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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067 AND 2003-070 AS AMENDED, AS FOLLOWS: **ARTICLE 1 - GENERAL PROVISIONS**; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES**; CHAPTER A, GENERAL; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER E, MONITORING; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS**; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 - USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; **ARTICLE 5 - SUPPLEMENTARY STANDARDS**; CHAPTER B, ACCESSORY AND TEMPORARY USES; **ARTICLE 6 - PARKING**; CHAPTER A, PARKING; **ARTICLE 7 - LANDSCAPING**; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER E, REVIEW, INSTALLATION AND MAINTENANCE; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; **ARTICLE 8 - SIGNAGE**; CHAPTER A, GENERAL; CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; **ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS**; CHAPTER A, GENERAL REQUIREMENTS; CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER D, PLATTING; CHAPTER E, REQUIRED IMPROVEMENTS; **ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS**; CHAPTER B, STANDARD; CHAPTER C, TRAFFIC IMPACT STUDIES; **ARTICLE 13 - IMPACT FEES**; CHAPTER A, GENERAL; **PROVIDING FOR**: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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Section 1. Adoption

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

- Exhibit A Privately Initiated Amendment (PIA) 2014-376 Bay Door Orientation
- Exhibit B Article 7, Landscaping
- Exhibit C Article 11, Subdivision, Platting, and Required Improvements
- Exhibit D Article 12, Traffic Performance Standards
- Exhibit E Article 13, Impact Fees
- Exhibit F Accessory Radio Towers
- Exhibit G Inland Logistic Center
- Exhibit H Northlake Boulevard Overlay Zone (NBOZ)
- Exhibit I URAO/IRO Alternative Parking Lot Design Options
- Exhibit J Residential Setback Exceptions and ZLL Encroachments
- Exhibit K RVPD Real Estate Sales Office
- Exhibit L Economic Development Center (EDC)
- Exhibit M Outdoor Shooting Range
- Exhibit N Modifications to BCC and ZC Approvals
- Exhibit O Digital Fuel Price Signage

Section 2. Interpretation of Captions

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

Section 3. Repeal of Laws in Conflict

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

Section 4. Severability

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

Section 5. Savings Clause

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

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Section 6. Inclusion in the Unified Land Development Code

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


Section 7. Providing for an Effective Date

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

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 28th day of August, 2014.

SHARON R. BOCK, CLERK & COMPTROLLER

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

By: 
Deputy Clerk

By: 
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: 
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 3rd day of September, 2014.

EXHIBIT A

PRIVATELY INITIATED AMENDMENT
(PIA) 2014-376 BAY DOOR ORIENTATION
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art.4.B.1.A.107.f, Bay Door Orientation [Related to Repair and Maintenance,
3 General] (page 87 of 171), is hereby amended as follows:

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 Section 1 Uses

6 A. Definitions and Supplementary Standards for Specific Uses

7 107.Repair and Maintenance, General

8 f. Bay Door Orientation

9 **1) Residential**

10 Service bay doors shall not face any residential district, FLU designation, or use,
11 ~~except as follows: unless separated by an arterial or collector street.~~ [Ord. 2005 –
12 002]

13 ~~1) Buffer Requirements~~

14 a) Bay doors ~~adjacent facing~~ to an arterial or collector street a minimum of 80 feet in
15 width shall require provide a R-O-W buffer upgraded to include a minimum six
16 foot high landscape barrier. Type 2 incompatibility buffer.

17 ~~2) Bay Doors Facing a Residential District or Use~~

18 b) Bay doors facing a residential zoning district, FLU, or use may be allowed subject
19 to one of the following standards: separated by an arterial or collector street shall
20 require a Type 3 incompatibility buffer.

21 (1) If separated by a local commercial street, the R-O-W buffer shall be
22 upgraded to include a minimum six foot high landscape barrier and a wall.

23 (2) If separated by a parcel with a nonresidential use such as utilities, canal R-O-
24 W, easements, FDOT or County drainage a minimum of 80 feet in width shall
25 provide a Type 3 Incompatibility Buffer with double the number of trees and a
26 two and one half foot high berm.

27 **23) Infill Redevelopment Overlay (IRO) and Priority Redevelopment Areas (PRAs)**

28 Bay doors shall not be oriented towards perimeter streets. [Ord. 2010-005] [Ord.
29 2010-022]

Notes:

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~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated.

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

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

EXHIBIT B

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

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Part 1. ULDC Art. 7.C.1, U/S Tier (page 14 of 50), is hereby amended as follows:

CHAPTER C MGTS TIER COMPLIANCE

Section 1 U/S Tier

Landscaping in the U/S Tier should have a higher level of detail and more structure, such as pedestrian accents, formal or meandering arrangements in perimeter landscape ~~and~~ buffers, street tree plantings, and inter-connections between pedestrian and vehicular areas. ...

Part 2. ULDC Table 7.C.3, Minimum Tier Requirements (page 16 of 50), is hereby amended as follows:

CHAPTER C MGTS TIER COMPLIANCE

Section 3 Exurban and Rural Tiers

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Notes:

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EXHIBIT B

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

1

Table 7.C.3 – Minimum Tier Requirements

Code Requirements	U/S Tier ⁸	AGR and Glades Tiers	Exurban and Rural Tiers
Landscape Buffers ⁷			
Preferred Design	Linear design, formal or meandering arrangement of elements, traversing sidewalks	Meandering, more naturalistic with shrub cluster and varying heights	Increased depth, buffers often adjacent to interior open space, unimproved pathway surfaces
Berms	Optional	Optional	No ¹
Fences/Walls	Optional ²	Optional ²	Optional ^{2,3}
Layers of Shrubs and Ground Cover ⁴	3	4	3
Interior Landscaping ^{7,9}			
Minimum Tree Quantities – Zero Lot Line, Single Family Residential, and Townhouse Lots	1 per 1,250 sq. ft. (max. 15)	1 per 1,000 sq. ft. (max. 30)	1 per 800 sq. ft. (max. 30)
Minimum Tree Quantities – Multi-family Residential Lots	1 per 1,250 sq. ft.	1 per 1,000 sq. ft.	1 per 800 sq. ft.
Minimum Tree Quantities – Non-Residential Lot	1 per 2,000 sq. ft.	1 per 1,500 sq. ft.	1 per 1,200 sq. ft.
Minimum Shrub Quantities – Zero Lot Line, Single Family Residential, and Townhouse Lots ⁵	3 per 1,250 sq. ft. (max. 45)	3 per 1,000 sq. ft. (max. 90)	3 per 800 sq. ft. (max. 90)
Minimum Tree Quantities – Multi-family Residential Lots	3 per 1,250 sq. ft.	3 per 1,000 sq. ft.	3 per 800 sq. ft.
Minimum Shrub Quantities – Non-Residential Lot ⁵	3 per 2,000 sq. ft.	3 per 1,500 sq. ft.	3 per 1,200 sq. ft.
Interior Islands	1 per 10 spaces	1 per 8 spaces	1 per 6 spaces
Interior Islands Landscape Width	8 ft.	10 ft.	12 ft.
Protective Curbing	Yes	Yes	Optional
Plant Standards ⁷			
Minimum Tree Height (Perimeter)	12 ft.	12 ft.	12 ft.
Minimum Tree Height (Interior)	12 ft.	12 ft. (average)	12 ft. (average)
Palms Substitute (3 palms for 1 tree)	Yes	Yes – Native clusters only	Yes – Native clusters only
Foundation Planting ^{6,7}			
Foundation Planting Width	5 ft. along front façades 8 ft. along side façades	10 ft. all sides	12 ft. all sides
Facades to be Planted	Front & Sides	Front, Sides & Rear	Front, Sides & Rear
Percentage of Façade	40 percent	50 percent	60 percent
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001]			
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 and lake tracts . [Ord. 2009-040]			
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. U/S Tier standards may be applied to a PUD or TDD with a village center, civic site, or suburban center, general or edge subarea. [Ord. 2010-022]			
9. 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			

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EXHIBIT B

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

Part 3. ULDC Art. 7.D.2, Trees (page 18 - 20 of 50), is hereby amended as follows:

CHAPTER D GENERAL STANDARDS

Section 2 Trees

A. Canopy Trees

Canopy trees ~~are shall be~~ subject to the following standards. ~~All canopy trees shall be container grown or root pruned in accordance with acceptable horticultural practices.~~

1. Minimum Height

Canopy trees shall meet the ~~height~~ standards in Table 7.C.3. Minimum Tier Requirements and Figure 7.D.2.A-2, Canopy Tree Measurement Standards, at installation. ~~Up to~~

a. Height Reduction

A maximum of 25 percent of the total number of required interior trees may be reduced in height by 25 percent, provided that an One additional tree, at least a minimum of eight feet in height, is shall be planted for each tree with reduced height.

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 Six feet.

~~3. Minimum Caliper~~

~~Two and a half inches~~

....
C. Pines

Pines, planted in groups of three may be substituted for one required canopy tree. 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.

D. Tree Credit

...
3. Tree Credit Formula

Existing trees shall be credited according to the formula in Table 7.D.2.D, Canopy Tree Credit and Replacement.

Table 7.D.2.D –Tree Credit and Replacement

Crown Spread of Tree	Or	Diameter at 4.5 Feet Above Grade	=	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

Notes:

1. Preserved ~~or~~ relocated, or new slash pines a minimum of 14 feet in height may count as one required canopy tree.
2. Fractional measurements shall be rounded down.
3. One palm may count as one required palm canopy tree.

Part 4. ULDC Art. 7.D.3, Shrubs and Hedges (page 20 of 50), is hereby amended as follows:

CHAPTER D GENERAL STANDARDS

Section 3 Shrubs and Hedges

A. Shrubs

Required shrubs are subject to the standards in Table 7.C.3, Minimum Tier Requirements, and the dimension standards in Table 7.F.7.B, Shrub Planting Requirements.

