower access.~~ [Relocated from Art. 4.C.4.E.1, Fence/Wall]

2b. Landscaping

The landscape and buffer standards provided below shall be required around the perimeter of the tower, accessory structures, and guy anchors, unless waived as provided herein. These standards ~~shall~~ may be waived by the Zoning Director, unless

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**EXHIBIT P
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1 otherwise required by the BCC or ZC when the proposed landscaping would not be
2 visible from adjacent lots or streets. ~~Landscaping shall be installed along the exterior~~
3 ~~side of the required fence, unless the Zoning Director determines that the viability,~~
4 ~~survivability, or utility of the plant material is enhanced when located along the interior~~
5 ~~side of the fence or wall.~~ [Relocated from Art. 4.C.4.E.2, Landscaping]

6 **1) Installation**

7 Landscaping shall be installed along the exterior side of any required fences, unless
8 the Zoning Director determines that the viability, survivability, or utility of the plant
9 material is enhanced when located along the interior side of the fence or wall.

10 [Partially relocated from Art. 4.B.9.B.7.b, Landscaping, above]

11 **a-2) Leased Parcels**

12 Landscaping shall be maintained pursuant to Article 7.F, Perimeter Buffer Landscape
13 Requirements. The applicant shall execute a perpetual maintenance agreement with
14 the property owner to ensure the maintenance of the landscape buffer if the buffer is
15 installed outside of the leased parcel footprint. [Relocated from Art. 4.C.4.E.2.a,

16 Leased Parcels]
17

Reason for amendments: [Zoning]

| | |
|-----|--|
| 35. | Landscape buffer provisions for towers adjacent to residential originally requested a Type 3 buffer. In 1998, when the Commercial Communication Tower provisions were updated through Ord. 1998-1, the Type 3 Buffer requirements made the wall optional in accordance with the provisions in Ord. 1992-020. This amendment clarifies the original intent that towers adjacent to residential use or Future Land Use (FLU) designation are required to provide a buffer in compliance with the vegetative material and minimum buffer width only with not wall as it is in today's code for Type 3 Incompatibility Buffer. |
|-----|--|

18 **b-3) Adjacent to Residential FLU Designation, Zoning Uses or Districts or Use**

19 **4a) Towers Less than 50 feet from Existing Residential**

20 A Type 3 ~~landscape Incompatibility Buffer without a wall shall be installed~~
21 ~~between towers and adjacent lots with existing residential uses, residential~~
22 ~~zoning, or FLU designations, pursuant to Article 7.F, Perimeter Buffer Landscape~~
23 ~~Requirements.~~ [Relocated from Art. 4.C.4.E.2.b.1), Towers Less than 50 feet
24 from Existing Residential]
25

26 **2b) Towers More than 50 feet from Existing Residential**

27 A Type 1 ~~landscape Incompatibility Buffer shall be installed between towers and~~
28 ~~adjacent lots with existing residential uses, residential zoning, or residential FLU~~
29 ~~designations, pursuant to Article 7.F, Perimeter Buffer Landscape Requirements.~~
30 [Relocated from Art. 4.C.4.E.2.b.2), Towers More than 50 feet from Existing
31 Residential]
32

33 **4c) Adjacent to Non-Residential Uses or Districts**

34 Towers shall comply with the standards for landscape buffers between compatible
35 uses of Article 7.F, Perimeter Buffer Landscape Requirements. [Relocated from Art.
36 4.C.4.E.2.c, Adjacent to Non-Residential Uses or Districts]

37 **c3. Accessory Equipment and Structures**

38 All accessory equipment and structures shall be located within the required perimeter
39 buffering. [Relocated from Art. 4.C.4.E.3, Accessory Equipment and Structures]

Reason for amendments: [Zoning]

| | |
|-----|---|
| 36. | Delete requirement to provide high voltage signage as the Building Code requires those signs to be attached to equipment. |
|-----|---|

40 **F—High Voltage Signs**

41 If high voltage is necessary for the operation of the communication tower and it is present in a
42 ground grid or in the tower, warning signs shall be permanently attached to the exterior side of
43 the perimeter fence and located every 20 feet. The signs shall display in bold letters at least eight
44 inches high the following: "HIGH VOLTAGE-DANGER".

45 **8. Signage**

46 **Ja. Signs and Advertising**

47 The placement on a Monopole, Self-Support/Lattice, or Guyed Tower, of any signs, flags
48 or appurtenances for advertising purposes, including company name, shall be prohibited.
49 Signs or advertising may be permitted when in conjunction with a stealth tower when that
50 structure is an integral element of a principal building or structure. [Relocated from Art,
51 4.C.4.J Signs and Advertising]
52

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54

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
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(Updated 5/17/16)**

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| Reason for amendments: [Zoning] | |
| 37. | Delete standard that requires identification tags to be posted on towers as it is requested by the Federal Communication Commission (FCC). |

~~**K. Identification Tags**
Identification tags or signs shall be posted on all communication towers and facilities in accordance with FCC and OSHA requirements. The tags shall include the FCC tower registration number, or television or radio call numbers; the latitude and longitude of the tower; and, the name, address, and telephone number of the tower owner. The identification tags shall be visible from the perimeter fence, and shall be constructed of durable materials. The Zoning Director shall prescribe the size of the sign and the materials to be used.~~

~~**09. Generators**
All permanently installed generators used on site shall use propane fuel. However, generators 125 kilowatts or greater may utilize diesel fuel.~~ **[Relocated from Art. 4.C.4.O, Generators]**

~~**210. Lighting**
The least intensive nighttime method of illumination acceptable to the FAA shall be utilized. To the extent possible, strobe lighting or similar types of lighting shall not be utilized. All required lighting shall be maintained on an as needed basis by the owner of the tower.~~ **[Relocated from Art. 4.C.4.Q.2, Lighting]**

~~**11. Interference**
4a. As provided by the FCC, towers shall not interfere with the normal operation of electrical or mechanical equipment located within surrounding properties.~~ **[Relocated from Art. 4.C.4.Q.4, Interference]**

~~**6. Airborne Spraying**
6b. Towers or guy wires shall not impede the aerial mosquito control activities performed by PBC, as determined by the BCC, for the health, safety, and welfare of its residents.~~ **[Relocated from Art. 4.C.4.Q.6, Airborne Spraying]**

~~**H12. Building Permits**
In addition to the review approval processes required in this Section Table 4.B.9.A, Commercial Communication Towers Matrix, a building permit shall be required for all towers, support and accessory structures, and antenna attachments, except as otherwise provided by Federal, State of Florida or local law.~~ **[Relocated from Art. 4.C.4.H, Building Permits]**

~~**7a. Accessory Structures**
Building permits shall be required for all accessory structures related to an antenna.~~ **[Relocated from Art. 4.C.4.Q.7, Accessory Structures]**

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 38. | Delete the term "panel" from the windload standards since the term has been used as something else other than an antenna when in fact panel is just one of many antenna types. |

~~**5b. Windload Standards**
All antennas, panels and other tower attachments shall meet the required windload standards pursuant to Building Division review. Documentation indicating compliance with the windload standards shall be certified by a professional engineer, licensed in the State of Florida, and submitted to the Building Division at the time of building permit application.~~ **[Relocated from Art. 4.C.4.Q.5, Windload Standards]**

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 39. | Delete redundant Aircraft Hazard standard that requires towers to be in compliance with the Federal Aviation Administration (FAA) regulations as existing standards already cover this topic. |
| 40. | Delete standard intended to clarify towers that were not considered utilities. This provision was in the Code to avoid Towers to be exempt from certain requirements applicable to utility uses. Commercial Communication Towers is its own use classification in Article 4 therefore there is no need for this standard to remain in the Code. |

~~**Q. Additional Standards and Requirements**
1. Aircraft Hazard
a. Towers shall not be a hazard to air navigation as determined by the FAA.
bc. FAA Compliance
Prior to the issuance of a building permit for a tower, proof of compliance with applicable requirements of the FAA and Article 16, Airport Regulations; of the Code, shall be provided in a manner acceptable to the Zoning Director.~~ **[Relocated from Art. 4.C.4.Q.1.b, related to Aircraft Hazard].**
~~**8. Public Utilities**~~

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**EXHIBIT P
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~~For the purposes of this Section, wireless communications, communication towers, and associated facilities shall not be considered public utilities.~~

Reason for amendments: [Zoning]

41. Create a new table that consolidates provisions related to the minimum number of providers for all tower types as it fits better under the General Standards applicable to all towers. Existing Camouflage Tower provisions that require proof of collocation prior to building permit is relocated to the Provider by Tower Type table as a footnote. The relocation will make applicable the requirement of proof of collocation for all towers that are required to provide two or more providers.

13. Providers

All communication towers, shall be constructed to accommodate a minimum number of providers as follows: [Partially relocated from Art. 4.C.6.A, Collocation]

Table 4.B.9.B - Providers by Tower Type

| Tower Types (1) | Minimum Number of Providers |
|---|---|
| Stealth | <i>Two Providers (2)</i> [Relocated from Art. 4.C.3.A.6, Mandatory Collocation] |
| Camouflage | <i>One Provider for a maximum 100' height tower</i> [Relocated from Art. 4.C.3.B.3.b.1] |
| | <i>Two Providers for a maximum 125' height tower</i> [Relocated from Art. 4.C.3.B.3.b.2] |
| | <i>Three Providers for a maximum 150' height tower</i> [Relocated from Art. 4.C.3.B.3.b.3] |
| Monopole, Self Support/Lattice and Guyed | <i>Two Providers</i> [Relocated from Art. 4.C.6.A, Collocation] |
| [Ord.] | |
| Notes: | |
| <u>1.</u> | <i>Prior to the issuance of a building permit for a structure with two or more providers, the applicant shall provide proof of share use/collocation in a form acceptable to the County Attorney and Zoning Director.</i> [Relocated from Art. 4.C.3.B.3.b.3)] |
| <u>2.</u> | <i>An applicant may not be required to accommodate the additional providers in the event the shared use/collocation review procedures indicate no other service provider wishes to collocate on the structure.</i> [Relocated from Art. 4.C.3.A.6, Mandatory Collocation] |

Reason for amendments: [Zoning]

42. Create a reference for antenna regulations to clarify where to find the applicable standards in the Code. The provisions in this use classification only relates to antennas attached to towers. Standards for antennas attached to buildings or structures have been relocated to Article 5.B, Accessory and Temporary Uses.

14. Antenna

Antennas attached to towers shall be subject to the standards contained in Art. 4.B.9, Commercial Communication Towers. Standards for antennas attached to other type of structure are addressed in Art. 5. Supplementary Standards.

15. Inspections

All towers shall be inspected in compliance as required by the Building Division. [Ord. 2006-004] [Relocated from Art. 4.C.4.Q.3, Inspections]

16. Violation of Standards

The property owners, as well as the tower owners, shall be responsible for violations of applicable standards. [Relocated from Art. 4.C.4.N, Violation of Standards]

~~**R. Creation of Nonconforming Use or Structure**~~

~~*Construction of any lawful residential or nonresidential structure within the required separation distance shall not create a nonconforming use or structure when an existing communication tower is established pursuant to the provisions of this Section.*~~ [Relocated to Art. 4.B.9.B.2.a, Conforming Use or Structure - Related to Separation and Setbacks]

~~**S. Nonconforming Lots of Record**~~

~~*Towers may be located on nonconforming lots of record provided the structure will comply with all siting requirements of this Section without a Type II Waiver from any dimensional criteria as provided herein.*~~ [Ord. 2012-027] [Relocated to Art. 4.B.9.G.5, Nonconforming Lots of Record - Related to Exemptions and Waivers]

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1

| Reason for amendments: [Zoning] | |
|---------------------------------|---|
| 43. | Delete standard referencing permitted districts since the approval process for Stealth Tower is consolidated in the Use Matrix. |
| 44. | Delete duplicated separation and setbacks standards applicable to Stealth Tower as it is already contained and consolidated in tables 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts, and 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts. |
| 45. | Clarify that examples of Stealth Tower include structures where antennas are concealed as a typical industry practice to provide service in areas where conventional communication towers may not be feasible or visually appealing. |
| 46. | For consistency with the requirements of DRO Agency Review in Art. 2.D.1.G.2.b, which allows limited amendments to existing approved plans, this amendment clarifies that Stealth Towers equal to or less than 100 feet may be subject to DRO Agency Review approval process when located in the AGR, AR/RSA, AR/USA; or, RE Zoning Districts and when an existing DRO approved site plan already exist. Existing regulation indicate that Stealth Towers shall be permitted only in association with specific uses, some of which may be subject to Building Permit approval. In those cases, there is no DRO site plan and as a result, the site shall be subject to the review of all DRO agencies instead of five as it is for Agency Review. The approval has always been identified as Expedited DRO (DE) application in the approval table of Article 4.C for the noted zoning districts. In the current Code, that process equates to DRO Agency Review process which is a five-agency review application. This standard has been relocated from a footnote in table 4.C.3.I, Residential District Tower Location and Type of Review and the Use Matrix has been updated to reflect the approval process "D" for DRO instead of DE. |

2

Section 3 — Siting Requirements

3

C. Definitions and Supplementary Tower Standards

4

A1. Stealth Towers

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1. Permitted Districts

6

~~Stealth facilities may be permitted and shall be reviewed as provided in Table 4.C.3.I, Residential District, Tower Location and Type of Review, and Table 4.C.3.1 Non-Residential Districts, Tower Location, and Type of Review, and as provided herein.~~

7

2. Separation and Setbacks

8

~~Separation or setbacks for stealth facilities shall be established as provided in Table 4.C.3.I, Distances for Towers Located in and Adjacent to Residential Districts Separation and Setback, and Table 4.C.3.I, Distances for Towers Located in Non-Residential Districts Separation and Setback.~~ **[Relocated to Art. 4.B.9.B.2, Separation and Setbacks]**

9

a. Definition

10

A structure, which is not readily identifiable as a tower and is compatible with existing or proposed uses on site. The structure may or may not have a secondary function. **[Relocated from Art. 1.1.2.S.85, Stealth Facility]**

11

b. Typical Structures

12

Typical structures include but are not limited to bell tower, steeple, flagpole, cross, or water tank where antennas are typically concealed. **[Relocated from Art. 1.1.2.S.84, Stealth Facility]**

13

c. Approval Process - AGR, AR, RE Zoning Districts

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In the AGR, AR/RSA, AR/USA, and RE Zoning Districts, Stealth Towers 100 feet in height or less may be approved through DRO Agency Review process when the parcel has an existing DRO approved Site Plan. Approval shall be subject to the Administrative Modification standards contained in Art. 2.

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| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 47. | The amendment relocates a footnote in table 4.C.3.I, Residential District Tower Location and Type of Review related to the approval process of Stealth Tower in Recreation pod of PUD to the use standards. While the Use Matrix shows that it is prohibited in the Recreation pod to reflect the most restrictive approval process, the standard indicates Class A Conditional Use approval since Stealth Towers are only permitted in Golf Courses. |
| 48. | Relocate footnote in table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review related to minimum lot size of 5 acres needed to allow a Stealth Tower when located on MUPD with CL or CH FLU designation to be part of the standard of that tower type. |
| 49. | Allow approval of Stealth Tower 60 feet in height or less in Civic and Commercial pods of PUD to be approved by the DRO for consistency with Monopole, Self Support/Lattice and Guyed towers height approval. Approval of higher towers is subject to public hearing. The amendment is not applicable to recreation pod as it is limited to golf courses where the tower is subject to Class A Conditional Use. This approval process provides an opportunity for public participation as golf courses are areas typically visible from residential structures and may be reason for concern by residents. |

Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

- 1 **d. Approval Process - Commercial and Civic Pod of PUD**
 2 In the Commercial pod and Civic pod of a PUD, Stealth Towers 60 feet in height or less
 3 may be approved by the DRO.
- 4 **e. Location – Recreation Pod of PUD**
 5 Stealth towers may be permitted in the Recreation pod of a PUD only when located on a
 6 Golf Course subject to Class A Conditional Use approval. [Ord. 2014-001] [Relocated
 7 from footnote in Table 4.C.3.I, Residential District Tower Location and Type of
 8 Review]
- 9 **ef. Lot Size - MUPD**
 10 A Stealth Tower may be located in MUPD with CH and CL FLU designation with a
 11 minimum of five acres, provided the tower complies with all applicable regulations.
 12 **[Partially relocated from footnote in deleted Table 4.C.3.I - Non-Residential**
 13 **Districts, Tower Location, and Type of Review]**
- 14 **g. Criteria**
 15 Stealth structures shall comply with the following criteria:
 16 **a.1)** The structure shall be compatible with the architectural style of the existing
 17 buildings/structures on site and with the character of the surrounding area. A
 18 determination of architectural compatibility shall include, but not be limited to, color,
 19 type of building material, and architectural style;
 20 **b.2)** The structure shall be consistent with the character of existing uses on site;
 21 **c.3)** Communications equipment or devices shall not be readily identifiable;
 22 **d.4)** The structure shall be related to and integrated into the existing natural and/or man-
 23 made environment to the greatest extent possible; and
 24 **e.5)** The maximum height of the structure shall not exceed 200 feet.
 25

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 50. | Delete Stealth Tower Supplementary Use Standard that lists Residential Transitional (RT), Single-family Residential (RS), RM, and Commercial, Recreation, and public or private Civic pods in PUD as the only residential zoning districts where the tower is allowed. The Use Matrix also allows Stealth Towers in AR and RE Zoning Districts. There is no need to repeat the standards under the specific provisions for this tower type since the approval by zoning district is already contained in the Use Matrix. |
| 51. | The consolidated approval processes in the Use Matrix makes it unnecessary to repeat and constantly refer to approval in the use standards. |
| 52. | Delete duplicated reference to the separation and setback standards as they are already consolidated in tables 4.B.9.B, Setbacks for Towers Located in and Adjacent to Residential Zoning Districts and 4.B.9.B, Setbacks for Towers Located in and Adjacent to Non-Residential Zoning Districts |
| 53. | Delete duplicated standard for the tower setback from nonresidential zoning district or public street as the standard is already contained in table 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts. |

- 26
- 27 **4. Stealth Towers in Certain Residential Zoning Districts**
 28 ~~Subject to the limitations provided in this subsection, stealth towers may be permitted in~~
 29 ~~the following residential zoning districts: RT (Residential Transitional), RS (Single-family~~
 30 ~~Residential), RM (Multi-family Residential), and PUD (Planned Unit Development)~~
 31 ~~commercial, recreation, public or private civic pods only. [Ord. 2014-001]~~
- 32 **a. Approval**
 33 ~~Stealth towers shall be permitted and reviewed as provided in Table 4.C.3.I,~~
 34 ~~Residential District Tower Location and Type of Review.~~
- 35 **b. Separation and Setback from Existing Residential Structures**
 36 ~~The minimum separation from any existing residential structure shall be 150 percent~~
 37 ~~in tower height. In addition, the tower shall be setback a distance of at least 100~~
 38 ~~percent of tower height from any property line adjacent to an existing residential use.~~
- 39 **c. Setback from Vacant Residential Property**
 40 ~~The minimum setback from any adjacent vacant residential property shall be at least~~
 41 ~~100 percent of tower height from any such property line.~~
- 42 **d. Setbacks from Nonresidential Zoning Districts of Public R-O-W**
 43 ~~The minimum setback from any adjacent nonresidential zoning district or public~~
 44 ~~streets shall be the greater of the required district setback or 20 percent of tower~~
 45 ~~height.~~
 46

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 54. | The provisions contained in the "Associated Uses" standard further restricts the location of Stealth Towers by limiting it to be on sites where specific uses are already in operation. This amendment includes Electric Distribution Substation use within the list of associated uses. Standards for Electric Distribution Substation were part of Minor Utilities use which was pulled out to be a separate use during the review of Utilities Use Classification. A as a result, Electric Distribution Substation is noted |

Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

| |
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| as a new use in this standard. |
|--------------------------------|

eh. Associated Uses

~~The~~ Stealth Towers shall be permitted only in association with the following uses: ~~assembly, nNonprofit iInstitutional~~ *Assembly*; ~~church or~~ Place of Worship; College or University; Electric ~~Power~~ *Generating* Facility, excluding electrical transmission line streets as provided herein; ~~gGovernment sServices; Passive P~~ *park, passive; Public P* ~~park, public; gGolf eCourse and associated facilities; sSchools, elementary or secondary; sSolid wWaste tTransfer sStation; Minor Uutility minor; Electric Distribution Substations; or wWater or wWastewater tTreatment pPlant;~~ commercial, office or industrial development.

~~Stealth towers in the form of flagpoles shall be exempt from Article 8.G.3.C, Flags and Freestanding Flagpoles.~~ **[Relocated to Art. 4.B.9.C.1.h, Flagpoles, below] [Ord. 2014-001]**

i. Flagpoles

~~Stealth tTowers in the form of flagpoles shall be exempt from Article 8.G.3.C, Flags and Freestanding Flagpoles.~~ **[Relocated from Art. 4.B.9.C.1.g, Associated Uses, above]**

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| Reason for amendments: [Zoning] |
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| 55. | Delete duplicated provision that allows Stealth Tower to apply for Type 2 Waivers. The provisions to waive separation, setback, distance between towers, height, and similar dimensional criteria are already contained in Article 4.B.9.G.3, Type 2 Waivers from Required Dimensional Criteria. |
| 56. | Relocate standard on the number of providers applicable to Stealth Towers to table 4.B.8.B, Providers by Tower Type, and consolidate similar regulations for all tower types. The table includes a footnote that clarifies when Stealth Tower is exempt from the minimum number of providers as it is also stated in language relocated from the Supplementary Use Standards for Stealth Tower. |

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

~~A Type II Waiver from separation, setback, distance between towers, height, and similar dimensional criteria may be requested as provided in Article 4.C.3.K, Type II Waiver from Required Dimensional Criteria [Ord. 2012-027]~~

~~6. Mandatory Collocation~~

~~A stealth tower shall be required to accommodate a minimum of two providers. However, an applicant may not be required to accommodate the additional providers in the event the shared use/collocation review procedures of this Section indicate no other service provider wishes to collocate on the structure.~~ **[Partially relocated to Table 4.B.9.B, Providers by Tower Type]**

~~7j. Public Parks Five Acres or Greater~~

The minimum separation between any existing residential structure, and ~~sStealth tTowers~~ located in public parks five acres or greater shall be 125 percent of tower height. In addition, the tower shall be setback a distance of at least 75 percent of tower height from any property line adjacent to an existing residential use or vacant residential parcel or 20 percent of the tower height from any adjacent nonresidential zoning district or public ROW.

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| Reason for amendments: [Zoning] |
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|-----|---|
| 57. | Delete standard referencing permitted districts since the approval process for Camouflage Tower is consolidated in the Use Matrix. |
| 58. | Delete duplicated separation and setbacks standards applicable to Camouflage Tower as they are already contained and consolidated in tables 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, and 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts. |
| 59. | The amendment relocates a footnote in table 4.C.3.I, Residential District Tower Location and Type of Review related to the approval process of Camouflage Tower in a Recreation pod of a PUD to the use standards. While the Use Matrix shows it is prohibited in the Recreation pod to reflect the most restrictive approval process, the standard indicates Class A Conditional Use approval since Camouflage Towers are only permitted in Golf Courses. |
| 60. | Relocate footnote in table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review related to minimum lot size of 5 acres needed to allow a Camouflage Tower when located on MUPD with CL or CH FLU designation to be part of the standard of that tower type. |
| 61. | Allow approval of Camouflage Tower 60 feet in height or less in Civic and Commercial pods of PUD to be approved by the DRO for consistency with Monopole, Self Support/Lattice and Guyed towers height approval. Approval of higher towers is subject to public hearing. The amendment is not applicable to recreation pod as it is limited to golf courses where the tower is subject to Class A Conditional Use. This approval process provides an opportunity for public participation as golf courses are areas typically visible from residential structures and may be reason for concern by residents. |

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

B2. Camouflage Towers

1. Permitted Districts

~~Camouflage towers shall be permitted and reviewed as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review, and Table 4.C.3.I, Non-Residential Districts, Tower Location and Type of Review and as provided herein.~~

2. Separation and Setbacks

~~Separation and setbacks for camouflage facilities shall be established as provided in Table 4.C.3.I, Distances for Towers Located in and adjacent to Residential Districts Separations and Setback and Table 4.C.3.I, Distances for Towers Located in Non-residential Districts Separations and Setback. [Relocated to Art. 4.B.9.B.2, Separation and Setbacks]~~

a. Definition

~~A tower or structure, which is incorporated into and is compatible with existing or proposed uses on site [Relocated from Art. 1.I.2.C.1, Camouflage Tower] and the structure has an additional function other than antenna support. [Relocated from Art. 4.C.3.B.3, Criteria, below]~~

b. Typical Structures

~~Examples include but are not limited to antenna incorporated into site lighting at a park or incorporated into an electrical distribution center. [Relocated from Art. 1.I.2.C.1, Camouflage Tower]~~

c. Location - Recreation Pod of PUD

~~Camouflage Towers may be permitted in the Recreation pod of a PUD only when located on a Golf Course subject to Class A Conditional Use approval. [Ord. 2014-001] [Relocated from footnote in deleted Table 4.C.3.I, Residential District Tower Location and Type of Review]~~

d. Approval Process - Commercial and Civic Pod of PUD

~~In the Commercial pod and Civic pod of a PUD, Camouflage Towers 60 feet in height or less may be approved by the DRO.~~

de. Lot Size - MUPD

~~A Camouflage Tower may be located in MUPD with CH or CL FLU designation with a minimum of five acres, provided the tower complies with all applicable regulations. [Partially relocated from footnote in deleted Table 4.C.3.I - Non-Residential Districts, Tower Location, and Type of Review]~~