B. Hedges

1. Residential Hedge Height

Hedges may be planted and maintained along or adjacent to a residential lot line. [Ord. 2005 -002]

a. Hedges shall not exceed four feet in height when located within the required front setback. Within required front setback: four feet. [Ord. 2005 – 002]

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EXHIBIT B

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

- 1 b. ~~Hedges shall not exceed eight feet in height when located on or adjacent to the side, side~~
2 ~~street, or rear property lines. Within required side, side street (to the required front~~
3 ~~setback) and rear setback: eight feet. [Ord. 2005 – 002]~~
- 4 c. The height shall be measured adjacent to the hedge from the lowest grade on either side
5 of the hedge. [Ord. 2005 – 002]
- 6 2. **PDD and Non-residential Perimeter Buffer Hedge Height**
- 7 a. ~~Hedges shall not exceed 12 feet in height. Maximum height: 12 feet. [Ord. 2005 – 002]~~
- 8 b. The hedge height in a landscape barrier shall be measured in accordance with Art.
9 7.D.14, Grade Changes. [Ord. 2005 – 002]
- 10 3. **Shrub Replacement**
- 11 ~~Required shrubs may be planted in the form of a hedge provided the minimum quantities are~~
12 ~~installed pursuant to Table 7.C.3, Minimum Tier Requirements, and shall be subject to the~~
13 ~~following: Hedges may be used in place of required shrubs, subject to the following~~
14 ~~standards and the hedge height provisions above. [Ord. 2005 – 002]~~
- 15 a. **Minimum Height at Installation**
- 16 ~~Hedge material shall be a minimum of 24 inches at the time of installation.~~
- 17 ~~b. Minimum Height Within Two Years of Planting~~
- 18 ~~Three feet.~~
- 19 ~~cb. Minimum Spacing at Installation~~
- 20 ~~Hedge material shall be planted a maximum of 24 inches on center, or as may be~~
21 ~~adjusted in the field based upon the type of plants utilized with a maximum spacing of 36~~
22 ~~inches on center. [Ord. 2005 – 002]~~

25 Part 5. ULDC Art. 7.D.11, Foundation Plantings (page 24 of 50), is hereby amended as follows:

26 CHAPTER D GENERAL STANDARDS

27 Section 11 Foundation Plantings

28 Foundation plantings shall be provided along façades as required by Table 7.C.3, Minimum Tier
29 Requirements, for non-residential structures unless specifically exempted by this Section. Required plant
30 material may be located within 30 feet of the foundation, along ~~Along the~~ front and side façades of with
31 drive-through establishments, including Freestanding ATMs, ~~plantings may be located within 30 feet of~~
32 the foundation or the required plantings may be relocated to an adjacent façade. All required foundation
33 plantings shall ~~be planted with~~ include a minimum of one tree or palm for each 20 linear feet of building
34 facade and one shrub appropriate shrubs or ground cover for every 10 square feet of planting area. The
35 relocation ~~Relocation~~ of ~~required~~ foundation plantings may be approved by the DRO Zoning Division
36 provided the minimum required square footage of the planting area is maintained if adjacent to a
37 landscape buffer. [Ord. 2013-021]

40 Part 6. ULDC Art. 7.E.6., Pruning After Installation (page 33 of 50), is hereby amended as
41 follows:

42 CHAPTER E REVIEW, INSTALLATION AND MAINTENANCE

43 Section 6 Pruning After Installation

44 A. General Pruning Requirements

- 45 1. A maximum of one-fourth of the tree canopy may be removed from a tree within a one year
46 period, provided that the removal conforms to the standards of crown reduction, crown
47 cleaning, crown thinning, crown raising, vista pruning, and crown restoration pruning
48 techniques. All pruning shall comply with the most recent published version of the American
49 National Standards Institute, ANSI ~~300-2004~~ provisions related to (T)tree, Sshrub and other
50 Wwoody Pplant Mmaintenance), as amended. The crown of a tree required by this Code or
51 condition of approval shall not be reduced below the minimum spread or height requirements
52 of Article 7.D.2.A, Canopy Trees, or specific conditions of approval. A tree which is pruned in
53 excess of these requirements shall be replaced with a tree that meets the minimum
54 requirements of Article 7.D.2.A, Canopy Trees, and Table 7.D.2.D, Tree Credit and
55 Replacement.

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EXHIBIT B

ARTICLE 7 - LANDSCAPING
SUMMARY OF AMENDMENTS

1 Part 7. ULDC Art. 7.F.1, Buffer Types (page 35 of 50), is hereby amended as follows:

2 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

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

4 Section 1 Buffer Types

5 A. R-O-W

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

7 1. ~~Exceptions~~ Exemptions

8 R-O-W buffers are not required for individual single-family residential, ZLL, or townhouse lots.

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12 Part 8. ULDC Art. 7.F.6 Buffer Width Reduction (page 37 of 50), is hereby amended as follows:

13 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

14 Section 6 Buffer Width Reduction

15 The required buffer width may be reduced by 50 percent where a project is separated from a R-O-W by a
16 canal, lake, open space, or combination thereof, with a minimum width of 80 feet subject to DRO
17 approval. The DRO may reduce the required incompatibility buffer width by 50 percent for pods adjacent
18 to a canal, lake, or open space area 100 feet in width or if the same type of buffer exists on the adjacent
19 property. The width of compatibility buffers shall not be reduced. The quantity required number of canopy
20 trees or palms shall not be reduced. The required quantity of shrubs plant material shall not may be
21 reduced in proportion to the reduction in the buffer width, a maximum of 50 percent, to ensure the viability
22 of the material. A minimum of five clear feet for planting, or ten feet if a wall with a continuous footer is
23 used, shall be maintained.

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

27 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

28 Section 9 Incompatibility Buffer

29 E. Special Standards

30 The DRO ~~may require~~ shall require the installation of incompatibility buffers for uses such as
31 recreation and civic Pods, areas, or tracts within a residential subdivision or PUD pod. The
32 applicant may apply for a Type I Waiver, pursuant to Article 2.D.7, to waive be relieved of the
33 requirement to install the incompatibility buffer for pods adjacent to open space that is 100 feet or
34 greater in width.

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EXHIBIT C

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

1
2 Part 1. ULDC Art. 1.F.2.A.2, Legal Lot of Record (page 18 of 119), is hereby amended as
3 follows:

4 CHAPTER F NONCONFORMITIES

5 Section 2 Nonconforming Lot

6 A. Applicability

7 2. Legal Lot of Record

8 The lot complies with one of the following: [Ord. 2008-037] [Ord. 2010-005]

9 a. Is depicted on either a plat of record, affidavit of exemption, ~~or~~ affidavit of waiver; ~~or , plat~~
10 waiver, or lot combination; or [Ord. 2008-037] [Ord. 2010-005]

11

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13
14 Part 2. ULDC Art. 1.1.2., Definitions (page 55, 75 of 119), is hereby amended as follows:

15 CHAPTER I DEFINITIONS & ACRONYMS

16 Section 2 Definitions

17

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

19

20 48. Ditch – For the purposes of Art. 11, a swale that is three feet or greater in depth from the top
21 of bank to the invert and with the capacity of temporarily containing or conveying stormwater
22 runoff.

23 [Renumber Accordingly]

24

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

26 21. Master Plan or Site Plan

27

28 b. For the purposes of Art. 11 and 12, a Master Plan or Site Plan shows how parcels and
29 uses in a mixed-use development will integrate with one another. The Master or Site
30 Plan dictates access, mitigation strategies, the build-out timeframe and shall be the
31 controlling document for a mixed-use development. Approval of a Master Plan or Site
32 Plan shall be binding upon the landowners subject to the Development Order, their
33 successors and assigns, and shall constitute development regulations for the land.
34 Development of the land shall be limited to the uses, intensities, access, configuration,
35 mitigation strategies, and all other elements and conditions set forth in the Master Plan or
36 Site Plan. Requirements for the submittal of a preliminary master or site plan and a final
37 master or site plan to the Zoning Division are indicated in Art. 2 pursuant to the type of
38 zoning application being submitted. [Ord. 2006-036] [Ord. 2009-040]

39

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

41 136. Swale – for the purpose of Art. 11 and 15, a stabilized and graded depression designed to
42 convey stormwater runoff and retain water for only a brief period following a rainfall event.

43

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46 Part 3. ULDC Art. 11.A.1.B, Purpose and Intent [Related to Article 11 General Provisions]
47 (page 7 of 47), is hereby amended as follows:

48 CHAPTER A GENERAL REQUIREMENTS

49 Section 1 General Provisions

50 B. Purpose and Intent

51 The specific provisions of this article shall be applied and interpreted in a manner consistent with
52 PBC's purpose and intent to:

53

54 8. ~~Ensure provision of public and private parks and recreation areas to accommodate the~~
55 ~~additional population of new subdivisions in accordance with the objectives of the Recreation~~
56 ~~Open Space Element of the Plan;~~

57 [Renumber Accordingly]

Notes:

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EXHIBIT C

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

1 Part 4. ULDC Art. 11.A.3.B, Required Improvements Installation Requirement (page 8 of 47), is
2 hereby amended as follows:

3 CHAPTER A GENERAL REQUIREMENTS

4 Section 3 General Requirements

5 B. Required Improvements Installation Requirement

6 The adequacy of necessary public or private facilities and services for traffic and pedestrian
7 access and circulation, ~~public schools~~, solid waste, wastewater disposal, potable water supply,
8 stormwater management, ~~fire-rescue, parks and recreation~~ and similar facilities and services, and
9 potential adverse impacts on adjacent land uses and facilities shall be considered in the review of
10 all development proposals.
11
12

13 Part 5. ULDC Art. 11.A.4, Application of Ordinance (page 9 of 47), is hereby amended as
14 follows:

15 CHAPTER A GENERAL REQUIREMENTS

16 Section 4 Application of Ordinance

17 A. General Application

18 No person shall create a subdivision or develop any lot within a subdivision in unincorporated
19 PBC except in conformity with this Article. No Final Plat or certified boundary survey of any
20 subdivision shall be recorded unless such subdivision meets all applicable provisions of this
21 Article, the provisions of other applicable PBC ordinances, and the applicable laws of the State of
22 Florida. ~~Provided, however, that~~ the subdivision of contiguous lands *shall not be subject to*
23 *compliance with the provisions of this Article where the lands are* under single ownership *with*
24 *where* none of the resulting lots *being are* less than 40 acres *or where the remaining land is part*
25 *of a development being platted in phases in accordance with a Master Plan approved by the DRO*
26 *shall not be subject to compliance with the provisions of this Article*, unless such compliance is
27 required as a specific condition of a development order for a conditional use or special use
28 approved pursuant to Article 2.C, FLU PLAN AMENDMENTS. [Ord. 2011-016]

29 B. Building Permits and Other Approvals

- 30 1. Except as provided in this Section *or elsewhere in the Code*, no building permit shall be
31 issued for any structure on any lot created by subdivision of land in violation of this Article
32 unless and until such lot is shown on a plat ~~of record~~ or certified boundary survey, as
33 applicable, recorded in the manner prescribed in this Article. [Ord. 2011-016]
- 34 2. Temporary structures, permanent structures having a temporary use, *model homes* and
35 ancillary structures such as fences, buffer walls, and guardhouses may receive a building
36 permit prior to recordation of the Final Plat for the property only when the use and location
37 have been approved by the DRO and shown on the approved Final Subdivision Plan. Such
38 approval, however, shall not in any way relieve the developer from the obligation to correct
39 any and all nonconforming setbacks, separations, or encroachments due to inconsistencies
40 between the location of said structures and lot, street, or easement boundaries as
41 established by the applicable recorded plat.
42
43

44 Part 6. ULDC Art. 11.A.5.A, Active Subdivision Development (page 9 of 47), is hereby amended
45 as follows:

46 CHAPTER A GENERAL REQUIREMENTS

47 Section 5 Previously Approved or Platted Subdivisions

48 A. Active Subdivision Development

49 All active subdivision developments and all modifications to previously platted subdivisions shall
50 be subject to the requirements of this Article in accordance with the provisions of Article 1.E,
51 PRIOR APPROVALS.
52

53

54 ~~3.—Abandonment of Active Subdivision Plan or Preliminary Plat~~

55 ~~When the developer fails to seek subsequent approvals and permits within the time frames~~
56 ~~required by this Article, such failure shall be evidence that the active subdivision plan or~~
57 ~~preliminary plat has been abandoned and all approvals granted for the subdivision plan,~~
58 ~~construction plans, or preliminary plat, as applicable, shall be deemed void.~~

~~4.—Authority of the Development Review Officer (DRO)~~

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EXHIBIT C

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

~~The DRO shall have the authority to review any previously approved subdivision development which does not meet the strict requirements of this Article and to declare the preliminary and final subdivision plan, preliminary or final site plan (and accompanying construction plans), site plan, as applicable, to be an active approval when the DRO finds that such declaration would be in accordance with the purpose and intent of this Article and in the best interest of the general public. Such review shall be made upon application by either the developer or the County Engineer, which application shall be on a form prescribed by the DRO.~~

[Renumber Accordingly]

Part 7. ULDC Art. 11.A.6.B., Subdivision of Commercial and Industrial Building Sites (page 11 of 47), is hereby amended as follows:

CHAPTER A GENERAL REQUIREMENTS

Section 6 Planned Developments

B. Subdivision of Commercial and Industrial Building Sites

A building site which constitutes all or a portion of a pod designated for commercial or industrial use ~~within on the preliminary development plan of~~ a planned development, and for which the detailed development configuration and building permit issuance are subject to prior approval by the DRO of a final site plan, may be exempted by the County Engineer from the subdivision recordation requirement of Article 11.A.4.B.1, and may be subdivided by fee title conveyance of individual internal lots. Such exemption may be granted by the County Engineer provided that:

....