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 62. | Relocate standard on the number of providers applicable to Camouflage Towers to table 4.B.8.B, Providers by Tower Type, and consolidate similar regulations for all tower types. Existing Camouflage Tower provision that requires proof of collocation prior to building permit has been moved to the Provider by Tower Type table as a footnote. The relocation will make applicable the requirement of proof of collocation to all towers that are required to provide two or more providers which will include Stealth, Monopole, Self Support/Lattice and Guyed Towers. |

3. Criteria

~~Camouflage towers shall comply with the following criteria;~~

~~a. The structure shall have an additional function other than antenna support. [Relocated to Art. 4.B.9.C.2.a, Definition, above. Related to Camouflage Tower]~~

~~b. The maximum height of the structure shall not exceed:~~

~~1) 100 feet for a single provider; [Relocated to Table 4.B.9.B, Providers by Tower Type]~~

~~2) 125 feet for a minimum of two providers; or [Relocated to Table 4.B.9.B, Providers by Tower Type]~~

~~3) 150 feet for a minimum of three providers. [Relocated to Table 4.B.9.B, Providers by Tower Type]~~

~~Prior to the issuance of a building permit for a structure with two or more providers, the applicant shall provide proof of collocation in a form acceptable to the County Attorney and Zoning Director. [Relocated to Table 4.B.9.B, Providers by Tower Type]~~

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 63. | Delete Camouflage Tower Supplementary Use Standard that lists Residential Transitional (RT), Single-family Residential (RS), RM, and Commercial, Recreation, and public or private Civic pods in PUD as the only residential zoning districts where the tower is allowed. The Use Matrix also allows Camouflage Towers in AR and RE Zoning Districts. There is no need to repeat the standards under the specific provisions for this tower type since the approval by zoning district is already contained in the Use Matrix. |
| 64. | The consolidated approval processes in the Use Matrix makes it unnecessary to repeat and constantly refer to approval in the use standards. |

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COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

| | |
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| 65. | Delete duplicated reference to the separation and setback standards as they are already consolidated in tables 4.B.9.B, Setbacks for Towers Located in and Adjacent to Residential Zoning Districts and 4.B.9.B, Setbacks for Towers Located in and Adjacent to Non-Residential Zoning Districts. |
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~~4. Camouflage Towers in Certain Residential Zoning Districts~~

~~Subject to the limitations provided in this subsection, camouflage towers may be permitted in the following residential zoning districts: RT (Residential Transitional), RS (Single-family Residential), RM (Multi-family Residential), and PUD (Planned Unit Development) commercial, recreation, public or private civic pods only. [Ord. 2014-001]~~

~~a. Approval~~

~~Camouflage towers shall be permitted and reviewed as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review.~~

~~b. Separation and Setback from Existing Residential Structures~~

~~The minimum separation from any existing residential structure shall be 150 percent of tower height. In addition, the tower shall be setback a distance of at least 100 percent of tower height from any property line adjacent to an existing residential use.~~

~~c. Setback from Vacant Residential Property~~

~~The minimum setback from any adjacent vacant residential property shall be at least 100 percent of tower height from any such property line.~~

~~d. Setbacks from Nonresidential Zoning Districts of Public R-O-W~~

~~The minimum setback from any adjacent nonresidential zoning district or public streets shall be the greater of the required district setback or 20 percent of tower height.~~

Reason for amendments: [Zoning]

| | |
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| 66. | The provisions contained in the "Associated Uses" standard further restricts the location of Camouflage Towers by limiting it to be on sites where specific uses are already in operation. This amendment includes Electric Distribution Substation use within the list of associated uses where Camouflage Towers are allowed. Standards for Electric Distribution Substation were part of Minor Utilities use which was pulled out to be a separate use during the review of Utilities Use Classification. As a result, Electric Distribution Substation is noted as a new use in this standard. |
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~~ef. Associated Uses~~

~~The Camouflage Towers shall be permitted only in association with the following uses: assembly, Nonprofit Institutional Assembly; ~~church~~ or Place of Worship; College or University; Electric Power Generating Facility, excluding electrical transmission line streets as provided herein; Government Services; Passive Park, passive; Public Park, public; Golf Course and associated facilities; Schools, elementary or secondary; Solid Waste Transfer Station; Minor Utility minor; Electric Distribution Substations; or Water or Wastewater Treatment Plant; commercial, office or industrial development.~~

Reason for amendments: [Zoning]

| | |
|-----|---|
| 67. | Delete duplicated provision that allows Camouflage Tower to apply for Type 2 Waivers. The provisions to waive separation, setback, distance between towers, height, and similar dimensional criteria are already contained in Article 4.B.9.G.3, Type 2 Waivers from Required Dimensional Criteria. |
|-----|---|

~~5. Type II Waivers~~

~~A Type II Waiver from separation, setback, distance between towers, height, and similar dimensional criteria may be requested as provided in Article 4.C.3.K, Type II Waiver from Required Dimensional Criteria. [Ord. 2012-027]~~

~~6g. Additional Submission Requirements~~

Applications for approval to install a Camouflage Tower shall include the following information:

- a. A colorized illustration or representation of the proposed tower.
- b. The height, diameter, and coloration of the proposed facility.
- c. A statement of compatibility to indicate the nature and character of the surrounding area, and how the proposed facility will be consistent with the overall characteristics of the area.

~~7h. Public Parks Five Acres or Greater~~

~~The minimum separation between any existing residential structure, and camouflage Towers located in public parks five acres or greater shall be 125 percent of tower height. In addition, the tower shall be setback a distance of at least 75 percent of tower height from any property line adjacent to an existing residential use or vacant residential parcel or 20 percent of the tower height from any adjacent non-residential zoning district or public R-O-W.~~

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 68. | Delete standard referencing permitted districts since the approval process for Monopole Tower is consolidated in the Use Matrix. |
| 69. | Delete duplicated separation and setbacks standards applicable to Monopole Tower as it is already contained and consolidated in tables 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, and 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts. |
| 70. | Relocate footnote in table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review related to minimum lot size of 5 acres needed to allow a Monopole Tower when located on MUPD with CL or CH FLU designation to be part of the standard of that tower type. |

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E3. Monopole Towers

1. Permitted Districts

~~Monopole towers may be permitted and shall be reviewed as provided in Table 4.C.3.I, Residential Districts Tower Location, and Type of Review, and Table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review.~~

2. Separations and Setbacks

~~Monopole towers shall provide the separations and setbacks as established in Table 4.C.3.I, Distances for Towers Located in and Adjacent to Residential Districts Separation and Setback, and Table 4.C.3.I, Distances for Towers Located in and Adjacent to Non-Residential District Separation and Setback.~~ **[Relocated to Art. 4.B.9.B.2, Separation and Setbacks]**

a. Definition

A structure that consists of a single pole supported by a permanent foundation. **[Relocated from Article 1.1.2.M.50, Monopole Tower]**

b. Lot Size - MUPD

MUPD with CH and CL FLU designation shall be a minimum of five acres. **[Partially relocated from footnote in deleted Table 4.C.3.I - Non-Residential Districts, Tower Location, and Type of Review]**

3c. Increase in Height

The height of a ~~m~~Monopole ~~t~~Tower may be increased as provided herein.

a-1) Percentage of Increase

The height of a proposed ~~m~~Monopole ~~t~~Tower may be increased by 20 percent, one time only, without regard to required separation or setback requirements, for all applications which provide proof of the collocation of an additional personal wireless service provider. Additional increases are subject to setbacks and separations of this Code.

b-2) Proof of Collocation

Proof of collocation shall be provided in a form acceptable to the County Attorney and the Zoning Director. Proof of collocation shall include an executed contract or lease providing for use of the facility for a period of at least ten years.

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 71. | Delete standard referencing permitted districts since the approval process for Self Support/Lattice Tower is consolidated in the Use Matrix. |
| 72. | Delete duplicated separation and setbacks standards applicable to Self Support/Lattice Tower as it is already contained and consolidated in tables 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, and 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts. |

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F4. Self Support/Lattice Towers

1. Permitted Districts

~~Self-support or lattice towers may be permitted and shall be reviewed as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review and Table 4.C.3.I, and Type of Review. Non-Residential District Tower Location.~~

2. Separations and Setbacks

~~Lattice towers shall provide the separations and setbacks as established in Table 4.C.3.I, Distances for Towers Located in and Adjacent to Residential Districts Separation and Setback, and Table 4.C.3.I, Distances for Towers Located in and Adjacent to Non-Residential Districts Separation and Setback.~~ **[Relocated to Art. 4.B.9.B.2, Separation and Setbacks]**

a. Definition

A structure that is constructed without guy wires or ground anchors. **[Relocated from Article 1.1.2.S.23, Self Support/Lattice Tower]**

Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

| Reason for amendments: [Zoning] | |
|---------------------------------|---|
| 73. | Delete standard referencing permitted districts since the approval process for Guyed Tower is consolidated in the Use Matrix. |
| 74. | Delete duplicated separation and setbacks standards applicable to Guyed Tower as it is already contained and consolidated in tables 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, and 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts. |
| 75. | Relocate footnote in table 4.C.3.I, Non-Residential Districts, Tower Location, and Type of Review related to minimum lot size of 5 acres needed to allow a Guyed Tower when located on MUPD with CL or CH FLU designation to be part of the standard of that tower type. |

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G5. Guyed Towers

1. Permitted Districts

~~Guyed towers may be permitted and shall be reviewed as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review and Table 4.C.3.I, Non-Residential District Tower Location and Type of Review~~

2. Separations and Setbacks

~~Guyed towers shall provide the separations and setbacks as established in Table 4.C.3.I, Distances for Towers Located in and Adjacent to Residential Districts Separation and Setback, and Table 4.C.3.I, Distances for Towers Located in and Adjacent to Non-Residential Districts Separation and Setback.~~ **[Relocated to Art. 4.B.9.B.2, Separation and Setbacks]**

a. Definition

A structure that is supported either partially or completely by guy wires and ground anchors. **[Relocated from Article 1.I.2.G.37, Guyed Tower]**

b. Lot Size - MUPD

MUPD with CH and CL FLU designation shall be a minimum of five acres. **[Partially relocated from footnote in deleted Table 4.C.3.I - Non-Residential Districts, Tower Location, and Type of Review]**

3c. Setbacks

Breakpoint calculations may be provided to demonstrate a tower will collapse within the minimum required district setbacks. Breakpoint calculations shall be certified by a professional engineer, licensed in the State of Florida.

4d. Anchors

Peripheral supports and guy anchors may be located within required setbacks provided they shall be located entirely within the boundaries of the property on which the communication tower is located. Peripheral supports and guy anchors shall be located at least ten feet from all property lines.

| Reason for amendments: [Zoning] | |
|---------------------------------|---|
| 76. | Change towers separation and setback table title to delete adjacency of the towers as it is already identified within the content of the table under Residential Existing, Residential Vacant and Non-residential. |
| 77. | Delete > More Than, < Less than, Not Less Than (NLT), Not More Than (NMT), and Property Line (PL) from the foot note in the towers separation and setback table. The proposed consolidated table clarifies the concepts by utilizing the appropriate terminology applicable to every specific tower type. |
| 78. | Delete footnote #1 related to the pods in Planned Unit Developments (PUDs) in which towers can be located. This table relates to separation and setbacks and the deleted note relates to approval which is already addressed in the Use Matrix. |
| 79. | Delete footnotes #2 and #3 to consolidate in the separation and setback standards of all tower types by zoning district. |
| 80. | Foot note clarifies that use of percentage in setback or separation standards relates to a ratio of the tower height, therefore there is no need to repeat in the standards applicable to Camouflage Tower adjacent to non residential and Public ROW. |

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Notes:

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

**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

**Table 4.C.3.1 – Distances for Towers Located in and Adjacent to Residential Districts
Separation and Setback**

| TOWER TYPE | | AGR | RSA | AR/ USA | RE | RT | RS | RM | PUD (1) | RVPD | MHPD | TND |
|-----------------------------------|----------------------------|--|--|--|--|--|--|--|--|--|--|--|
| Stealth Towers ≤ 100' | residential existing (2) | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 100-150% NLT % from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL |
| | residential vacant (3) | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL |
| | non-residential vacant (3) | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL |
| Stealth Towers >100' ≤ 125' | residential existing (2) | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT % from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL |
| | residential vacant (3) | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL |
| | non-residential vacant (3) | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL |
| Stealth Towers > 125' | residential existing (2) | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT % from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL |
| | residential vacant (3) | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL |
| | non-residential Public ROW | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater |
| Camouflage Towers | residential existing (2) | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT % from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL | 150% NLT 100% from PL |
| | residential vacant (3) | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL | NLT 100% from PL |
| | non-residential Public ROW | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater | 20% of tower height or district setbacks which-ever is greater |

[Ord. 2005-002] [Ord. 2014-001]

Notes:

- (1) = Permitted in public or private civic, and commercial pods; or a Recreational Pod only when located on a Golf Course. **[Ord. 2014-001]**
- (2) = Percent measured as a separation between tower and adjacent residential structures
- (3) = Measured as a setback from property lines of tower location
- (4) = Height tower type and setbacks limited as provided in this section **[Relocated to table 4.B.9.B - Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts, for FDOT and FPL Tower Types]**

2 Consolidated in Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in
3 Residential Zoning Districts

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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 81. | Delete specific ranges of height in Monopole, Self Support and Guyed Towers since the separation and setback requirements are established based on percentage of the tower height and the requirements do not differ between different tower heights. |

2

**Table 4.C.3.1 – Distances for Towers Located in and Adjacent to Residential Districts
Separation and Setback – Continued**

| TOWER TYPE | | AGR | RSA | AR/ USA | RE | RT | RS | RM | PUD (1) | RVPD | MHPD | TND |
|---|-------------------------------------|--|--|--|--|--|--|--|--|--|--|--|
| <i>Monopole Towers ≤ 60'</i> | <i>residential existing (2)</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> |
| | <i>residential vacant (3)</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> |
| <i>Monopole Towers > 60' and ≤ 100'</i> | <i>residential existing (2)</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> |
| | <i>residential vacant (3)</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> |
| <i>Monopole Towers > 100' and ≤ 150'</i> | <i>residential existing (2)</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> |
| | <i>residential vacant (3)</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> |
| <i>Monopole Towers > 150' and ≤ 200'</i> | <i>residential existing (2)</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> |
| | <i>residential vacant (3)</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> |
| <i>Monopole Towers > 200' and ≤ 250'</i> | <i>residential existing (2)</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> |
| | <i>residential vacant (3)</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> |
| <i>Monopole Towers > 250'</i> | <i>residential existing (2)</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> | 600%, NLT 150% <i>from PL</i> |
| | <i>residential vacant (3)</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> | NLT 150% <i>from PL</i> |

3 **[Ord. 2005-002]**
4 **Consolidated in Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in**
5 **Residential Zoning Districts**

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Notes:

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 82. | Correct scrivener's error made during the consolidation of Commercial Communication Tower standards in Ord. 2003-067 where the separation and setbacks requirements for Self Support/Lattice towers in the RT Zoning District were shifted between towers adjacent to residential existing and residential vacant, as originally contained in Ord. 1998-1. The amendment is made for consistency with the original intent of the Code to protect existing residential structures and the requirements in other zoning districts for the same tower type. The new table in Article 4.B.9.B.2.a, Towers Located in Residential Zoning District is reflecting the change. |

2

**Table 4.C.3.1 – Distances for Towers Located in and Adjacent to Residential Districts
Separation and Setback – Continued**

| TOWER TYPE | | AGR | RSA | AR/ USA | RE | RT | RS | PUD (1) | RVPD | MHPD | TND |
|--|-----------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Self-Support Towers ≤ 60' | residential existing (2) | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL |
| | residential vacant (3) | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL |
| Self-Support Towers > 60' and ≤ 100' | residential existing (2) | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL |
| | residential vacant (3) | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL |
| Self-Support Towers > 100' and ≤ 150' | residential existing (2) | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL |
| | residential vacant (3) | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL |
| Self-Support Towers > 150' and ≤ 200' | residential existing (2) | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL |
| | residential vacant (3) | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL |
| Self-Support Towers > 200' and ≤ 250' | residential existing (2) | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL |
| | residential vacant (3) | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL |
| Self-Support Towers > 250' | residential existing (2) | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL | 600%, NLT 150% from-PL |
| | residential vacant (3) | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL | NLT 150% from-PL |

3 Consolidated in Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in
4 Residential Zoning Districts

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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

**Table 4.C.3.1 – Distances for Towers Located in and Adjacent to Residential Districts
Separation and Setback – Continued**

| TOWER TYPE | | AGR | RSA | AR/ USA | RE | RT | RS | RM | PUD (1) | RVPD | MHPD | TND |
|--|-----------------------------|--|--|--|--|--|--|--|--|--|--|--|
| Guyed Towers ≤ 60' | residential existing (2) | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL |
| | residential vacant (3) | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL |
| Guyed Towers > 60' and ≤ 100' | residential existing (2) | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL |
| | residential vacant (3) | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL |
| Guyed Towers > 100' and ≤ 150' | residential existing (2) | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL |
| | residential vacant (3) | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL |
| Guyed Towers > 150' and ≤ 200' | residential existing (2) | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL |
| | residential vacant (3) | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL |
| Guyed Towers > 200' and ≤ 250' | residential existing (2) | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL | < of 600% or 1,500', NLT 150% from PL |
| | residential vacant (3) | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL | NLT 150% from PL |

2 Consolidated in Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in
3 Residential Zoning Districts

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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

1

**Table 4.C.3.I – Distances for Towers Located in and Adjacent to Residential Districts
Separation and Setback – Continued**

| TOWER TYPE | TND | AGR | RSA | AR/ USA | RE | RS | RT | PUD (1) | RVPD | MHPD | TND |
|--|---------------------------------|---|---|---|---|---|---|---|---|---|---|
| <i>Guyed Towers > 250'</i> | <i>residential existing (2)</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> | <i>< of 600% or 1,500'; NLT 150% from PL</i> |
| | <i>residential vacant (3)</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> | <i>NLT 150% from PL</i> |
| <i>FDOT</i> | | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> |
| <i>FPL</i> | | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> | <i>(4)</i> |
| Notes: | | | | | | | | | | | |
| <p><i><</i> = Less than (1) = Limited to public civic site locations (2) = Percent measured as a separation between tower and adjacent residential structures (3) = Measured as a setback from property line of tower location (4) = Height, tower type, and setbacks limited as provided in this section [Relocated to Table 4.B.9.B - Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts, related to FDOT and FPL Towers.] % = Separation or setback measured as a percentage of tower height > = More than NMT = Not more than NLT = Not less than PL = Property line</p> | | | | | | | | | | | |

2 **Consolidated in Table 4.B.9.B – Minimum Separation and Setbacks for Towers Located in**
 3 **Residential Zoning Districts**

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
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1

| Reason for amendments: [Zoning] | |
|---------------------------------|--|
| 83. | Delete footnote #1 to include directly in the table under separation standards where applicable. |
| 84. | Delete footnote #2 as it is self explanatory. Setbacks are measured from the property line unless stated otherwise in the Code. |
| 85. | Delete note #3 which refers to applicability of towers setback and separation in MUPD with CH, CL, INST, and IND FLU designation. The Use Matrix dictates the zoning districts where towers are allowed and the the FLU designations related to MUPD indicated in note #3 are already in the Use Matrix. |
| 86. | Delete note #4 which refers to towers setback and separation in MXPDP with CH FLU designation. The note is redundant as the Use Matrix dictates the zoning districts where towers are allowed and the FLU designation associated to MXPDP indicated in note #3 is already in the Use Matrix. |
| 87. | Foot note clarifies that use of percentage in setback or separation standards relates to a ratio of the tower height, therefore there is no need to repeat in the standards applicable to Camouflage Tower adjacent to non residential and Public R-O-W. |

2 **Table 4.C.3.1 – Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts**

| TOWER TYPE | Adjacent to | PC | AP | CN | GLO | CC | CHO | CG | CRE | UC | UI | IRO | IL | IG | IPF | PO | MUPD (3) | MXPDP (4) | PIPD | LCC |
|--|--------------------------------|---|----|----|-----|----|-----|----|-----|----|----|-----|----|----|-----|----|----------|-----------|------|-----|
| Stealth Towers | Residential Existing (1) | 150% separation and 100% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Residential Vacant (2) | 100% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Non-Residential and Public ROW | 20% or district setbacks whichever is greater | | | | | | | | | | | | | | | | | | |
| Camouflage Towers | Residential Existing (1) | 150% separation and 100% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Residential Vacant (2) | 100% from setback Property Line | | | | | | | | | | | | | | | | | | |
| | Non-Residential and Public ROW | 20% or district setbacks whichever is greater | | | | | | | | | | | | | | | | | | |
| Monopole Towers | Residential Existing (1) | 600% separation and 150% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Residential Vacant (2) | 150% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Non-Residential | 20% or district setbacks whichever is greater | | | | | | | | | | | | | | | | | | |
| Self Support Towers | Residential Existing (1) | 600% separation and 150% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Residential Vacant (2) | 150% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Non-Residential | Lesser of 100% of tower height or district setback substantiated by breakpoint calculations | | | | | | | | | | | | | | | | | | |
| Guyed Towers | Residential Existing (1) | Lesser of 600% or 1,500' separation and 150% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Residential Vacant (2) | 150% setback from Property Line | | | | | | | | | | | | | | | | | | |
| | Non-Residential | Lesser of 100% of tower height or district setback substantiated by breakpoint calculations | | | | | | | | | | | | | | | | | | |
| FDOT | Residential | 150' setback from abutting residential property line | | | | | | | | | | | | | | | | | | |
| | Non-residential | 75' setback from abutting non-residential property line | | | | | | | | | | | | | | | | | | |
| FPL | Residential | 150' setback from abutting residential property line | | | | | | | | | | | | | | | | | | |
| | Non-residential | 100' setback from abutting residential property line | | | | | | | | | | | | | | | | | | |
| [Ord. 2015-###] | | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | |
| (1) Percentage measured as a separation between tower and adjacent residential structures | | | | | | | | | | | | | | | | | | | | |
| (2) Measured from property line of tower location. | | | | | | | | | | | | | | | | | | | | |
| (3) Limited to Commercial High (CH), Commercial Low (CL), Institutional (INST) and Industrial (IND) FLU Designations | | | | | | | | | | | | | | | | | | | | |
| (4) Limited to Commercial High (CH) Designation | | | | | | | | | | | | | | | | | | | | |
| % Separation or setback as a percentage of tower height | | | | | | | | | | | | | | | | | | | | |

3 **[Relocated to Art. 4.B.9.B.3.c, Setbacks for Towers Located in Non-Residential Zoning**
4 **Districts]**

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Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

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| Reason for amendments: [Zoning] | |
| 88. | Delete the term "panel" from Transmission Poles standard since the term has been used as something else other than an antenna when in fact panel is just one of many antenna types. |

D. Collocation in Streets

C1. Electrical Transmission Line Streets

Communication towers, antennas, and related facilities may be located in such streets as provided herein. [Relocated from Art. 4.C.3.C, Electrical Transmission Line Street]

1a. Transmission Poles

Antennas attached to existing electrical transmission poles shall not be required to obtain building permits. Building permits are required for accessory structures, such as equipment cabinets, constructed to support ~~such antennas or panels~~. Height increases to transmission poles to allow antenna attachment shall be subject to the provisions of this Section. [Relocated from Art. 4.C.3.C.1, Transmission Poles]

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 89. | Update reference of the table number and title that contains the approval process of Commercial Communication Towers to reflect the changes in this exhibit. |
| 90. | Delete standard that allows approval of combined transmission/communication structures in Electrical Transmission Line street located in PUD to Class A Conditional Use. The Use Matrix has been amended to reflect that approval. |

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2b. Combined Transmission/Communication Structures

Combined transmission/communication structures may be installed in an electrical transmission streets as provided in ~~Table 4.C.3.I, Residential District Tower Location and Type of Review, and Table 4.C.3.I, Non-Residential District Tower Location and Type of Review~~ 4.B.9.A, Commercial Communication Towers Matrix, and subject to the following requirements. [Relocated from Art. 4.C.3.C.2, Combined Transmission/Communication Structures]

a1) Structures installed in transmission line streets with a residential Plan and Zoning designation shall be: [Relocated from Art. 4.C.3.C.2.a.]