Part 8. ULDC Art. 11.A.7., Phased Developments (page 11 of 47), is hereby amended as follows:

CHAPTER A GENERAL REQUIREMENTS

Section 7 Phased Developments

A. Phasing Plan

The property encompassed by a Master Plan or Final Subdivision Plan may be developed in two or more ~~phases increments~~ pursuant to the terms of this Section and applicable phasing provisions of Article 2.E.3, Supplementary Regulations for Classes of Development Orders. ~~A Final Subdivision Plan showing the proposed phasing plan must be approved by the DRO prior to submission of the first plat.~~ Construction plans and preliminary plats shall coincide with their respective phases as shown on the Final Subdivision Plan or Master Plan. ~~Construction plans or a preliminary plat for a partial phase shall not be accepted.~~

B. Improvements

The improvements of each phase shall be capable of operating independently of any unconstructed phase with respect to drainage, access, utilities, and other required improvements, except as provided herein. A dependent phase may be platted only if the foundation phase plat has been recorded and required improvements have been completed or are under construction pursuant to a land development permit and are secured pursuant to a guaranty guarantee posted for completion of required improvements. A dependent phase shall not be acknowledged as completed until the improvements in the foundation phase are acknowledged as completed; provided, however, that such acknowledgment of completion may occur simultaneously and provided that the County Engineer may permit the posting of a guaranty guarantee to ensure the installation at a later time of those required improvements which are not deemed necessary to provide drainage, access, or utilities to such dependent phases.

~~C. Phasing Controls~~

~~The phasing plan and all phased construction shall be completed in accordance with any phasing controls and time frames required by this Code which are applicable to the development.~~

~~D. Time Limitation~~

~~When the Preliminary Subdivision Plan is approved for development in phases requiring more than one final plat, the duration of said approval shall be as specified by and subject to those provisions of Article 2.E, MONITORING, applicable to the development or phase thereof.~~

[Renumbered Accordingly]

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EXHIBIT C

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

1 Part 9. ULDC Art. 11.A.8, Exceptions to General Requirement (page 12-14 of 47), is hereby
2 amended as follows:

3 CHAPTER A GENERAL REQUIREMENTS

4 Section 8 Exceptions to General Requirements

5 A. Authority

6 The County Engineer is hereby empowered to make certain exceptions to the platting
7 requirement of Article 11.A.3.A, Platting Requirement, and required improvements installation
8 requirement of Article 11.A.3.B, Required Improvements Installation Requirement, in accordance
9 with the standards and procedures set forth in this Section.

10 **B. Certified Abstracted Boundary Survey**

11 When approved by the County Engineer, a certified abstracted boundary survey may constitute
12 the Subdivision Plan and when the subdivision is not encompassed by a Final Subdivision Plan
13 approved pursuant to Article 2.D.1, Development Review Officer.

14 **BC. Plat Waiver with Certified Boundary Survey**

15 If, after review of the preliminary subdivision plan, the County Engineer determines that the
16 proposed subdivision meets one of the conditions specified in Article 11.A.8.B C.1, Application for
17 Plat Waiver, the requirement to file a plat may be waived and an abstracted boundary survey
18 shall be recorded in lieu of a plat along with an affidavit documenting approval of said waiver and
19 restrictive covenants applicable to the subdivision, as prescribed by this Article. [Ord. 2011-016]

20 1. Application for Plat Waiver

21 In order to determine whether platting may be waived, the developer shall submit a certified
22 abstracted boundary survey or preliminary subdivision plan ~~in accordance with the~~
23 ~~requirements of Article 11.B.1, Preliminary Subdivision Plan~~, together with a statement
24 demonstrating that the subdivision meets at least one of the following conditions:

- 25 a. The division is for the purpose of constructing not more than one townhouse building in
26 compliance with applicable use regulations and standards pursuant to Article 3.C,
27 STANDARD DISTRICTS;
- 28 b. The division is to create no more than three contiguous lots and all of the following
29 circumstances apply:
30 ~~1) The land concerned is isolated or removed in its relationship to platted lands;~~
31 2) Dedications or reservations are not required for the installation or maintenance of the
32 required improvements; and
33 3) The improvements and dedications existing on the land are substantially in
34 accordance with the requirements of this Article.

35

36 3. Effect of Approval

37 ~~The approved abstracted boundary survey shall constitute the approved Final Subdivision~~
38 ~~Plan for the subdivision when such subdivision is not encompassed by a Final Subdivision~~
39 ~~Plan approved pursuant to Article 2.D.1, Development Review Officer.~~ The granting of a plat
40 waiver in no manner reduces or waives the requirements of Article 11.B.13, Technical
41 Compliance through Article 11.B.57, Construction of Required Improvements, governing
42 construction plan approval, land development permit issuance, and installation of the required
43 improvements. Failure by the applicant to submit all documents required for the recordation
44 of the affidavit of waiver within six months of approval by the County Engineer shall void said
45 approval. [Ord. 2011-016]

46 **CD. Lot Combination with Abandoned Right of Way and Combination of Lots**

47 Right of way abandoned by Resolution of the BCC may be combined into an adjoining lot of
48 record. A lot may also be combined with an adjoining lot or lots resulting in an overall decrease in
49 the number of lots provided that there are no interior easements along the common lot line(s) that
50 prevent the combination of the lots and that the new lot configuration decreases any existing non-
51 conformities. The revised single lot of record may be created by one of the following: [Ord.
52 2010-022]

53

54 **DE. Exceptions to Installation of Improvements Requirement**

55 If, after review of the preliminary subdivision plan, the County Engineer determines that certain
56 improvements already existing on the proposed subdivision site are adequate to meet the intent
57 of the required improvements requirement of this Article, the installation of those required
58 improvements may be waived.

59 1. Application for Required Improvement Installation Waiver

60 The developer shall submit a Preliminary Subdivision Plan, or when approved a certified
61 abstracted boundary survey, in accordance with the requirements of Article 11.B.1,
62 Preliminary Subdivision Plan, together with a statement demonstrating that the applicable
63 improvement(s) and associated dedications existing on the land and serving the proposed
64 lot(s) are substantially in accordance with the requirements of this Article.

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EXHIBIT C

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
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2. Effect of Approval

The granting of a required improvement(s) installation waiver in no manner reduces or waives the requirement of this Article to file a plat and to comply with applicable provisions of Article 11.B.13, Technical Compliance, through Article 11.B.57, Construction of Required Improvements, with regard to all required improvements not specifically waived.

~~EF.~~ Contents of Applications

Applications made pursuant to this Article shall be submitted in a form established by the County Engineer, prescribed in the Land Development Forms Manual, and made available to the public. ~~Contents of said applications shall include the submittal requirements for preliminary subdivision plans contained in Article 11.B.1, Preliminary Subdivision Plan.~~

~~FG.~~ Administration of Exceptions to General Requirements

The County Engineer shall review and act on applications for exceptions to this Article pursuant to Article 11.A.8, Exceptions to General Requirements. Such authority shall include the power to:

- 1. Waive compliance with the procedures of Article 11.B.13, Technical Compliance, through Article 11.B.57, Construction of Required Improvements, when the County Engineer finds that compliance with such procedures is unnecessary because:

....

- 4. Upon determining the facts of each application, determine whether: *the proposal makes adequate provisions for public requirements, including safe and convenient vehicular and pedestrian circulation, access, stormwater management, utilities, water supply and wastewater disposal.* [Relocated from Art. 11.A.8.F.4.b below]

~~a. The proposal would be in harmony and compatible with present and future development of the area as contemplated under the Plan, and~~

~~b. The proposal makes adequate provisions for public requirements, including safe and convenient vehicular and pedestrian circulation, access, stormwater management, utilities, water supply and wastewater disposal.~~ [Relocated to Art. 11.A.8.G.4. above]

Part 10. ULDC Art. 11.B., Subdivision Requirements (page 15 – 26 of 47), is hereby amended as follows:

CHAPTER B SUBDIVISION REQUIREMENTS

~~Section 1 Preliminary Subdivision Plan~~

~~A. Purpose of Preliminary Subdivision Plan~~

~~The purpose of the preliminary subdivision plan is to provide adequate and necessary descriptive information regarding proposed subdivision layout and improvements for review of applications made under Article 11.A.8, Exceptions to General Requirements, for plat waivers and for required improvement(s) installation waivers.~~

~~B. Professional Services Required~~

~~The developer shall retain the services of an engineer or surveyor and mapper to prepare the preliminary subdivision plan. The subdivision plan shall be coordinated with the major utility suppliers involved with providing services. Where septic tanks are proposed, a satisfactory subdivision analysis for septic tanks from the PBCHD shall be required. [Ord. 2010-022]~~

~~C. Contents of Application~~

~~The developer shall submit a written statement and drawing in the form established by the County Engineer, prescribed in the Land Development Forms Manual, and made available to the public.~~

~~Section 2 Final Subdivision Plan~~

~~A. Purpose~~

~~The purpose of the Final Subdivision Plan is to provide a multi-agency review at a level of detail adequate to identify and resolve basic errors, omissions, and conflicts in the proposed subdivision layout with respect to applicable agency concerns, code requirements, and surrounding land uses, prior to the preparation of the detailed preliminary plat(s) and associated construction plans for required improvements.~~

~~B. Applicability~~

~~Except as provided in Article 11.A.8.B, Plat Waiver with Certified Boundary Survey, the developer of every proposed subdivision shall be required to obtain approval of a Final Subdivision Plan from the DRO, pursuant to Article 2.D.1, Development Review Officer prior to submittal of a preliminary plat and construction plans for Technical Compliance approval pursuant to Article 11.B.3, Technical Compliance. [Ord. 2011-016]~~

~~C. Procedure~~

~~1. Application~~

~~Application for Final Subdivision Plan approval shall be made in accordance with Article 2.D.1, Development Review Officer.~~

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EXHIBIT C

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

~~2. Threshold Review Requirement~~

~~In order to be eligible to submit an application for Final Subdivision Plan review, the development shall have a currently valid certificate of threshold review, issued in accordance with and when required pursuant to Article 15.C, GENERAL THRESHOLD REVIEW. A copy of the currently valid certificate shall be attached to and made part of the application.~~

~~3. Contents of Application~~

~~The application shall be submitted in a form established by the Zoning Director, and made available to the public. Contents of said application shall include, but not necessarily be limited to:~~

~~a. A unified drawing describing existing site conditions, proposed streets, proposed lot layout, and other applicable development features in pictorial, note, or tabular form as appropriate;~~