1a) ~~Be located in streets a minimum of 250 feet in width; [Relocated from Art. 4.C.3.C.2.a.1)]~~

2b) ~~Be limited to combination structures which are similar to monopole towers; [Relocated from Art. 4.C.3.C.2.a.2)]~~

3c) ~~Not exceed~~ No more than 100 feet in height, however the height may be increased to a maximum of 125 feet if an additional provider is accommodated, and proof of collocation is provided in a form acceptable to the County Attorney and the Zoning Director; [Relocated from Art. 4.C.3.C.2.a.3)]

4d) ~~Be setback a minimum 150 feet from any property line possessing a residential designation; and, [Relocated from Art. 4.C.3.C.2.a.4)]~~

5) ~~Not be located within a PUD unless approved by the BCC as a Class A conditional use; and [Relocated to Table 4.B.9.A, Commercial Communication Tower Matrix]~~

6e) ~~Require review as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review, and Table 4.C.3.I, Non-Residential District Tower Location and Type of Review~~ 4.B.9.A, Commercial Communication Towers Matrix. [Relocated from Art. 4.C.3.C.2.a.6)]

b2) Transmission lines streets in areas with a nonresidential Plan and Zoning designation shall be: [Relocated from Art. 4.C.3.C.2.b.]

1a) ~~Be located in streets a minimum of 250 feet in width; [Relocated from Art. 4.C.3.C.2.b.1)]~~

2b) ~~Be limited to combination structures which are similar to Monopole Towers or Self Support/Lattice Towers; not exceed 300 feet in height; [Relocated from Art. 4.C.3.C.2.b.2)]~~

3c) ~~Be setback a minimum of 200 feet from any property line possessing a nonresidential designation; and [Relocated from Art. 4.C.3.C.2.b.3)]~~

4d) ~~Be setback a minimum of 100 feet from any property line possessing a nonresidential designation; and, [Relocated from Art. 4.C.3.C.2.b.4)]~~

5e) ~~Require review as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review, and Table 4.C.3.I, Non-Residential District Tower Location and Type of Review~~ 4.B.9.A, Commercial Communication Towers Matrix. [Relocated from Art. 4.C.3.C.2.b.5)]

3c. Separation of New Combined Transmission/Communication Structures

New Combined Transmission Communication Structures shall be subject to the as provided in ~~Table 4.C.4.D 4.B.9.B, Separation/Distances Between Towers. [Relocated~~

Notes:

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

from Art. 4.C.3.C.3, Separation of New Combined Transmission/Communication Structures]

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 91. | Delete the term "panel" from the standards in the FDOT R-O-W since the term has been used as something else other than an antenna when in fact panel is just one of many antenna types. |
| 92. | Clarify what seems to be a typo for the setbacks applicable to towers installed in portions of the FDOT streets that are adjacent to residential. According to Table 4.C.3.I, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, setbacks for towers in FDOT when adjacent to Residential is 150 feet which differs the language in FDOT standards that indicates 50 feet and 75 feet when adjacent to non-residential. As most provisions look to protect residential, this amendment is reflecting 150' setback from residential and keep 75 feet from non-residential. |

D2. Florida Department of Transportation (FDOT) Streets

Within the streets for I-95 and the Florida Turnpike owned or controlled by the FDOT, towers, or antennas, or panels may be installed as follows are subject to the following: [Relocated from Art. 4.C.3.D, Florida Department of Transportation (FDOT) Streets]

4a. Installation of Antennas and Panels

Antennas and panels may be attached to existing communication towers, light standards, or other structures or facilities subject only to building permit review. [Relocated from Art. 4.C.3.D.1, Installation of Antennas and Panels]

2b. Construction of New Towers

New towers constructed within streets shall comply with the following requirements: [Relocated from Art. 4.C.3.D.2, Constructin of New Towers]

a.1) Towers installed in those portions of streets immediately adjacent to any property possessing a residential designation shall be: [Relocated from Art. 4.C.3.D.2.a]

4a) Be located in a streets at least 250 feet in width; [Relocated from Art. 4.C.3.D.2.a.1)]

2b) Be only a Monopole or Self Support/Lattice Tower; [Relocated from Art. 4.C.3.D.2.a.2)]

3c) Not exceed No more than 150 feet in height; [Relocated from Art. 4.C.3.D.2.a.3)]

4d) Be setback a minimum of 150 feet from the nearest property line; and, [Relocated from Art. 4.C.3.D.2.a.4)]

5e) Require review as provided in Table 4.C.3.I, Residential District Tower Location and Type of Review, and Table 4.C.3.I, Non-Residential District Tower Location and Type of Review 4.B.9.A, Commercial Communication Towers Matrix. [Relocated from Art. 4.C.3.D.2.a.5)]

b.2) Towers installed in those portions of streets immediately adjacent to any property possessing a nonresidential designation shall be: [Relocated from Art. 4.C.3.D.2.b]

4a) Be located in a street at least 200 feet in width; [Relocated from Art. 4.C.3.D.2.b.1)]

2b) Be only a Monopole or Self Support/Lattice Tower; [Relocated from Art. 4.C.3.D.2.b2)]

3c) Not exceed No more than 200 feet in height; [Relocated from Art. 4.C.3.D.2.b.3)]

4d) Be setback a minimum of 75 feet from the nearest nonresidential property line and 50-150 feet from any residential property line; and, [Relocated from Art. 4.C.3.D.2.b.4)]

5e) Require review as provided in 4.B.9.A, Commercial Communication Towers Matrix. [Relocated from Art. 4.C.3.D.2.b.5)]

c. Separation of New Towers

New towers shall be subject to the separation distances as provided in Table 4.C.4.D 4.B.9.B, Separation/Distances Between Towers, of this Section. [Relocated from Art. 4.C.3.D.2.c, Separation of New Towers]

Section 6E. Shared Use/Collocation

This Section is These provisions are designed to foster promote shared use of communication towers and their accessory support facilities. [Relocated from Art. 4.C.6, Shared Use/Collocation]

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 93. | Relocate to consolidate in a new table the provisions related to the minimum number of providers for every tower type. To reflect deletion of Stealth and Camouflage Towers reference in the text below, the Providers by Tower Type table includes the specific provisions applicable to Stealth and Camouflage Towers that were included under the Supplementary Use Standards of those towers. |

A1. Collocation

Notes:

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
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(Updated 5/17/16)

~~All communication towers, except stealth and camouflage structures, shall be constructed to accommodate a minimum of two providers.~~ [Partially relocated to Art. 4.B.9.B.13, Providers]

4a. Site area

The site or leased footprint shall contain sufficient square footage to accommodate the equipment/mechanical facilities for all proposed providers based upon the structural capacity of the tower. [Relocated from Art. 4.C.6.A.1, Site Area]

B2. Setbacks

If it is determined that the proposed tower cannot meet setback requirements due to increases in tower height to accommodate the collocation of at least one additional service provider, minimum setback requirements may be reduced by a maximum of 15 feet, except from residential property lines. [Relocated from Art. 4.C.6.B, Setbacks]

C3. Review Process

4a. Collocations on Commercial Communication Towers Including Non-conforming Towers

Collocation of antennas on commercial communication towers that meet the following requirements shall be exempt from all other requirements of this Section of the ULDC and shall only be subject to a Building Permit Review: [Ord. 2006-004] [Relocated from Art. 4.C.6.C.1, Collocations on Commercial Communication Towers Including Non-conforming Towers]

a.1) The collocation does not increase the height of the existing tower as measured to the highest point of any part of the tower or any existing antenna attached to the tower; [Ord. 2006-004] [Relocated from Art. 4.C.6.C.1.a]

b.2) The collocation does not increase the area of the approved ground compound for accessory equipment and structures; [Ord. 2006-004] [Relocated from Art. 4.C.6.C.1.b]

c.3) The collocation shall be consistent with all of the applicable design and aesthetic regulations, or conditions, if any, applied to the first antenna placement onto the tower itself. [Ord. 2006-004] [Relocated from Art. 4.C.6.C.1.c]

2b. Collocations on Structure Other Than Commercial Communication Towers

Collocation of antennas, on a structure other than a Commercial Communication Tower that meets the following requirements shall be subject to final DRO review. Collocation that does not meet the requirement below shall be subject to Article 4.C.7, Communication Panel Antennas, Commercial. [Ord. 2006-004] [Relocated from Art. 4.C.6.C.2, Collocations on Structure Other Than Commercial Communication Towers]

a.1) Does not increase the height of the existing structure, as measured to the highest point of any part of the structure or any existing antenna attached to the structure; [Ord. 2006-004] [Relocated from Art. 4.C.6.C.2.a]

b.2) Does not increase the area of the approved ground compound shall be the accessory equipment and structures; and, [Ord. 2006-004] [Relocated from Art. 4.C.6.C.2.a]

c.3) The collocation are of a design and configuration consistent with all of the applicable design and aesthetic regulations, or conditions, if any, applied to the first antenna placement. [Ord. 2006-004] [Relocated from Art. 4.C.6.C.2.a]

4. Review Procedures Shared Use Application Requirements

Prior to submittal of an application for approval of a proposed tower for Conditional Use, Development Order Amendment, DRO, or building permit review, all applicants for communication towers shall comply with the procedures indicated below. An application for the appropriate review process must be submitted within one year of the notice mailing date. [Relocated from Art. 4.C.6.D, Review Procedures]

a. Notification

All communication tower applicants shall provide notice by certified mail to all users on the Communication Tower Users List. The following information shall be included in the notice: description of the proposed tower; general location; longitude and latitude; general rate structure for leasing space, which shall be based on reasonable local charges; proposed height; a phone number to locate the applicant or agent for the communication tower; and a shared use application form. A copy of the notice shall be mailed to the Communications Division and the Zoning Division. The notices shall invite potential communication tower users to apply for space on the proposed tower to encourage collocation. [Ord. 2009-040] [Relocated from Art. 4.C.6.D.2, Notification]

b. Shared Use Application

Potential communication tower users shall respond to the notice within 20 days of receipt of certified mailing. Response shall be submitted utilizing a shared use application form. A completed shared use application form shall be sent to the owner of the proposed communication tower or authorized agent. The tower applicant shall not be responsible for a lack of response or responses received after the 20 day period. The Zoning Division shall provide the shared use application form. [Relocated from Art. 4.C.6.D.3, Shared Use Application]

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1 **c.** **Feasibility**

2 *The feasibility of each shared use request shall be evaluated by the applicant. The*
3 *evaluation shall document the feasibility of shared use between the proposed*
4 *communication tower owner and a potential lessee or sharer. Factors to be considered*
5 *when evaluating the feasibility of shared use include but are not limited to: structural*
6 *capacity, RF interference, geographic service area requirements, mechanical or electrical*
7 *incompatibilities, inability or ability to locate equipment on approved and unbuilt*
8 *communication towers, cost (if fees and costs for sharing would exceed the cost of the*
9 *new communication tower amortized over a 25 year period), FCC limitations that would*
10 *preclude shared use, and other applicable Code requirements. [Relocated from Art.*
11 *4.C.6.D.4, Feasibility]*

12 **d.** **Rejection or Dispute**

13 *If the applicant rejects one or more request(s) for shared use and if potential tower*
14 *lessees dispute the rejection(s) for shared use, the following procedure shall occur within*
15 *ten working days after the shared use response deadline. [Relocated from Art.*
16 *4.C.6.D.5, Rejection or Dispute]*

17 **1)** **Submittal**

18 *The applicant shall submit two copies of the following to the Zoning Division: a brief*
19 *evaluation of each rejected response; all design data for the proposed*
20 *communication tower; and, an explanation indicating the structural improvements*
21 *necessary to facilitate the requests that are rejected due to structural limitations, paid*
22 *for by the tower space lessee. [Relocated from Art. 4.C.6.D.5.a, Submittal]*

23 **2)** **Consultant**

24 *The Zoning Division shall forward copies of all applications for shared use and the*
25 *applicant's evaluation of each rejected request to a qualified communications*
26 *consultant. The consultant shall be selected by and retained at the discretion of the*
27 *Zoning Division and paid by applicant who is refusing to allow collocation from an*
28 *interested service provider. [Relocated from Art. 4.C.6.D.5.b, Consultant]*

29 **3)** **Evaluation**

30 *Within ten working days of receiving the shared use responses that were rejected by*
31 *the applicant and disputed by the potential tower space lessee, the consultant shall*
32 *review and prepare an evaluation. Two copies of the consultant's evaluations shall be*
33 *sent to the Zoning Division. One copy of the evaluation shall be made an official part*
34 *of the communication tower application and one copy of the evaluation shall be*
35 *forwarded to the applicant by the Zoning Division. The consultant's report shall be*
36 *advisory, and made part of the staff report, and considered in reviewing the*
37 *communication tower application. [Relocated from Art. 4.C.6.D.5.c, Evaluation]*