~~b. An internal traffic circulation analysis prepared by a professional engineer, adequate for determining the required classification of streets, the number of lanes, the requirement for traffic lights and other traffic control devices, and the capacity of the street system proposed or affected by the development, as well as the phasing of improvements;~~

~~c. A preliminary stormwater management plan outlining the conceptual tertiary and secondary stormwater management facilities proposed for proper development of the subdivision, and prepared by a registered professional authorized through licensure by the State of Florida to perform such conceptual level of design for said stormwater management system; and~~

~~d. A statement that all applicable utility providers have agreed to serve the subdivision, except that where septic tank systems are proposed, a satisfactory subdivision analysis for septic tanks from the PBCHD shall also be submitted.~~

~~4. Resubmittals~~

~~Final Subdivision Plan resubmittals required to address corrections or revisions requested by the DRO or for any modification by the developer shall be made in accordance with the applicable requirements of Article 2.D, ADMINISTRATIVE PROCESS.~~

~~D. Development Review Committee Action (DRO)~~

~~The DRO shall inform the developer that the plan and data as submitted do or do not meet the applicable provisions of this Article in accordance with the procedures established pursuant to Article 2.D, ADMINISTRATIVE PROCESS.~~

~~E. Duration of Final Subdivision Plan Approval~~

~~The duration of Final Subdivision Plan approval shall be as specified by and subject to those provisions of Article 2.E, MONITORING, applicable to the development.~~

Section ~~13~~ Technical Compliance

A. Purpose

The purpose of Technical Compliance is to provide a multi-agency review of the proposed subdivision plat and all applicable required improvement construction plans for conformance with technical and legal requirements of this Article, other applicable provisions of this Code, PBC Standards, and the approved Final Subdivision Plan or certified abstracted boundary survey (including any special conditions of approval) prior to application by the developer for issuance of a Land Development Permit and submittal of the Final Plat for recordation.

B. Application

Prior to the expiration of the Final Subdivision Plan approval, where applicable, and prior to commencing construction of required improvements, the developer shall have prepared and shall submit to the County Engineer an application for Technical Compliance review, which shall be accompanied by the required fee and the required number, as established by the County Engineer, of the following documents and information, as applicable to the subdivision or approved phase thereof. Within three days of receipt of an initial application submittal for Technical Compliance, the County Engineer shall review the submittal for completeness and shall send written notification to the applicant if the submittal is determined to be incomplete. Failure by the applicant to complete the application submittal within 60 days of the date of said notification shall be considered an abandonment of the application and any subsequent submittal shall require a new Technical Compliance application.

....

2. Certified Abstracted Boundary Survey

The developer ~~shall submit a certified of a subdivision for which the requirement to plat has been waived pursuant to Article 11.A.8.B, Plat Waiver with Certified Boundary Survey, shall submit the applicable~~ abstracted boundary survey meeting the requirements of Article 11.B.79, Requirements for Certified Abstracted Boundary Survey. [Ord. 2011-016]

3. Construction Plans and Supplemental Engineering Reports

Except for those required improvements have been specifically waived pursuant to Art. 11.A.8.C, Exceptions to Installation of Improvements Requirement, construction plans and supporting design information for all the required improvements shall be submitted for each subdivision. Construction plans and required engineering reports shall comply with the

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EXHIBIT C

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
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requirements of Art. 11.B.46, Construction Plans and Supplemental Engineering Information.
[Ord. 2005 – 002]

....
C. Review of the Technical Compliance Submittal

1. Agency Comments

~~Within five days of receipt of a complete application, the~~ The County Engineer shall forward copies of appropriate submittal documents to the following agencies for written comments regarding conformance with requirements of their respective regulations and program responsibilities:

- a. Director, Land Development Division of DEPW: construction plans and preliminary plat;
- b. Director, Traffic Division of DEPW: construction plans and preliminary plat;
- c. Director, Survey Section of DEPW: preliminary plat;
- d. Director, Zoning Division of PZB: preliminary plat;
- e. Addressing Section, Administration Division of PZB: preliminary plat;
- f. Director, Parks and Recreation Department: preliminary plat;
- g. Director, Roadway Production Division of DEPW: construction plans and preliminary plat for Thoroughfare Plan streets;
- h. Director, Environmental Resources Management: preliminary plat;
- i. Florida Department of Transportation: preliminary plat for lands abutting State roads;
- j. Local water control district: preliminary plat for lands abutting water control district facilities, easements, or R-O-W;
- k. County Attorney: preliminary plat; and
- l. Director of Property and Real Estate Management: preliminary plat.

The County Engineer shall have up to 5 calendar days to forward the submittal to the review agencies. Said agencies shall be given up to 20 calendar days to forward comments to the County Engineer. Within five days of the end of this 20 day period, the County Engineer shall forward all comments to the developer in writing, with a copy to the developer's engineer, or other authorized agent.

....
D. Technical Compliance Approval

The statement of Technical Compliance shall be in writing and furnished to the developer and the developer's engineer. The statement shall contain the following conditions and information:

1. The name of the documents reviewed;
2. The amount of guaranty guarantee for the construction of required improvements, established in accordance with Article 11.B.2 4.A.6, Guarantees;
3. The amount of recording fees due for recordation of the final plat or certified boundary survey, which fees are payable to the Clerk of the Circuit Court of PBC; **[Ord. 2011-016]**
4. A requirement to submit with the Land Development Permit application a copy of all applicable property owners' association documents; and
5. Requirements for submittal of supplementary documentation deemed necessary by the County Engineer, such as deeds, easements, covenants and other recorded instruments creating rights or obligations for access, drainage, or utility services, which rights or obligations could not be established through dedications or reservations on the plat.

E. Expiration of Technical Compliance

The statement of Technical Compliance shall expire six months after its date of issuance. Failure to make a Land Development Permit application submittal prior to the expiration of the statement of Technical Compliance shall void the Technical Compliance approval and any subsequent submittal shall require a new Technical Compliance application unless the County Engineer has granted an extension to the Technical Compliance expiration.

F. Effect of Changes to Final Subdivision Plan

Any change to a Final Subdivision Plan, however approved, which would either increase or decrease the number of units in, or would, in the opinion of the County Engineer, cause a substantial change or revision to any preliminary plat or associated construction plans under review or approved for Technical Compliance, shall void any approvals issued for same pursuant to this article and shall require a new submittal and fee for such plat and construction plans, unless a modification to such plat and construction plans is approved by the County Engineer. ~~Such determination shall be in writing and forwarded within ten days to the Developer's Engineer, with a copy to the Zoning Director.~~

Section 2 4 Land Development Permit

A. Land Development Permit Application Submittal

A Land Development Permit shall be required prior to commencement of construction of any required improvement. The effective date of the Land Development Permit shall be the date the County Engineer signs it. The Land Development Permit shall expire not more than 21 months from the effective date, unless extended pursuant to Article 11.B.57.B, Time of Completion of Required Improvements. Except when the installation of all required improvements has been waived pursuant to Article 11.A.8.C, Exceptions to Installation of Improvements Requirement, the

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EXHIBIT C

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
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1 Final Plat or certified boundary survey, as applicable, shall not be recorded until the developer
2 has either installed the improvements or has ~~guaranteed~~ guaranteed the installation of the
3 improvements pursuant to the requirements of Article 11.B. ~~2~~ 4.A.6, Guarantees, below. As the
4 final step in the review procedures to obtain development approval under this Article, the
5 developer shall have prepared and shall submit, prior to expiration of the Technical Compliance,
6 an application for Land Development Permit. The application for Land Development Permit shall
7 be accompanied by the required fee and the required number, as determined by the County
8 Engineer, of the following documents applicable to the subdivision or approved phase thereof:
9 **[Ord. 2011-016]**

10

11 **2. Certified ~~Abstracted~~ Boundary Survey**

12 The developer of a subdivision for which the requirement to plat has been waived pursuant to
13 this Article shall submit a check payable to the Clerk of the Circuit Court of PBC for the
14 recordation of the certified boundary survey. When construction plans are not required, the
15 certified ~~abstracted~~ boundary survey may be recorded without further review, provided,
16 however, that the County Engineer shall review any documents submitted in compliance with
17 Article 11.B. ~~2~~ 4.A.3, Maintenance and Use Documents. **[Ord. 2011-016]**

18

19 **4. Construction Plans and Supplemental Engineering Information**

20 Construction plans shall conform to the plans which received Technical Compliance or, if
21 modified, shall be accompanied by a written statement from the Developer's engineer which
22 details, explains, and justifies the modifications. Construction plans shall comply with the
23 requirements of Article 11.B. ~~4~~ 6, Construction Plans and Supplemental Engineering
24 Information, and prior to issuance of a Land Development Permit, shall have received all
25 applicable approvals of requisite governmental agencies.

26 **5. Developer's Acknowledgment of Responsibility for Construction of Required
27 Improvements**

28 The application shall indicate whether the required improvements are to be constructed prior
29 to recordation or after recordation of the plat or certified boundary survey. When the required
30 improvements are to be constructed after recordation, the Developer shall submit a statement
31 acknowledging responsibility for completion of said required improvements. The statement
32 shall be in the form contained in the latest version of the Land Development Forms Manual
33 and shall be executed by all owners shown on the applicable final plat. The statement shall
34 be accompanied by a ~~guaranty~~ guarantee for completion of required improvements, pursuant
35 to Article 11.E.1.A, Minimum Required Improvements for All Subdivisions. Said ~~guaranty~~
36 guarantee shall meet the applicable requirements of Article 11.B. ~~2~~ 4.A.6, Guarantees. **[Ord.
37 2011-016]**

38 **6. Guarantees**

39 All guarantees required pursuant to ~~to~~ Article 11.E.1.A, Minimum Required Improvements for
40 All Subdivisions, shall be in one of the forms prescribed in the Land Development Forms
41 Manual or in an alternate form approved by the County Attorney. The initial ~~guaranty~~
42 guarantee shall be in an amount equal to 110 percent of the construction cost of the required
43 improvements. The ~~guaranty~~ guarantee shall be in one of the following types:
44

....

45 **Section ~~35~~ Substitution of Developers**

46 **A. Voluntary Substitution of Developers**

47 When there is a voluntary substitution of developers after the Land Development Permit has been
48 issued but before PBC has acknowledged completion of the required improvements, it shall be
49 the responsibility of both developers to transfer the rights and responsibilities from the original
50 developer to the succeeding developer. The original and succeeding developers shall make a
51 joint application to the County Engineer for a transfer of the original developer's Land
52 Development Permit. If the original developer posted a guarantee with PBC for completion of
53 required improvements, the succeeding developer must post a substitute guarantee in the current
54 amount of the original developer's guarantee and in a form acceptable to PBC. The application
55 for transfer shall include the executed acknowledgment of responsibility for completion of required
56 improvements pursuant to Article 11.B. ~~2~~ 4.A.5, Developer's Acknowledgment of Responsibility for
57 Construction of Required Improvements.

58 **B. Involuntary Substitution of Developers**

59 When a developer becomes the succeeding developer through foreclosure or some similar action
60 and it is not possible to obtain the original developer's signature on a joint application for transfer
61 of the Land Development Permit, the succeeding developer must comply with all provisions of
62 Article 11.B. ~~35~~ 3.A, Voluntary Substitution of Developers, except that, in lieu of said original
63 developer's signature, the succeeding developer shall submit a current certification of title,
64 foreclosure judgment, or other proof of ownership of the lands encompassed by the plat referred
65 to in the Land Development Permit.

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EXHIBIT C

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

1 **Section 46 Construction Plans and Supplemental Engineering Information**

2
3 **B. Submittal Requirements**

4 Construction plans and supplemental engineering information shall be submitted under separate
5 cover for each of the categories of improvements listed in this Section. Plan sets shall be
6 submitted in the number required ~~by the County Engineer, as prescribed~~ in the Land
7 Development Forms Manual.

8
9 **2. Submittals for Other Improvements**

10 Construction plans shall be submitted for the following additional improvements which the
11 developer may be required to install or otherwise elect to provide:

- 12 a. Landscaping within streets;
- 13 b. Guardhouse, gates, or other structures within streets;
- 14 c. Landscaping or structures in lake maintenance easements: See Article 11.B.68.A,
15 Construction and Landscaping in Lake Maintenance Easements and Water Management
16 Tracts.

17
18 **F. Soils Report**

19 The Technical Compliance application shall include a soils report describing soil profiles of the
20 work site to such depth and extent necessary to determine special design or construction needs.
21 In lieu of Article 11.B.46.F.4 and Article 11.B.46.F.5, the Developer may submit as part of the
22 report a certified statement from an engineer that he has investigated the subsurface conditions
23 of the site and has determined that such conditions are suitable for the work as shown on the
24 construction plans. The soils report shall include:

- 25 1. A map, drawn to stated scale, showing boring, penetrometer, and/or test pit locations;
- 26 2. Results of each boring or other soil test, keyed to the map;
- 27 3. Soil profiles with horizons described according to the USDA, ASTM, or Unified standard soils
28 classified system;
- 29 4. Location and extent of muck, hardpan, marl, or other deleterious materials which may require
30 special consideration in design or construction; and
- 31 5. A description of groundwater conditions which may require special consideration in design or
32 construction.

33 **Section 57 Construction of Required Improvements**

34
35 **B. Time of Completion of Required Improvements**

- 36 1. The time of completion of all required improvements shall not exceed 21 months from the
37 date of issuance of the Land Development Permit unless an extension is granted pursuant to
38 this Section. For government facilities within the Public Ownership (PO) Zoning District, the
39 completion of required improvements shall be permitted to: **[Ord. 2007-013]**
 - 40 a. coincide with a Certification of Occupancy (CO) for the first building on a parcel of land
41 that adjoins a required street improvement; or, **[Ord. 2007-013]**
 - 42 b. be phased to coincide with a ~~Certification of Occupancy (CO)~~ for the first building within
43 each phase of development that is accessed by a required street improvement. **[Ord.**
44 **2007-013]**
- 45 2. A one year time extension may be granted by the County Engineer after review of the written
46 application for extension of the developer. The developer should submit the application for
47 extension, including but not limited to a statement of justification and proof that an acceptable
48 ~~guaranty guarantee~~ will remain in place for the duration of the extension, not less than two
49 months prior to expiration of the Land Development Permit. ~~Applications submitted after~~
50 ~~expiration of the Land Development Permit shall not be accepted.~~ The County Engineer shall
51 review and advise the developer in writing of his decision within ~~one month~~ **30 calendar days**
52 of receipt of the application.

53 **C. Completion Prior to Plat Recordation**

54 When the developer elects to complete required improvements prior to recording of the final plat
55 or certified boundary survey, the following procedures shall apply, as applicable. **[Ord. 2011-016]**
56 1. Upon approval of the final plat and acknowledgment of completion of the required
57 improvements pursuant to Article 11.B.57.G, Acknowledgment of Completion and
58 Maintenance of Required Improvements, the plat shall be submitted to the Office of the Clerk
59 of the Circuit Court for recordation.

60
61 **D. Completion After Plat Recordation**

62
63 **2. Amount of Reductions in Guaranty Guarantee**

64 The County Engineer shall not reduce the amount of any ~~guaranty guarantee~~ below 20
65 percent of the original cost estimate amount. In addition to this limitation, no reduction in the

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EXHIBIT C

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dollar amount of the guaranty guarantee shall be made unless sufficient funds will remain to complete the remaining required improvements and the cost of required improvements installed equals or exceeds the amount of the request. To ensure that sufficient funds remain for completion of the remaining required improvements, the County Engineer shall release not more than 90 percent of the dollar amount of required improvements certified as completed during the period for which a reduction is requested, provided the amount is not reduced to less than 20 percent of the original cost estimate amount.

3. **Release of Guaranty Guarantee**

The guaranty guarantee shall only be released upon acknowledgment of completion of the required improvements pursuant to Article 11.B.57.G, Acknowledgment of Completion and Maintenance of Required Improvements. Two weeks prior to the release of the guaranty guarantee, the County Engineer shall notify the appropriate District Commissioner of intent to release.

E. **PBC Use of Funds; Failure of Developer to Complete**

The County Engineer, as the authorized agent of the Board, shall have the right to any funds available under the guaranty guarantee to secure satisfactory completion of the required improvements in the event of default by the developer or failure of the developer to complete such improvements within the time required by Article 11.B.57.B, Time of Completion of Required Improvements. The County Engineer shall send the developer a courtesy written notice of PBC's intent to expend any drawn funds or demand performance, as applicable. Such notice shall be sent at least 30 calendar days prior to said expenditure or demand, and shall be mailed to the last known address of the developer or his authorized agent according to the Land Development Permit records on file with the County Engineer.

F. **Administration of Construction**

....
2. **Inspections, Reports, and Stop Work Orders**

The County Engineer shall be notified in advance of the date of commencement of construction pursuant to the Land Development Permit, and of such points during the progress of construction for which joint review by the County Engineer and developer's engineer are required.

- a. Construction shall be performed under the surveillance of, and shall at all times be subject to, review by the County Engineer; however, this in no way shall relieve the developer of the responsibility for ensuring close field coordination and final compliance with the approved plans, specifications and the requirements of this Code.
- b. The developer's engineer shall ~~provide-require~~ progress reports of the construction of the required improvements ~~to from~~ the developer's ~~engineer~~. The developer's engineer may also be required to submit construction progress reports directly to and at points of progress prescribed by the County Engineer. The developer's engineer shall coordinate joint reviews of the construction with the County Engineer at points specified by the County Engineer.
- c. The County Engineer and his or her designees shall have the right to enter upon the property for the purpose of reviewing the construction of required improvement during the progress of such construction. The County Engineer shall have the authority to stop the work upon failure of the developer or his engineer to coordinate the construction of the required improvements as required by this subsection.

....
G. **Acknowledgment of Completion and Maintenance of Required Improvements**

....
2. **Acknowledgment of Completion by County Engineer; Release of Guaranty Guarantee**

Upon submittal of the documents and records required by Article 11.B.57.F.4, Engineer's Certificate of Completion, and Article 11.B.57.G.1, Developer's Warranty on Workmanship and Material, and recorded copies of the approved Maintenance and Use Covenants, the County Engineer shall determine the completeness of the required improvements in accordance with the provisions of this Article and the Land Development Permit. When the County Engineer determines that the required documentation is acceptable and the required improvements have been installed as required by this Article, he shall acknowledge completion of the required improvements and, when a guaranty guarantee has been posted, release the guaranty guarantee in accordance with the following:

....
c. **Effect of Release**

Issuance of the statement acknowledging completion and, when applicable, releasing the guaranty guarantee shall relieve the developer of his obligations for construction of required improvements but shall not relieve the developer of his obligations under the warranty for required improvements required under Article 11.B.57.G.1, Developer's Warranty on Workmanship and Material.

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EXHIBIT C

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
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- 1 **5. Developer's Failure to Complete Improvements in Unrecorded Subdivisions**
2 Where a developer has elected to install the required improvements prior to recordation of
3 the plat and fails to complete such improvements within the time limits prescribed in Article
4 11.B.57.B, Time of Completion of Required Improvements, all previous approvals applicable
5 to the proposed subdivision shall be deemed void.
- 6 **Section 68 Supplemental Procedures**
- 7 **A. Construction and Landscaping in Lake Maintenance Easements and Water Management**
8 **Tracts**
- 9
- 10 **4. Application Requirements for Structures or Plantings in LME**
11 Persons desiring to place trees or shrubs or construct or place structures within a LME shall
12 apply to the County Engineer. Approval by the County Engineer shall be required prior to
13 installation when said planting or construction is to encroach a lake maintenance easement
14 within a plat for which the associated required improvements have not been acknowledged
15 as complete, pursuant to the applicable land development permit and Article 11.B.57.G,
16 Acknowledgment of Completion and Maintenance of Required Improvements, or when the
17 County Engineer determines that there is a continuing PBC or public beneficiary interest in
18 said easement. Prior to granting such approval, the County Engineer shall ensure that
19 adequate conditions are imposed, and appropriate documents are executed and, if
20 appropriate, recorded to ensure compliance with the provisions of this Subsection and
21 approvals granted pursuant to this Article.
22
- 23 **Section 79 Requirements for Certified Abstracted Boundary Survey**
- 24
- 25
- 26
- 27 **Part 11. ULDC Art. 11.D.1.B., Final Plat (page 30 of 47), is hereby amended as follows:**
- 28 **CHAPTER D PLATTING**
- 29 **Section 1 Requirements for the Preliminary and Final Plat**
- 30 **B. Final Plat**
- 31 **15. Certification and Approvals**
32 The plat shall contain on the any of the title face or first page(s) the following certifications
33 and approvals, acknowledged as required by law, all being in the form set forth below.
34 However, the County Engineer's approval certification and seal shall be contained on the
35 face or first page.
36
- 37
- 38
- 39 **Part 12. ULDC Art. 11.E, Required Improvements (pages 33-39, 41, 43, and 45-46 of 47), is**
40 **hereby amended as follows:**
- 41 **CHAPTER E REQUIRED IMPROVEMENTS**
- 42 **Section 1 Required Improvements**
- 43 **A. Minimum Required Improvements for All Subdivisions**
44 Except when waived pursuant to Article 11.A.8.DC, Exceptions to Installation of Improvements
45 Requirement, the improvements set out herein shall be the minimum required improvements for
46 all subdivisions in order to provide the physical improvements necessary to implement certain
47 performance standards, objectives and policies of the Capital Improvements Element and other
48 elements of the Plan. These required improvements shall be installed prior to recordation of the
49 corresponding plat or certified boundary survey unless the developer furnishes a guaranty
50 guarantee assuring their installation in accordance with the provisions of this Article. Except as
51 provided in this Section, the cost of all required improvements shall be guaranteed. **[Ord. 2011-**
52 **016]**
53
- 54 **~~C. Parks and Recreation~~**
55 ~~The developer shall satisfy all applicable requirements for provision of parks, recreation areas,~~
56 ~~and recreational facilities to serve residents of a proposed subdivision in accordance with Art.~~
57 ~~5.D, Parks and Recreation – Rules and Recreation Standards. The means of complying with said~~
58 ~~requirements shall be fully addressed on the Final Subdivision Plan. **[Ord. 2005 – 002]**~~

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EXHIBIT C

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

Section 2 Access and Circulation Systems

A. Vehicular Circulation Systems

2. Minimum Legal Access Requirement

There is hereby established a hierarchy of legal access as shown on Table 11.E.2.A-1, Chart of Access Hierarchy. Except as provided below, each lot shall abut a street of suitable classification to provide said lot with legal access consistent with the standards set forth in Table 11.E.2.A-2, Chart of Minor Streets.