38 **e.** **Acceptance with No Dispute**

39 *If the applicant did not reject any requests for shared use or if rejected requests for tower*
40 *space are not disputed by any potential tower lessee(s), consultant review is not*
41 *necessary. [Relocated from Art. 4.C.6.D.6, Acceptance with No Dispute]*

42 **Section 5F. Tower Removal, Replacement and Height Increases**

43 **G1. Tower Removal**

44 **1a.** **Form of Agreement**

45 *All obsolete or abandoned communication towers shall be removed within three months*
46 *following cessation of use. Prior to the issuance of a building permit or site plan approval,*
47 *whichever occurs first, the property owners or tower operators shall submit an executed*
48 *removal agreement to ensure compliance with this requirement. The removal agreement*
49 *shall be in a form acceptable to the County Attorney. [Relocated from Art. 4.C.4.G.1,*
50 *Form of Agreement]*

51 **2b.** **Surety for Removal**

52 *Prior to the issuance of a building permit, surety shall be submitted by the property owner*
53 *or tower operator to ensure the removal of abandoned communication towers. The form*
54 *of surety shall be subject to approval by the Executive Director of PZB and the County*
55 *Attorney. The required surety shall be irrevocable, unless released by the BCC. The*
56 *surety shall be utilized to cover the cost of removal and disposal of abandoned towers*
57 *and shall consist of the following: [Relocated from Art. 4.C.4.G.2, Surety for Removal]*

58 ~~a.1)~~ *submittal of an estimate from a certified structural engineer indicating the cost to*
59 *remove and dispose of the tower; [Relocated from Art. 4.C.4.G.2.a]*

60 ~~b.2)~~ *a surety equivalent to 50 percent of the estimated cost to remove and dispose of the*
61 *tower; [Relocated from Art. 4.C.4.G.2.b]*

62 ~~c.3)~~ *an agreement to pool multiple sureties of the tower owner or property owner required*
63 *by this Section to allow pooled surety to be used to remove abandoned towers; and,*
64 *[Relocated from Art. 4.C.4.G.2.c],*

65 ~~d.4)~~ *an agreement by the tower owner or property owner to replenish surety pool upon*
66 *utilization of surety by PBC. [Relocated from Art. 4.C.4.G.2.d]*

67 **3c.** **Alternative Surety for Removal**

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The Zoning Director, subject to review by the County Attorney, may accept documentation from a tower owner that adequate resources or irrevocable contractual obligations are available to remove obsolete or abandoned communication towers.
[Relocated from Art. 4.C.4.G.3, Alternative Surety for Removal]

4d. Form of Surety

Surety shall be provided in a form consistent with the requirements of Art. 11.B.4-2.A.6.c, Performance or Surety Bond. [Ord. 2005 – 002] [Relocated from Art. 4.C.4.G.4, From of Surety]

5e. Surety Required

Surety required pursuant to this Section shall be provided only for towers constructed after the effective date of this Code. [Relocated from Art. 4.C.4.G.5, Surety Required]

| | |
|--|---|
| Reason for amendments: [Zoning] | |
| 94. | Relocate tower hierarchy from Definitions in Article 1 to the towers regulations as it does not provide a meaning; instead, it describes the level of impact of communication towers which is more appropriately placed in the Communication Tower regulations, particularly related to replacement of conforming and nonconforming towers. |

A2. Replacement

~~for the purposes of Art. 4, for the purpose of~~ The following tower hierarchy shall be used to determining impact ~~the following hierarchy has been established~~

LEAST IMPACT

- Stealth*
- Camouflage*
- Stealth*
- Monopole*
- Self Support/Lattice*
- Guyed*

MOST IMPACT

[Partially relocated from Art. 1.I.2.T.43, Tower Hierarchy definition]

4a. Conforming Towers

An existing conforming tower may be replaced subject to the criteria below. If the criteria is not met, the replacement tower shall comply with the requirements of this Section Tower Height Increases and Accessory Structures, below. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.1, Conforming Towers]

- ~~a.1)~~ *The tower shall accommodate a minimum of two providers. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.1.a]*
- ~~b.2)~~ *The tower shall be of the same or lesser impact than the existing structure pursuant to the tower hierarchy. [Ord. 2006-004] [Partially relocated from Art. 4.C.5.A.1.b]*
- ~~c.3)~~ *The tower may be required to be relocated on site to lessen the impact on adjacent parcels. [Relocated from Art. 4.C.5.A.1.c]*
- ~~d.4)~~ *The tower shall be subject to review by the Zoning Division through the DRO, Article 2.D.1, Development Review Officer, administrative amendment process. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.1.d]*
- ~~e.5)~~ *The tower may be structurally modified to allow collocation. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.1.e]*

2b. Nonconforming Towers

An existing nonconforming tower may be replaced subject to the criteria below. If the criteria is not met, the replacement shall comply with the requirements of this Section Tower Height Increases and Accessory Structures, below. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.2, Nonconforming Towers]

- ~~a.1)~~ *The tower shall accommodate a minimum of two providers. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.2,a.]*
- ~~b.2)~~ *The tower shall be of equal or less impact than the existing structure pursuant to the tower hierarchy. [Ord. 2006-004] [Partially relocated from Art. 4.C.5.A.2,b.]*
- ~~c.3)~~ *The tower may be required to be relocated on site to lessen the impact on adjacent parcels. [Relocated from Art. 4.C.5.A.2,c.]*
- ~~d.4)~~ *The tower shall be subject to review by the DRO. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.2,d.]*
- ~~e.5)~~ *The tower may be structurally modified to allow collocation. [Ord. 2006-004] [Relocated from Art. 4.C.5.A.2,e.]*

B3. Tower Height Increases

4a. Conforming and Nonconforming Towers

Unless otherwise provided herein, the height of a conforming or nonconforming tower may be increased on one occasion subject to the requirements of Table ~~4.C.5.B~~ 4.B.9.F, Tower Height Increases. [Relocated from Art. 4.C.5.B.1, Conforming and Nonconforming Towers]

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Table 4.B.9.F - Tower Height Increases

| Review Process | Conforming Towers | Nonconforming Towers |
|---|--------------------------|-----------------------------|
| <i>Development Review Officer Administrative Amendment</i> | X(1) | N/A |
| <i>Development Review Officer</i> | X(2) | X(1) |
| <i>Class B Conditional use</i> | X(3) | X(2) |
| <i>Class A Conditional use</i> | X(4) | X(3,4) |
| Notes: | | |
| 1. <i>Increases of 25' or less.</i> | | |
| 2. <i>Increases greater than 25' and 45' or less.</i> | | |
| 3. <i>Increases greater than 45' and 65' or less.</i> | | |
| 4. <i>Increases greater than 65'.</i> | | |
| [Table relocated from Art. 4.C.5.B – Tower Height Increases] | | |

2b. Monopoles

The height of an existing monopole may be increased by a maximum of 20 percent to accommodate a second user subject to standard building permit review. An additional increase of up to 20 percent may be approved to accommodate an additional user, subject to standard building permit review. Increases shall be based upon the original approved tower height. [Relocated from Art. 4.C.5.B.2, Monopoles]

4. Accessory Structures

The size of an accessory structure or structures may be increased to accommodate collocation. The expansion shall be subject to Zoning Division review through the DRO administrative amendment process. [Relocated from Art. 4.C.5.C, Accessory Structures]

| | |
|--|--|
| Reason for amendments: [Zoning] | |
| 95. | Change the term “section” to specify the regulation or standard that it pertains to. For government - owned towers that address public health, safety or welfare, this amendment clarifies that waivers are Type 2 which are presented to the BCC. |
| 96. | Update reference of the table number and title that contains the approval process of Commercial Communication Towers to reflect the changes in this exhibit. |

G. Exemptions and Waivers

1. States of Emergency

The PZ&B Executive Director may waive the review timeframes in the event of a declared state of emergency. [Ord. 2006-004] [Ord. 2012-027] [Relocated from Art. 4.C.1, States of Emergency]

2. Government Towers

If this Section the regulations in the Commercial Communication Towers prohibits a government-owned tower from being located at a specific site and the tower is required to protect the public health, safety, or welfare, the applicable criteria of this Section may be waived or modified by the BCC through a Type 2 Waiver. In such cases the BCC shall make a finding of fact justifying the modification. [Relocated from Art. 4.C, Communication Towers Commercial]

3. School Sites

Towers located on school sites and utilized for educational purposes only pursuant to F.S. Chapter 1013.18 shall not be considered Commercial Communication Towers. [Relocated from Art. 1.1.2.C.49, Communication Tower, Commercial]

4. Exemptions for Existing Television Broadcast Towers

Guyed towers existing as of December 31, 1997 with a principal use as a television broadcasting tower shall be exempt from the provisions of this Section as provided below.

1a. Separation and Setback Distances

Television towers as provided herein shall be exempt from the separation and setback distances of Table 4.C.3.I, ~~Distances for Towers Located in and Adjacent to Residential Districts Separation and Setback~~ 4.B.9.B, ~~Minimum Separation and Setbacks for Towers Located in Residential Zoning Districts~~, and Table 4.C.3.I, ~~Distances for Towers Located in Non-Residential Districts Separation and Setback~~ 4.B.9.B, ~~Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts~~.

2b. Distance Between Towers

Television towers as provided herein shall be exempt from the distance between tower requirements of Table 4.C.4.D 4.B.9.B, ~~Separations/Distances Between Towers, of this Subsection~~.

3c. Visual Impact Analysis

Existing or replacement television towers as provided herein shall be exempt from the visual impact analysis requirements of Article 4.C.4.P 4.B.9.H.4, Visual Impact Analysis Standards.

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4d. Replacement or Reconstruction of Existing Towers

Television towers exempted by the operation of this subsection may be replaced or reconstructed on the same parcel as provided below.

a.1) Approval

Television towers to be replaced or reconstructed shall be reviewed as provided in Table ~~4.C.3.I, Residential District Tower Location and Type of Review or Table 4.C.3.I, Non-Residential Districts Tower Location and Type of Review~~ 4.B.9.A, Commercial Communication Towers Matrix.

b.2) Tower Height

The height of a replacement for or reconstruction of an existing tower may be increased subject to approval as provided in Table ~~4.C.3.I, Residential District Tower Location and Type of Review or Table 4.C.3.I, Non-Residential Districts Tower Location and Type of Review~~ 4.B.9.A, Commercial Communication Towers Matrix.

c.3) Required Setbacks from Property Lines

Setbacks from property lines shall be provided as indicated below.

4a) Structures of Equal or Lesser Height

Television towers to be replaced or reconstructed with a structure of equal or lesser height shall provide a setback substantially the same as the existing setbacks, taking into account the continued location of the tower being replaced during construction.

2b) Structures of Greater Height

Television towers to be replaced or reconstructed with a structure of greater height shall provide a minimum setback of 110 percent of tower height from any adjacent street and a minimum setback of 100 percent of tower height from all adjacent property lines.

3c) Breakpoint Calculations

All setbacks shall be substantiated by certified breakpoint calculations. The breakpoint calculations shall demonstrate that should tower failure occur, the entire height of the tower shall fall within with property lines of the tower site.

4d) Nonconformity Not Created

Replacement or reconstruction of a television broadcast tower shall not result in creation of a nonconforming structure or nonconforming use. The television broadcast tower resulting from the replacement or reconstruction as provided herein shall be deemed a conforming structure and use.

K5. Type II-2 Waiver from Required Dimensional Criteria

A Type II-2 Waiver from the separation, setback, distance between towers, height, and similar dimensional criteria applicable to communication towers may be allowed ~~as provided in this Section.~~ **[Ord. 2012-027]**

4a. Towers approved as a Class A or Class B Conditional Use

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

2b. Towers Approved on an Administrative Basis

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

3c. Requests for a Type II-2 Waiver

When considering a request to allow a Type II-2 Waiver from one or more required dimensional criteria, the BCC must determine that: the request complies with the intent of this Section and, the request is consistent with the criteria listed below. **[Ord. 2012-027]**

4d. Criteria for Granting a Type II-2 Waiver

The following criteria shall be utilized by the BCC when considering requests for waivers. Each request for a waiver must be consistent with the following criteria listed below: Art. ~~4.C.3.K.4.a- 4.B.9.G.5.d.1) - 4.C.3.K.4.h- 4.B.9.G.5.d.8).~~ In addition, each request for a Type II-2 Waiver must be consistent with one or more of the following criteria: Art. ~~4.C.3.K.4.i- 4.B.9.G.5.d.9) - Art. 4.C.3.K.4.r 4.B.9.G.5.d.18).~~ **[Ord. 2012-027]**

a.1) Protection of Public Welfare

The Waiver, if approved, will not be injurious to the uses in the area adjacent to the structure and otherwise will not be detrimental to the public welfare. **[Ord. 2012-027]**

b.2) Economics

The Waiver is not granted based solely upon or in large measure due to costs associated with complying with all requirements ~~of this Section contained herein.~~ **[Ord. 2012-027]**

c.3) Incompatibility Not Created

The Waiver, if granted, will not result in an incompatibility between the proposed tower or communication facility and adjacent uses. **[Ord. 2012-027]**

d.4) Exhaustion of Other Remedies

The Waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area as all other waiver alternatives have

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1 been exhausted. Alternatives to a Waiver shall include but not be limited to such
2 techniques as collocation, use of stealth or camouflage structures, and use of
3 building mounted equipment and facilities. **[Ord. 2012-027]**

4 **e-5) Minimum Waiver**

5 Grant of the Waiver is the minimum Waiver that will make possible the reasonable
6 use of the parcel of land, building, or structure. **[Ord. 2012-027]**

7 **f-6) Consistent with the Plan**

8 Grant of the Waiver will be consistent with the purposes, goals, objectives, and
9 policies of the Plan and this Code. **[Ord. 2012-027]**

10 **g-7) Not Detrimental**

11 The grant of the Waiver will not be injurious to the area involved or otherwise
12 detrimental to the public welfare. **[Ord. 2012-027]**

13 **h-8) Prohibition of Service**

14 The Waiver, subject to documentation provided by the applicant, is necessary within
15 the defined search or propagation study area so as not to prohibit the provision of
16 personal wireless, television, and related communication services as defined by the
17 Telecommunications Act of 1996 and rules of the FCC, if adopted. **[Ord. 2012-027]**

18 **i-9) FAA Limitations**

19 The Waiver is required to comply with locational standards established by the FAA.
20 **[Ord. 2012-027]**

21 **j-10) Lack of Technical Capacity**

22 The Waiver, subject to documentation provided by the applicant, is necessary within
23 the defined search or propagation study area as existing towers or other structures
24 do not possess the capacity to allow reasonable technical service. **[Ord. 2012-027]**

25 **k-11) Height of Existing Structures**

26 The Waiver, subject to documentation provided by the applicant, is necessary within
27 the defined search or propagation study area as existing towers or other structures
28 are not of sufficient height to provide reasonable service. **[Ord. 2012-027]**

29 **l-12) Lack of Structural Capacity**

30 The Waiver, subject to documentation provided by the applicant, is necessary within
31 the defined search or propagation study area as existing towers or structures do not
32 have the structural capacity to accommodate the equipment needed to provide
33 reasonable service within the defined search or propagation study area. **[Ord. 2012-
34 027]**

35 **m-13) Interference**

36 The Waiver, subject to documentation provided by the applicant, is necessary within
37 the defined search or propagation study area due to interference that may be caused
38 resulting from such factors as collocation on existing towers or structures, the nature
39 of other communications equipment or signals, or other technical problems that
40 would result in interference between providers. **[Ord. 2012-027]**

41 **n-14) Unreasonable Costs**

42 The Waiver, subject to documentation provided by the applicant, is necessary within
43 the defined search or propagation study area as the fees, costs or contractual
44 provisions to collocate on or adapt an existing tower or structure for collocation are
45 unreasonable. **[Ord. 2012-027]**

46 **o-15) More Appropriate Site**

47 The Waiver, subject to documentation provided by the applicant, is necessary within
48 the defined search or propagation study area as a result of identification of a more
49 appropriate site that does not meet dimensional criteria, including such factors as
50 distance from residential uses, existence of permanent screening and buffering, and
51 location within a large scale non-residential area. **[Ord. 2012-027]**

52 **p-16) Avoid Certain Locations**

53 The Waiver, subject to documentation provided by the applicant, is necessary within
54 the defined search or propagation study area to avoid location in one or more of the
55 following: **[Ord. 2012-027]**

56 **1a)** officially designated wilderness areas, wildlife refuges, and wildlife management
57 areas;

58 **2b)** officially designated vegetation and wildlife preserves;

59 **3c)** habitats of threatened/endangered species, historical sites;

60 **4d)** Indian religious sites;

61 **5e)** locations which may cause significant alteration of wetlands, deforestation, or
62 water diversion;

63 **6f)** night use of high intensity lights in residential areas;

64 **7g)** environmentally sensitive lands acquired or leased by PBC; or

65 **8h)** linked open space corridors as set forth in the Plan.

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~~q-17~~ Reduce Residential Impact

The Waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area and will allow a proposed tower location to reduce the impact on adjacent residential uses. **[Ord. 2012-027]**

~~r-18~~ Effect of Governmental Regulation or Restrictive Covenant

The Waiver, subject to documentation provided by the applicant, is necessary within the defined search or propagation study area due to governmental regulations or restrictive covenants which preclude location of a tower. **[Ord. 2012-027]**

~~5-e~~ Simultaneous Consideration

A request for a Type ~~H-2~~ Waiver from one or more required dimensional criteria may be considered at the same time a related request for tower approval is considered. However, final BCC, ZC, or administrative approval shall not be granted until a final decision is rendered by the BCC. **[Ord. 2012-027]**

6. Nonconforming Lots of Record

*Towers may be located on nonconforming lots of record provided the structure will comply with all requirements of this Section without a Type ~~H-2~~ Waiver from any dimensional criteria as provided herein. **[Ord. 2012-027]** [Relocated from Art. 4.C.4.S, Nonconforming Lots of Record]*

| | |
|--|--|
| Reason for amendments: [Zoning] | |
|--|--|

| | |
|-----|---|
| 97. | Create reference for compliance with the requirements in Article 2 of the ULDC that relates to application requirements. This standard is added to facilitate ease of Code. |
|-----|---|

H. Application Requirements for Towers

In addition to the application requirements under Article 2, Development Review Procedures, the applicant shall comply with the following:

1. Propagation Study

*The provider shall submit a propagation study prepared by a professional engineer, licensed in the State of Florida, to justify the need to construct a new tower. Propagation studies shall not be required for television towers. **[Ord. 2006-004]** [Relocated from Art. 4.C.4.M, Propagation Study] *Propagation studies shall include the following information:* **[Relocated from Art. 4.C.4.M.1, Required Information]***

- a. the location of other sites considered, including potential options for collocation and alternative sites or properties; **[Relocated from Art. 4.C.4.M.1.a]***
- b. desired signal strength in the area to be served; and, **[Ord. 2006-004]** [Relocated from Art. 4.C.4.M.1.b]*
- c. current and predicted RF coverage following installation and use of the new tower facility. **[Ord. 2006-004]** [Relocated from Art. 4.C.4.M.1.c.]*

2. Location of Existing Towers

- a. Provide or update previously submitted data indicating the location of their towers; latitude and longitude; tower height; and tower type. **[Relocated from Art. 4.C.4.L.1.]***
- b. Submit an alternative structure map with a minimum one mile radius around the proposed site. The alternative structure map shall include the location of all existing towers located within the one mile radius. An alternative structure map shall not be required for television towers. **[Ord. 2006-004]** [Relocated from Art. 4.C.4.L.2.]*

H3. Compatibility

*To assist in ensuring compatibility between a proposed communication tower and surrounding land uses, the information listed below shall be included with all applications for development approval, development order amendments, etc. **[Relocated from Art. 4.C.3.H, Compatibility]***

4a. Site and Tower Location

*The proposed site of a tower and the proposed location of the tower within that site, indicated on an official PBC zoning quad sheet. **[Relocated from Art. 4.C.3.H.1, Site and Tower Location]***

2b. Aerial Photography

*The proposed location of a tower, indicated on an aerial map possessing a scale of not more than one inch equals 300 feet (1" = 300'). The aerial photograph shall indicate all adjacent land uses within a radius of 2,000 feet from the site of the proposed tower. **[Relocated from Art. 4.C.3.H.2, Aerial Photography]***

3c. Visual Impact Analysis

*A visual impact analysis, consistent with the requirements of Article ~~4.C.4.P~~ 4.B.9.H.4, Visual Impact Analysis Standards. **[Relocated from Art. 4.C.3.H.3, Visual Impact Analysis]***

4d. Buffering

*Buffering and landscaping as required by this Section. **[Relocated from Art. 4.C.3.H.4, Buffering]***

P4. Visual Impact Analysis Standards **[Relocated from Art. 4.C.4.P, Visual Impact Analysis Standards]**

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1 **a. Applicability and Procedure**

2 ~~The requirements of this subsection shall be required for Any application to construct a~~
3 ~~Monopole Tower greater than 150 feet in height or any Guyed or Self-Support/Lattice~~
4 ~~Tower greater than 150 feet in height is subject to these standards. The applicant shall~~
5 ~~be advised of the requirement to submit a visual impact analysis by the Zoning Director~~
6 ~~within ten working days following the application submittal deadline date. [Relocated~~
7 ~~from Art. 4.C.4.P, Visual Impact Analysis Standards]~~

8 **1b. Visual Analysis General**

9 ~~To assess the compatibility with and impact of a proposed tower site on adjacent~~
10 ~~properties, an applicant seeking to construct a tower subject to ~~the~~ these requirements of~~
11 ~~this Section may be required to submit a visual impact analysis. The applicant may~~
12 ~~request review of a proposed tower location, prior to application submittal to the~~
13 ~~appropriate zoning process, to determine whether or not a visual impact analysis will be~~
14 ~~required. A visual impact analysis may be required under the circumstances listed below.~~
15 **[Relocated from Art. 4.C.4.P.1, Visual Analysis]**

16 ~~a.1) Existing residential uses are located along 50 percent or more of the entire perimeter~~
17 ~~of the proposed tower site. [Relocated from Art. 4.C.4.P.1.a]~~

18 ~~b.2) When the proposed site is located adjacent to: [Relocated from Art. 4.C.4.P.1.b]~~

19 ~~4a) Officially designated wilderness areas, wildlife refuges, and wildlife management~~
20 ~~areas; [Relocated from Art. 4.C.4.P.1.b.1)]~~

21 ~~2b) Officially designated vegetation and wildlife preserves; [Relocated from Art.~~
22 ~~4.C.4.P.1.b.2)]~~

23 ~~3c) Habitats of threatened/endangered species; [Relocated from Art.~~
24 ~~4.C.4.P.1.b.3)]~~

25 ~~4d) Historical sites; [Relocated from Art. 4.C.4.P.1.b.4)]~~

26 ~~5e) Indian religious sites; [Relocated from Art. 4.C.4.P.1.b.5)]~~

27 ~~6f) Locations which may cause significant alteration of wetlands, deforestation, or~~
28 ~~water diversion; [Relocated from Art. 4.C.4.P.1.b.6)]~~

29 ~~7g) Residential areas when night use of high intensity lights is required; [Relocated~~
30 ~~from Art. 4.C.4.P.1.b.7)]~~

31 ~~8h) Environmentally sensitive lands acquired or leased by PBC; or [Relocated from~~
32 ~~Art. 4.C.4.P.1.b.8)]~~

33 ~~9i) Linked open space corridors as set forth in the Plan. [Relocated from Art.~~
34 ~~4.C.4.P.1.b.9)]~~

35 ~~e.3) The proposed site does not meet the distance between towers requirements of this~~
36 ~~Section. The applicant may utilize digital imaging technology to prepare the analysis,~~
37 ~~in a manner acceptable to the Zoning Director. ~~For non-digital methods, the~~ The~~
38 ~~visual impact analysis shall, at minimum, provide the information listed below.~~
39 **[Relocated from Art. 4.C.4.P.1.c.]**

40 ~~4a) The location of the proposed communication tower illustrated upon an aerial~~
41 ~~photograph at a scale of not more than one inch equals 300 feet (1"=300'). All~~
42 ~~adjacent zoning districts within a 3,000 foot radius from all property lines of the~~
43 ~~proposed communication tower site shall be indicated. [Relocated from Art.~~
44 ~~4.C.4.P.1.c.1)]~~

45 ~~2b) A line of site analysis, ~~which~~ shall include the following information: [Relocated~~
46 ~~from Art. 4.C.4.P.1.c.2)]~~

47 ~~(a1) Identification of all significant existing natural and manmade features~~
48 ~~adjacent to the proposed tower site and identification of features which may~~
49 ~~provide buffering and screening for adjacent properties and public streets;~~
50 **[Relocated from Art. 4.C.4.P.1.c.2)(a)]**