~~a. When legal access to a lot is permitted by this Code to be by a common parking area which serves more than one lot, it shall be dimensioned and depicted on the construction plans and reserved on the plat as a "parking tract". Said tract shall be reserved for parking and access purposes to the property owners association having jurisdiction over the parking area and the abutting lots.~~

~~ab. A 32-foot Residential Access Street, common driveway may, with prior approval by the County Engineer, be utilized for legal access to a group of not more than four abutting lots situated adjacent to a curve on a residential access street where said lots would otherwise have no reasonable means of obtaining direct access to or required frontage on the an adjacent residential access street. Said residential access street driveway shall be delineated and reserved on the applicable plat for purposes of perpetual access to the lots served.~~

[Renumber Accordingly]

4. Double Frontage Lots

Where a lot has two frontage lines, legal access to the lot shall be restricted as follows:

a. Residential Lots

Where a lot abuts both a street of non-plan collector or higher classification and a local street, access to said lot shall be by the local street. ~~The lot line(s) abutting any street of higher classification than a local street shall be buffered in accordance with the provisions of Article 11.E.9.B, Buffering.~~

6. Street Intersections and Street Jogs

The centerline intersections of local or residential access streets with non-plan or plan collector streets shall be spaced a minimum distance of 200 feet, as measured along the centerline of the collector street, ~~or as otherwise required by the County Engineer. Intersections which warrant traffic signalization shall be spaced a minimum distance of 1320 feet, centerline to centerline.~~ Connection of local streets to arterial streets may be permitted by the County Engineer only where other access is unavailable. Local street ~~jogs connections~~ with centerline offsets of less than 125 feet are prohibited, ~~unless the offset is to allow through lanes to align and is approved by the County Engineer.~~

10. Bridges and Culverts

Bridges or culverts shall be provided as necessary to facilitate the proposed vehicle and pedestrian system. The bridge or culvert requirement is subject to approval by the agency having jurisdiction over the facility being crossed. Bridges shall be designed in general accord with the current Department of Transportation practices and shall include planning for utility installation. They shall be reinforced concrete, unless, other low maintenance materials are approved by the County Engineer. Bridges shall have a clear roadway width between curbs two feet in excess of the pavement width in each direction, and shall have sidewalks ~~four~~ six feet wide on each side. All bridge structures shall be designed for ~~H-20-S16-44 loading-HL-93~~ and all Florida Legal loads, incorporating adequate corrosion protection for all metal work and erosion protection for associated shorelines and embankments.

19. Limited Access Easements

Limited access easements five foot in width may be required along non-plan collector streets and major streets in order to control access to such streets from abutting property, when necessary. Easements for controlling access to local and residential access streets may also be required by the County Engineer in order to ensure continued control of access to such streets from abutting property. All limited access easements shall be conveyed or dedicated to PBC. [Ord. 2013-001]

20. Street Names

Proposed streets which are in alignment with existing named streets should bear the name of the existing street. All street names shall have a suffix and in no case, except as indicated in the preceding sentence, should the name of the proposed street duplicate or be phonetically similar to existing street names. All proposed street names shall be submitted to the Executive Director of the PZB for approval prior to submittal of the Final Subdivision Plan application.

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EXHIBIT C

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

21. Alignment, Tangent, Deflection, Radii

Streets shall be laid out to intersect as nearly as possible at right angles. ~~Multiple intersections~~ Intersections involving the junction of more than two streets shall be prohibited. The point of curvature of any local street or residential access street shall not be closer than 100 feet to any intersection, measured along the centerline from the extension of the intersecting street lines unless the Engineer of Record provides documentation assuring adequate safe sight distance is provided as prescribed in the most recent FDOT or the Florida "Green Book". Reverse curves shall be prohibited. Reversals in alignment shall be connected by straight tangent segment at least 50 feet in length. All intersections shall be designed to provide at least the minimum stopping and turning sight distances, in accordance with criteria prescribed in the most recent edition of the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways. When the centerline of a local street deflects by more than ten degrees, it shall be curved with a radius adequate to assure safe sight distance and driver comfort. ~~Street pavement return radii shall be a minimum of 30 feet.~~

....
23. Median Strips

Median strips which are part of a public street may not be utilized for any purpose other than by PBC or public utility. However, a developer or property owner may install landscaping in a median strip or within shoulders in accordance with requirements as established by the County Engineer pursuant to the PBC Streetscape Standard Manual. ~~Median strips shall not be developed solely for the purpose of creating decorative entrances to subdivisions served by public streets.~~

24. Subdivision Entranceways

Subdivision entranceways consisting of signs, walls, fences, gates, rock piles or other entrance features are not permitted within the median strip or other areas in a public street. Decorative entranceways must be constructed ~~upon plots of land adjacent to a public street~~ in compliance with applicable PBC codes and placed so as not to constitute a traffic hazard.

25. Guardhouses

A guardhouse, located so as not to create a traffic hazard, may be constructed in the median of an entrance to a subdivision having only private streets. The minimum setback to a guardhouse shall be 150 feet, measured from the extension of the intersecting street lines, unless waived by the County Engineer. Two lanes shall be required on each side of the median in the area of the guardhouse.

Table 11.E.2.A-1 - Chart of Access Hierarchy

....
MARGINAL ACCESS FRONTAGE ROAD
LOCAL
RESIDENTIAL ACCESS (private streets only):
- 40 FOOT
- 32 FOOT
ALLEY (secondary access only)

Table 11.E.2.A-2 - Chart of Minor Streets

CLASSIFICATION	MINIMUM WIDTH (FT.)		MAXIMUM ALLOWABLE ADT (d)	ALLOWED AS LEGAL ACCESS FOR (a)	
	STREET (b)	PAVEMENT (c)		COMMERCIAL	RESIDENTIAL
....					
Residential Access (ef)					
....					
No Sidewalk (f)	32	20	150 40		X
Notes:					
....					
(d) Dead end streets of all classifications shall not exceed 1,320 feet in length unless otherwise approved by the County Engineer.					
(de) Streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface.					
(ef) Use is restricted to private streets providing access to townhouse and zero lot line units within a Planned Development district.					
(f) Use is restricted to private streets providing access to up to four lots.					

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EXHIBIT C

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS
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1

Table 11.E.2.A-3 - MGTS Cross Section Streets

CLASSIFICATION	MINIMUM WIDTH (FT): (e)		MAXIMUM ALLOWABLE ADT (d)	ALLOWED AS LEGAL ACCESS FOR: (a)	
	STREET	PAVEMENT (c)		COMMERCIAL	RESIDENTIAL
....					
Notes:					
....					
(d) Dead end streets of all classifications shall not exceed 1,320 feet in length unless otherwise approved by the County Engineer.					
(de) Streets within a rural subdivision shall be at least 60 feet wide when they are to be constructed without a wearing surface.					
(ef) Required for all TDD's.					

2

3

B. Pedestrian Circulation System

4

1. Requirement for Sidewalks

5

Except as provided in this Section, sidewalks shall be constructed on both sides of all streets. For ~~marginal access streets~~ frontage roads and streets with a width of less than 50 feet and greater than 32 feet, a sidewalk on one side at a minimum dimension of six feet is required. No sidewalk is required in streets with a width of 32 feet or less. Required sidewalks shall be constructed by the Developer except as provided in Article 11.E.1.A.1, Access and Circulation Systems.

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11

~~**2. Master Pedestrian Circulation Plan; Waiver of Requirement**~~

12

~~The DRO may approve a Master Pedestrian Circulation Plan and, upon such approval, may waive, in whole or in part, the requirement for sidewalks within the street of a subdivision, or portion thereof, where it finds that the alternative pedestrian circulation system provides accessibility, convenience, continuity and safety equivalent to or greater than that which would be provided by the required sidewalks. The Master Pedestrian Circulation Plan shall be submitted by the developer for approval concurrently with, and shall be considered part of the approved Final Subdivision Plan.~~

13

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18

~~**a. Requirements for Master Pedestrian Circulation Plan**~~

19

~~An application, the required fee, and the required number of copies of a Master Pedestrian Circulation Plan shall be submitted in accordance with Article 2.D.1.D, Application Requirements, for placement on the agenda of the DRO. The Master Pedestrian Circulation Plan shall be a full-sized reproducible copy of the approved Final Subdivision Plan, and shall be modified, when necessary, to show:~~

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30

~~1) The location of all lots and the number and type of dwelling units on each lot;~~

~~2) The classification and width of each street;~~

~~3) The location, width, and type of each pedestrian path, including those sidewalks and bicycle paths to be constructed within the streets; and~~

~~4) Locations of all connections to pedestrian systems outside the development.~~

31

~~**b. Distribution of Approved Plan**~~

32

~~Upon approval of a MPCP, a copy of the approved plan shall be forwarded to the County Engineer, Zoning Director, Building Director, and Metropolitan Planning Organization.~~

33

[Renumber Accordingly]

34

C. Reduction of Street Width

35

When pedestrian circulation is to be accomplished solely by paths constructed outside the streets, the County Engineer through the DRO may approve a concurrent request by the developer to reduce local street widths from those required pursuant to Article 11.E.2.A.2, Minimum Legal Access Requirement, by no more than eight feet if such reduction would neither reduce the vehicular carrying capacity and safety of the streets nor compromise the safety of pedestrians.

36

37

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41

....

42

Section 4 Stormwater Management

43

44

....

E. Tertiary Stormwater System Design and Performance

45

The tertiary system shall consist of all drainage features and facilities such as storm sewerage, swales, gutters, culverts, ditches, erosion protection, and site grading necessary for the immediate drainage and rapid removal of stormwater from building sites, streets, and areas of other land uses subject to damage or disruption by inundation in accordance with acceptable levels of service as established by the Plan.

46

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EXHIBIT C

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

1. Lot and Building Site Drainage

In order to provide for such levels of service, tertiary drainage for lots and buildings shall meet the following minimum requirements:

-
- e. Each residential lot with a gross area greater than one-quarter acre shall have a finished grade as specified in Article 11.E.4.E.1.d within 20 feet of any principal building site, unless alternate construction methods such as stemwalls are approved by the County Engineer. The remainder of the lot shall be graded at sufficient elevation to ensure that inundation does not persist for more than eight hours following cessation of the three-year, 24-hour rainfall event, unless such area is designated for stormwater management purposes and included in an expressed easement for drainage, floodplain, or the like.

F. Secondary Stormwater System Design and Performance

The secondary system, including all facilities and appurtenant structures for detention, retention, discharge, and conveyance to legal positive outfall, shall be designed and constructed to provide the degree of treatment and control of all stormwater runoff discharged from a development site necessary to meet the requirements of the agency having jurisdiction over receiving waters at each point of legal positive outfall.

-
- 2. No discharge of stormwater runoff resulting from rainfall up to and including the 25-year, 72-hour event shall take place from a development site except by means of one or more approved discharge control structures, other than those existing inflows from off-site for which separate, approved means of conveyance through the site have been provided. Further, the overflow weir within the approved discharge structures shall be set with an invert at the 25-year, 72-hour event unless otherwise permitted by the authority having jurisdiction over the property's point of legal positive outfall.