51 ~~(b2) Identification of at least three specific points within a 2,000 foot radius of the~~
52 ~~proposed tower location, subject to approval by the Zoning Director, for~~
53 ~~conducting the visual impact analysis; [Relocated from Art.~~
54 ~~4.C.4.P.1.c.2)(b)]~~

55 ~~(e3) Certification by the professional that the proposed communication tower~~
56 ~~meets or exceeds the standards contained in ~~this subsection~~ of this Code;~~
57 **[Relocated from Art. 4.C.4.P.1.c.2)(c)]**

58 ~~(d4) Copies of all calculations and description of the methodology used in~~
59 ~~selecting the points of view and collection of data submitted in the analysis;~~
60 **[Relocated from Art. 4.C.4.P.1.c.2)(d)]**

61 ~~(e5) Graphic illustration of the visual impact of the proposed communication~~
62 ~~tower, at a scale that does not exceed five degrees of horizontal distance,~~
63 ~~presented from the specific identified points; [Relocated from Art.~~
64 ~~4.C.4.P.1.c.2)(e)]~~

65 ~~(f6) Identification of all screening and buffering materials under the permanent~~
66 ~~control of the applicant (only screening and buffering materials located within~~
67 ~~the boundaries of the proposed site shall be considered for the visual impact~~
68 ~~analysis.); [Relocated from Art. 4.C.4.P.1.c.2)(f)]~~

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EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)

1 ~~(g7)~~ Identification of all screening and buffering materials that are not under the
2 permanent control of the applicant but are considered of a permanent nature
3 due to ownership or use patterns, such as a public park, vegetation preserve,
4 required development buffer, etc.; **[Relocated from Art. 4.C.4.P.1.c.2)(g)]**
5 ~~(h8)~~ Screening and buffering materials considered in the visual impact analysis
6 shall not be removed by future development on the site; **[Relocated from**
7 **Art. 4.C.4.P.1.c.2)(h)]**
8 ~~(i9)~~ Screening and buffering materials considered in the visual impact analysis
9 shall be replaced if they die; **[Relocated from Art. 4.C.4.P.1.c.2)(i)]**
10 ~~(j10)~~ Prohibited plant species, pursuant to Article 7.F, Perimeter Buffer Landscape
11 Requirements, shall not be considered in the visual impact analysis; and
12 **[Relocated from Art. 4.C.4.P.1.c.2)(j)]**
13 ~~(k11)~~ Any additional information that may be required by the Zoning Director to
14 fully review and evaluate the potential impact of the proposed communication
15 tower. **[Relocated from Art. 4.C.4.P.1.c.2)(k)]**

16 ~~e4)~~ In addition to all other applicable standards of the Code, the following visual impact
17 standards may be applied when a visual impact analysis is required for any
18 application to construct a tower. **[Relocated from Art. 4.C.4.P.1.d.]**

19 4a) At least 25 percent of the tower height is screened from all streets other than
20 expressways, or arterials and planned collector streets with five lanes or more.
21 **[Relocated from Art. 4.C.4.P.1.d.1)]**

22 2b) At least three specific points from adjacent streets, shall be identified, subject to
23 approval by the Zoning Director, for conducting the visual impact analysis.
24 **[Relocated from Art. 4.C.4.P.1.d.2)]**

25 3c) The results of the line of site analysis performed as part of the visual impact
26 analysis. **[Relocated from Art. 4.C.4.P.1.d.3)]**

27 4d) The distance a proposed communication tower, including anchors for guy wires,
28 and guy wires are proposed to be setback from surrounding properties such that
29 its height, bulk and scale is compatible with surrounding residential and
30 nonresidential uses. **[Relocated from Art. 4.C.4.P.1.d.4)]**

31 5e) At least 25 percent of the tower is screened from view from a majority of the
32 points selected by the Zoning Director for the visual impact analysis. **[Relocated**
33 **from Art. 4.C.4.P.1.d.5)]**

34 6f) The degree or amount of buffering or screening materials permanently included
35 as part of the application. **[Relocated from Art. 4.C.4.P.1.d.6)]**

36 ~~e5)~~ The visual impact analysis shall be prepared and sealed by an architect, engineer,
37 landscape architect, or surveyor registered in the State of Florida. PBC, at the
38 expense of the applicant and at its own discretion, may employ such consultants as
39 are necessary to review and evaluate the visual impact analysis. **[Relocated from**
40 **Art. 4.C.4.P.1.e.]**

41 **I. ~~Tower Appearance~~ Prior Approvals**

42 The style, height, and overall appearance of any tower or communications facility constructed
43 pursuant to ~~this Section~~ these regulations shall be consistent with plans and elevations submitted
44 as part of an application for development approval. The DRO shall have the authority to approve
45 additions or minor modifications, which do not materially modify the appearance of a tower as
46 approved by the ZC or BCC. Modification which cannot be approved by the DRO shall be subject
47 to a development order amendment as provided in this Code. **[Relocated from Art. 4.C.3.I,**
48 **Tower Appearance]**

49 **J. Consultant Services**

50 A qualified telecommunication consultant shall be selected and retained by the Zoning Director,
51 and paid for by an applicant, to review technical documents related to the siting of
52 communication towers and facilities. The consultant may review technical documents,
53 propagation studies and other related documents to determine the following: **[Relocated from**
54 **Art. 4.C.4.Q.9, Consultant Services**

55 1. Need for additional towers; **[Relocated from Art. 4.C.4.Q.9.a]**

56 2. Existence of incompatibilities between providers that may hinder collocation; **[Relocated**
57 **from Art. 4.C.4.Q.9.b)]**

58 3. Necessity of waiver relief to deviate from established dimensional criteria; **[Relocated from**
59 **Art. 4.C.4.Q.9.c)]**

60 4. Compliance with the general requirements of this Section; and, **[Relocated from Art.**
61 **4.C.4.Q.9.d)]**

62 5. The applicant shall reimburse PBC for the consultant fees prior to the certification of the
63 application for public hearing process or approval of the application by the DRO. **[Ord. 2010-**
64 **022] Art. 4.C.4.Q.9.e]**

65 **K. List of Tower Users**

66 The DRO shall maintain a current Communication Tower Users List, which shall be made
67 available upon request, and shall also be published on the Zoning Web site. **[Ord. 2009-040]**
68 **[Relocated from Art. 4.C.6.D.1, List of Tower Users]**

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

EL. Intergovernmental Activities

1. Mapping

PBC shall participate in any countywide mapping program to identify proposed and existing tower sites. [Relocated from Art. 4.C.7.E.1, Mapping. Related to Communication Panel Antennas, Commercial]

2. Notification

a. PBC shall participate in an intergovernmental notification program by continuously providing information regarding tower construction applications to the PBC Intergovernmental Coordination Program Clearinghouse. [Relocated from Art. 4.C.7.E.2.a, related to Notifications under Communication Panel Antennas, Commercial]

b. All jurisdictions within a two-mile radius of a proposed tower site located in unincorporated PBC shall be notified at the time of application submittal. [Relocated from Art. 4.C.7.E.2.b, related to Notifications under Communication Panel Antennas, Commercial]

Reason for amendments: [Zoning]

| | |
|-----|--|
| 98. | Relocate Communication Cell Site on Wheels (COW) standards to a new use classification that consolidates all temporary uses. |
|-----|--|

~~Section 8 — Communication Cell Sites on Wheels (COWs)~~

Part 7. ULDC Art. 5.B.1.A, Accessory Uses and Structures (page 24 of 100), is hereby amended as follows:

Reason for amendments: [Zoning]

| | |
|----|---|
| 1. | Relocate the standards for antenna contained in Article 4.C, Commercial Communication Towers to Article 5.B, Accessory and Temporary uses. These provisions are for antennas attached to buildings or structures, therefore those standards are more appropriate in Article 5 than Article 4. |
| 2. | Delete from the title the term "panel" as the regulations are for all antenna types attached to buildings or structures and not just for panel antennas. Panel antenna is just one of the different types of antennas. |

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

~~Section 712. Communication Panel Antennas, Commercial~~

A transmitting and/or receiving device used for AM/FM radio, television, microwave, telephone, cellular, personal wireless services, and related forms of electronic communications. This excludes amateur radio antennas and satellite dish antennas. [Relocated from Art. 1.I.2.A.73, Antenna]

a. Applicability

These standards below shall apply to commercial communication panels and antennas mounted on roofs, or attached to buildings or legal billboards (collocations). [Ord. 2006-004] [Relocated from Art. 4.C.7, Communication Panel Antennas, Commercial]

Ab. Permitted Districts Review Process

1) Communication panels and antennas, excluding whip antennas not exceeding eight feet in height and six inches in diameter, may be permitted and shall be reviewed as follows: in Table 4.C.7.A. Panel Antenna Regulations. [Relocated from Art. 4.C.7.A, Permitted Districts]

Table 5.B.1.A- Panel Antenna Review Process

| Zoning District or Use Structure Height | Zoning District or Use | | | |
|--|----------------------------|----------------------------|-----------------------------|--|
| | Single Family Residential | Multi-Family Residential | IG, IL, PO Zoning Districts | All Other Non-Residential Zoning Districts |
| Structures — < 25' or less in height | Not Permitted | Not Permitted | Building Permit Review | Not Permitted |
| Structures — greater than 25' and to 45' or less in height | Development Review Officer | Development Review Officer | Building Permit Review | Development Review Officer |
| Structures — greater than ≥ 45' | Class B Conditional use | Building Permit Review | Building Permit Review | Building Permit Review |

[Relocated from Table 4.C.7.A - Pannel Antenna Regulations]

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**EXHIBIT P
COMMERCIAL COMMUNICATION TOWERS
SUMMARY OF AMENDMENTS
(Updated 5/17/16)**

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12) Applicability and Review Process-Building Permit

A building permit shall be required for the installation of all communication panels and antennas in addition to any other review process. [Relocated from Art. 4.C.7.A.1, Applicability and Review Process]

B. Communication Panel Antennas

4c. Architectural Compatibility

Demonstrate architectural compatibility (color and/or texture) with the structure on which it is located. [Relocated from Art. 4.C.7.B.1, Architectural Compatibility]

2d. Screening

If the panel antenna is attached to a pole support structure, the pole shall be concealed by an opaque screen. [Relocated from Art. 4.C.7.B.2, Screening]

3e. Size Limitations for Panel Antenna

Each communication panel shall not exceed a maximum height of eight feet; maximum depth of four feet; and maximum width of four feet. [Relocated from Art. 4.C.7.B.3, Size Limitations]

4f. Supplemental Application Requirements

In addition to the requirements indicated above, plans depicting cross sections or elevations of the panel attached to the structure shall be provided at the time of submittal of the application package. [Relocated from Art. 4.C.7.B.4, Supplemental Application Requirements]

Gg. Setbacks

1-) Accessory Structures

Unmanned roof mounted accessory structures shall meet a minimum 25-foot setback from the edge of the roof or comply with the architectural compatibility standards pursuant to Article 4.C.7.B.1-5.B.1.A.12.c, Architectural Compatibility. [Relocated from Art. 4.C.7.C.1, Accessory Structures]

2-) Communication Panels and Antennas

There shall be no minimum setback required for panels or antennas. [Relocated from Art. 4.C.7.C.2, Communication Panel and Antennas]

Dh. Whip Antennas

Whip antennas not exceeding eight feet in height and six inches in diameter shall be permitted in any zoning district. Whip antennas may be attached to residential structures, utility poles, etc. Whip antennas, unless attached to a residential structure, shall be installed at least 50 feet from any existing residential structure. [Relocated from Art. 4.C.7.D, Whip Antennas]

[Renumber Accordingly]

Part 8. ULDC Art. 6.A.1.B, Minimum Off-Street Parking and Loading Requirements (page 10 of 39), is hereby amended as follows:

Reason for amendments: [Zoning] Amend parking lot requirements table in Article 6, Parking, to reflect updated use names in Article 4, Use Regulations.

43

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

| Use Type: Utilities & Excavation | Parking (1) | Loading (2) |
|---|--|-------------|
| | | |
| Communication Cell site-Site on wheels-Wheels (COWs) mobile | Exempt from parking regulations unless otherwise required by Zoning Director | N/A |
| Communication panels Pannels, or antennas Antennas, commercial | Exempt from parking regulations unless otherwise required by Zoning Director | N/A |
| Commercial Communication Tower, commercial | Exempt from parking regulations unless otherwise required by Zoning Director | N/A |
| | | |
| [Ord. 2005-002] | | |
| Loading Key: | | |
| | | |

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