-
- 4. Except where bulk heading is approved in accordance with Article 4.D, EXCAVATION, each wet detention/retention facility designed for storage of stormwater runoff in an open impoundment shall have:
 - a. Side slopes no steeper than four(H): one(V) extending to a depth of at least two feet below the design control elevation;
 - b. Side slopes no steeper than two(H): one(V) from two feet below control elevation to the bottom of the facility; and
 - c. For properties requiring a Land Development Permit in accordance with Article 11.B.4, LAND DEVELOPMENT PERMIT, a A continuous berm, at least 20 feet wide with a cross-slope no steeper than eight (H): one (V), graded adjacent to the shoreline. Where said berm abuts any residential lot, it shall be graded at an elevation not lower than the maximum design water surface elevation resulting from the three-year, 24-hour rainfall event. Along portions of the impoundment where the design water surface is less than 40 feet wide at control elevation a berm shall be required on only one side, provided that adequate legal and physical access is established from a minor street to each separate segment of the remaining berm.

-
- 9. In order to protect against overdrainage of surrounding lands, no control elevation shall be lower than the pre-development average annual mean water table elevation of the detention facility site. In areas with variable water table elevations, the County Engineer may require soil testing or additional information to determine onsite water table elevations.

-
- 10. A perimeter berm with a top elevation equal to or greater than the stage for the onsite 25-year, 72-hour event shall be provided onsite within a minimum of 3 feet from the property line such that all required grading occurs onsite unless written approval is obtained from abutting property owners. Perimeter berms established onsite greater than 3 feet from the property line shall include drainage provisions to prevent offsite stormwater discharge.

-
- 11. If exfiltration trench is utilized for onsite water storage, the County Engineer may require stormwater stage calculations for the relationship between the exfiltration trench and rising water table.

Section 7 Utilities

A. Required Improvement

All utilities, including power and light, telephone and telegraph, cable television, wiring to street lights, and gas shall be installed underground, unless such requirement is waived by the County Engineer, as provided in this Section. Utilities shall be constructed in easements as prescribed by this Section. The developer shall make arrangements for utilities installation with each entity person furnishing utility service involved.

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EXHIBIT C

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

1

2 **Section 9 Subdivision Design and Survey Requirements**

3 **~~A. Required Improvement~~**

4 ~~The Developer shall install the required buffering and, when recording a plat, shall comply with~~
5 ~~Article 11.E.9.F, Survey Requirements, for setting of "P.R.M.s" and "P.C.P.s."~~

6 **~~B. Buffering~~**

7 ~~Residential developments shall be buffered and protected from adjacent expressways, arterials~~
8 ~~and railroad rights of way with a five foot limited access easement, which shall be shown and~~
9 ~~dedicated on the plat, except where access is provided by means of a marginal access road or~~
10 ~~where such expressway, arterial or railroad R-O-W abuts a golf course.~~

11 **~~AC. Maximum Length of Blocks~~**

12 **~~1. General Considerations~~**

13 ~~The length, width and shape of blocks shall be determined with due regard to:~~

- 14 ~~a. Provision of adequate building sites suitable to the special needs of the type of use~~
15 ~~contemplated;~~
- 16 ~~b. Zoning requirements as to lot size and dimensions;~~
- 17 ~~c. Need for convenient access, circulation, control and safety of vehicular and pedestrian~~
18 ~~traffic; and~~
- 19 ~~d. Limitations and opportunities of topography.~~

20 **~~2. Maximum Length~~**

21 ~~Block lengths shall not exceed 1320 feet between intersecting streets. Provided, however,~~
22 ~~that greater lengths may be approved by the County Engineer on an individual basis after~~
23 ~~considering such factors such as but not limited to, lot size, the ADT, number of through~~
24 ~~streets, street layout and other engineering considerations, in accordance with acceptable~~
25 ~~engineering practices.~~

26 **[Renumber Accordingly]**

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EXHIBIT D

ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS

- 1
2 **Part 1.** ULDC Art. 12.B.2.A.1.a.2), [Related to Part One, Intersections under Buildout Test –
3 Test 1 – Part One and Two], (page 13 of 59), is hereby amended as follows
- 4 **Chapter B** STANDARD
- 5 **Section 2** Project Buildout/Five Year Standard
- 6 **A. Buildout Test – Test 1 – Part One and Two**
- 7 **1. Part One - Intersections**
- 8 a. The following major intersections shall be analyzed: [Ord. 2007-013]
- 9 2) For ~~a the~~ Projects on Southern Boulevard, the ~~Single-Point~~ Urban Interchange(s) ~~on~~
10 ~~Southern Blvd. where when~~ it is the nearest Major Intersection to the point at which
11 the Project's Traffic enters the Project Accessed Link and ~~where when~~ the Project
12 Traffic entering and exiting the intersection is significant. For purposes of
13 determining significance of the traffic entering and exiting the ~~intersection~~
14 ~~interchange~~, the traffic entering and exiting the ramps shall be considered against ~~a~~
15 ~~directional ramp the combined~~ LOS D ~~capacity~~ Service Volume of 2,100 vehicles per
16 hour per lane the ramps, which shall be 4,200 vehicles per hour. [Ord. 2007-013]
17 [Ord. 2009-040]
- 18
- 19
- 20
- 21 **Part 2.** ULDC Art. 12.C.1.C.2, Traffic Generation, (page 24 of 59), is hereby amended as
22 follows:
- 23 **Chapter C** TRAFFIC IMPACT STUDIES
- 24 **Section 1** Traffic Impact Study
- 25 **C. Traffic Volume Components**
- 26 **2. Traffic Generation**
- 27 a. Rates
- 28 ~~Trip generation rates presented in Table 13.H.4-20, Fair Share Road Impact Fee~~
29 ~~Schedule, shall be used to calculate Average Daily Project trips. For peak hour Project~~
30 ~~trip generation and where no appropriate daily rates are listed in Table 13.H.4-20, Fair~~
31 ~~Share Road Impact Fee Schedule, the rate equation or tables published in the latest~~
32 ~~edition of the ITE Trip Generation and Informational Report shall be used unless the~~
33 ~~County Engineer accepts that other standards provide a more accurate means to~~
34 ~~evaluate the rates of generation or if documentation is supplied by the Applicant which~~
35 ~~affirmatively demonstrates more accurate generation rates based on accepted~~
36 ~~engineering principles. To estimate daily and peak hour trips generated from the Project,~~
37 ~~trip rates published on the PBC Traffic Engineering web site shall be used. If the use in~~
38 ~~the proposed Project is not listed in the PBC Traffic Engineering web site Trip Generation~~
39 ~~tables, then the latest available Trip Generation Manual published by the Institute of~~
40 ~~Transportation Engineers (ITE) shall be used. A prior consultation with the County Traffic~~
41 ~~Engineer is required before using trip rates, other than that published on the PBC Traffic~~
42 ~~Engineering web site. If the applicant feels that any other method to estimate trips would~~
43 ~~provide more realistic trip estimate for the proposed Project, prior consultation and~~
44 ~~approval from the County Engineer is required.~~
- 45
- 46 e. Pass by Trips
- 47 It is acknowledged that some trips generated by a proposed non-residential Project are
48 from existing traffic passing the proposed Project and are not newly generated trips.
49 Credit against the trip generation of the proposed Project may be taken for these trips ~~up~~
50 ~~to the percentage shown in Article 13, IMPACT FEES, or the ITE manual when approved~~
51 ~~by the County Engineer as published on the PBC Traffic Engineering web site Trip~~
52 ~~Generation tables or in the latest Trip Generation Handbook, published by the Institute of~~
53 ~~Transportation Engineers (ITE), or as approved by the County Engineer.~~ The study must
54 detail: (1) all traffic generated from the Project, and (2) the number of Pass-By Trips
55 subtracted from the traffic generated by the Project during the Buildout Period of the
56 Project. ~~Pass by rates~~ for ~~Uses~~ other than those listed in ~~Article 13, IMPACT FEES the~~
57 ~~PBC Traffic Engineering web site or the ITE Trip Generation Handbook, and any~~
58 ~~percentage credit proposed to be taken in excess of that shown in Article 13, IMPACT~~
59 ~~FEES mentioned in this Article,~~ must be justified based on accepted traffic engineering
60 principles to the satisfaction of the County Engineer as part of the required traffic study,
61 based upon the peculiar characteristics and location of the proposed Project. Factors

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EXHIBIT D

ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS

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which should be considered in determining a different Pass-by rate include type and size of land use, location with respect to service population, location with respect to competing uses, location with respect to the surrounding Major Thoroughfare system, and existing and projected traffic volumes. In no case shall the number of Pass-By Trips exceed 25 percent of Existing traffic plus Background Traffic on the Link, unless demonstrated otherwise to the satisfaction of the County Engineer based on generally accepted traffic engineering principles.

....

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EXHIBIT E

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 2.G.3.I, Impact Fee Appeals Board (page 79-80 of 88), is hereby deleted:

3 CHAPTER G DECISION MAKING BODIES

4 Section 3 APPOINTED BODIES

5 ~~I. Impact Fee Appeals Board~~

6 ~~1. Establishment~~

7 ~~There is hereby established an Impact Fee Appeals Board (IFAB).~~

8 ~~2. Powers and Duties~~

9 ~~The IFAB shall have the following powers and duties:~~

10 ~~a. to hear and decide appeals from decisions of the Impact Fee Coordinator on independent~~

11 ~~calculation studies pursuant to Article 13, IMPACT FEES; and~~

12 ~~b. to hear and decide appeals from an interpretation of the Impact Fee Coordinator on~~

13 ~~Article 13, IMPACT FEES.~~

14 ~~3. Board Membership~~

15 ~~a. Qualifications~~

16 ~~The IFAB shall be composed of five members. There shall be one traffic engineer, one~~

17 ~~accountant, one attorney, one representative of the general public, and one~~

18 ~~developer/builder on the IFAB. No member of the Impact Fee Review Committee may~~

19 ~~serve on the IFAB.~~

20 ~~b. Appointment~~

21 ~~The members of the IFAB shall be approved at large by a majority vote of the BCC.~~

22 ~~c. Terms of Office~~

23 ~~All IFAB members shall serve a term of three years.~~

24 ~~4. Secretary and Staff~~

25 ~~The Impact Fee Coordinator shall serve as Secretary of the IFAB. The staff of PZB shall be~~

26 ~~the professional staff of the IFAB. County Attorney shall attend meetings to serve as counsel~~

27 ~~to the IFAB. The Impact Fee Coordinator shall represent PBC by presenting PBC's position to~~

28 ~~the IFAB.~~

29 ~~5. Meetings~~

30 ~~a. General~~

31 ~~General meetings of the IFAB will be called as necessary to carry out business, but no~~

32 ~~more frequently than once a month. Special meetings may be called by the Chair of the~~

33 ~~IFAB, or in writing by a majority of appointed members of the Board. Staff shall provide~~

34 ~~24-hour written notice to each IFAB member for a special meeting.~~

35 [Renumber Accordingly]

36
37
38 Part 2. ULDC Art. 13.A.1, Intent, Authority and Findings [Related to Impact Fees General]
39 (page 5 of 48), is hereby amended as follows:

40 CHAPTER A GENERAL

41 Section 1 Intent, Authority and Findings

42

43 **B. Authority**

44 The provisions of this Article are authorized by Art. VIII, Sec. 1(g), Fla. Const., F.S. § 125.01 et
45 seq., F.S. §163.3161 et seq., F.S. § 163.3801, F.S. §1011.19, and F.S. §380.06, Sec. 1.3(2), the
46 PBC Charter, and the Capital Improvements Element of the Plan. In addition, the provisions of
47 this Article are necessary for the implementation of the Plan. The inclusion of certain capital
48 facilities in these impact fees shall not be construed as a limitation on the authority of PBC to
49 impose impact fees for additional capital facilities consistent with Florida law. [Ord. 2005-047]

50 **C. Findings**

51 PBC finds that the provisions of this Article are land development regulations which are:
52 necessary for the implementation of the Plan; needed to ensure that developments of regional
53 impact are assessed impact fees under F.S. §380.06; innovative land development regulations
54 authorized by F.S. §163.3202(3); necessary to ensure the coordination of new development and
55 the provision of capital facilities, especially sites for new schools; a mandatory responsibility of
56 PBC under the Local Government Comprehensive Planning and LDR Act, §163.3161 et seq.;
57 consistent with the requirements in F.S. § 163.3801; and necessarily and reasonably related to
58 the public health, safety and welfare.

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EXHIBIT E

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS

1 Part 3. ULDC Art. 13.A.6.G, Appeal (page 8 and 9 of 48), is hereby amended as follows:

2 CHAPTER A GENERAL

3 Section 6 Independent Fee Calculation Study

4 G. Appeal

- 5 1. Hearing Officers, as established in Article 2.G.3.G., are hereby authorized to hear and decide
- 6 appeals of decisions by the Impact Fee Coordinator concerning independent fee calculations
- 7 and interpretations of Article 13, Impact Fees.
- 8 ~~42. Any An~~ applicant may shall file an appeal with the decision of the Impact Fee Coordinator by
- 9 filing ~~an appeal with the Impact Fee Appeals Board (IFAB)~~ a letter of appeal within 15
- 10 working days of a decision by the Impact Fee Coordinator. The letter of appeal must state
- 11 with specificity the reasons for the appeal and shall contain such data and documentation
- 12 upon which the applicant seeks to rely. The Impact Fee Coordinator may establish a
- 13 reasonable fee to be paid by the applicant upon filing an appeal. This fee shall not exceed
- 14 the cost to the County in processing the appeal. **[Ord. 2005-047]**
- 15 ~~23.~~ The Impact Fee Coordinator shall schedule ~~an appeal a hearing~~ before the ~~Impact Fee~~
- 16 ~~Appeals Board~~ Hearing Officer no later than 90 working days after an appeal has been filed.
- 17 The Impact Fee ~~Coordinator Appeals Board~~ shall notify the applicant within of the hearing
- 18 date at least 15 working days in advance of the hearing and invite the applicant or the
- 19 applicant's representative to attend the hearing. Any of the time limitations set forth in this
- 20 paragraph may be waived upon mutual agreement of the Impact Fee Coordinator and the
- 21 party filing the appeal.
- 22 ~~34.~~ At the hearing, the ~~IFAB~~ Hearing Officer shall provide the applicant and the Impact Fee
- 23 Coordinator an opportunity to present testimony and evidence, provided such information
- 24 was part of the review before the Impact Fee Coordinator. The ~~IFAB~~ Hearing Officer shall
- 25 reverse the decision of the Impact Fee Coordinator only if there is substantial competent
- 26 evidence in the record that the Impact Fee Coordinator erred from the standards in this
- 27 Chapter. **[Ord. 2011-016]**
- 28 ~~45.~~ Any aggrieved party, including PBC, may appeal an order of the ~~Impact Fee Appeals Board~~
- 29 ~~Hearing Officer~~ Hearing Officer to the Fifteenth Judicial Circuit Court of PBC. Such appeal shall not be a
- 30 hearing de novo, but shall be a petition for Writ of Certiorari and the Court shall be limited to
- 31 appellate review of the record created before the ~~Board~~ Hearing Officer. PBC may assess a
- 32 reasonable fee for the preparation of the record to be paid by the Petitioner in accordance
- 33 with F.S. §119.07, as amended from time to time. **[Ord. 2011-016]**
- 34
- 35

36 Part 4. ULDC Art. 13.A.10., Refunds (page 11 of 48), is hereby amended as follows:

37 CHAPTER A GENERAL

38 Section 10 Refunds

39 A. General

- 40 **1. Non-Commencement of Construction**
- 41 If a building permit or other permit requiring payment of an impact fee expires or is canceled
- 42 or revoked, the structure has not been completed, and no certificate of occupancy has been
- 43 issued, or if the permit is modified prior to completion of construction so as to change the land
- 44 use or structure to one of lower impact than that on which the permit was originally issued,
- 45 ~~and the impact fee paid for approval of the permit has not been encumbered or spent by~~
- 46 ~~PBC,~~ then the feepayer, or if the property has been conveyed after payment of the fee, or a
- 47 the successor in interest to the real property, shall be entitled to a refund if provided: an
- 48 application for refund is submitted within three years of the payment of the impact fee; within
- 49 one year of the permit's expiration, cancellation, revocation or modification, or of the event
- 50 giving rise to the refund; ~~and within three years of the payment of the impact fee, except that~~
- 51 ~~and the impact fee paid for approval of the permit has not been encumbered or spent by PBC~~
- 52 ~~or the School District as applicable.~~ PBC shall retain an additional 3.4 percent of the impact
- 53 fee to offset the costs of administering the refund. **[Ord. 2010-018]**
- 54 **2. Untimely Encumbrance**
- 55 **a. Untimely Encumbrance**
- 56 Notwithstanding Article 13.A.10.A.1, Non-Commencement of Construction, above, if PBC
- 57 fails to encumber the impact fees paid by the feepayer by the end of the calendar quarter
- 58 immediately following six years from the date the impact fees are paid, and fails to spend
- 59 the impact fee within nine years of the end of the calendar quarter in which the impact
- 60 fees are paid, the feepayer, or if the property has been conveyed after payment of the
- 61 fee, or a the successor in interest to the real property, shall be entitled to a refund except

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EXHIBIT E

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS

1 that PBC shall retain an additional 3.4 percent of the impact fee to offset the costs of
2 refund. The feepayer, or if the property has been conveyed after payment of the fee, the
3 successor in interest shall submit an application for refund to the Impact Fee Coordinator,
4 within one year following the end of the calendar quarter in which the right to a refund
5 occurs. In determining whether the impact fee paid by the feepayer has been
6 encumbered or spent, monies in the trust funds shall be considered to be expended on a
7 first in, first out basis; that is, the first impact fees paid shall be considered the first
8 monies withdrawn. [Ord. 2010-018]

9
10 **B. Procedure to Obtain Refund**

11
12 **2. Contents of Application**

13
14 **d. Documents**

15 If the refund is requested ~~due to the County's failure to encumber or spend funds~~, a
16 notarized sworn statement that the applicant is the current owner of the land for which the
17 impact fee was paid, a certified copy of the current deed, and a copy of the most recent
18 ad valorem tax bill; If refund is requested due to computational or clerical error, evidence
19 sufficient to demonstrate overpayment including but not limited to receipt indicating
20 payment, building permit application, impact fee tables in effect at the time of payment
21 and such other evidence deemed appropriate by the Impact Fee Coordinator. [Ord.
22 2005-047]

23
24
25
26 **Part 5. ULDC Art. 13.A.11., Credits (page 12 – 13, 17 of 48), is hereby amended as follows:**

27 **CHAPTER A GENERAL**

28 **Section 11 Credits**

29 **A. General**

30 Credit against impact fees shall be given to the feepayer, or if the property has been conveyed
31 after payment of the fee, the ~~or a~~ successor in interest to the property for the following, as limited
32 or permitted by specific provisions of this Section.

33
34 **4. In-Kind Contributions**

35
36 ~~**b. In-Kind Contributions Made Prior to October 1, 1989, for Facilities Other Than**~~
37 ~~**Roads**~~

38 ~~In the case of in-kind contributions other than road facilities made to PBC prior to October~~
39 ~~1, 1989, and except as specifically provided in the development order or Development~~
40 ~~Agreement, the value of the in-kind contribution at the time of its conveyance, dedication,~~
41 ~~construction, placement, delivery or remittance shall be apportioned between building~~
42 ~~permits for which a complete application was made prior to October 1, 1989 and building~~
43 ~~permits in the development which remain to be issued and for which no complete~~
44 ~~application was made as of October 1, 1989. The portion of the value allocated to~~
45 ~~building permits made on or after October 1, 1989, shall be adjusted to its present value~~
46 ~~as of October 1, 1989, using a compound interest rate of six percent per year,~~
47 ~~compounded quarterly. Only that portion of the contribution allocated to building permits~~
48 ~~for which a complete application was filed on or after October 1, 1989, shall be credited~~
49 ~~against impact fees. For the purpose of apportioning the contribution between uses and~~
50 ~~square footage or dwelling units, the number of permits shall be determined using the~~
51 ~~most recently approved master plan or site plan, the size and use of the buildings~~
52 ~~proposed for the remainder of the development, the effect of other land development~~
53 ~~regulations on the feepayer's ability to complete the development as proposed, and other~~
54 ~~information deemed relevant by the Impact Fee Coordinator. If the conveyance,~~
55 ~~dedication, construction, placement, delivery or remittance was required to be made prior~~
56 ~~to October 1, 1989, pursuant to a condition in a development order, a Development~~
57 ~~Agreement, or otherwise required by a local government, the value of the conveyance~~
58 ~~shall be established as of the required date of contribution. The present value of the~~
59 ~~contribution as of October 1, 1989 shall be established at six percent per year from the~~
60 ~~required date of the contribution. The apportionment of the value of the contribution to~~
61 ~~building permits shall be based on the date on which the contribution was to have been~~
62 ~~made. At the option of the feepayer, any remaining credit may be adjusted by the~~
63 ~~percentage change in the cost of the capital facility when PBC reviews capital facilities~~
64 ~~costs in the review and update process.~~

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EXHIBIT E

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS

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[Renumber Accordingly]

9. Application of Credits

The credit shall be applied to the respective full impact fee associated with the first building permits issued for the development for which complete application was made on or after October 1, 1989, or if the credit is for roads, the date upon which the road impact fee was effective within the development, until the credit is exhausted. After such exhaustion the remainder of the impact fee for which a credit was obtained shall be paid in full. The credit shall be calculated and applied in dollar amounts and not in number of permits. No credit may be assigned, delegated, or otherwise conveyed to any development outside the boundaries of the development that originally received the credit.

10. Special Allocation of Credits

Provided that the conditions of this Subsection are satisfied, the fee payer making an in-kind contribution, or its heirs, assigns or successors in interest, may have all or some portion of the resulting credit allocated to specific parcels within the ~~benefited~~ development that originally received the credit.

....

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EXHIBIT F

ACCESSORY RADIO TOWERS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.I.3, Abbreviations and Acronyms (pages 116 and 119 of 119), is hereby
3 amended as follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 3 Abbreviations and Acronyms

....
EAA Everglades Agricultural Area

....
EPA United States Environmental Protection Agency
EvPA Everglades Protection Area

....
TIITF Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

....

6

7

8 Part 2. ULDC Art. 3.A.3.B.1, Standard District Exceptions and Limitations (pages 16 and 17 of
9 229), is hereby amended as follows:

10 CHAPTER A GENERAL

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

12 B. Standard Districts

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

15

16 1. Standard District Exceptions and Limitations

17 The following list of exceptions shall be permitted:

18

19 l. A rezoning shall not be required for the installation or replacement of a SFWMD telemetry
20 tower in accordance with Art. 5.B.1.A.12.c, Exceptions for SFWMD Telemetry Towers.

21
22
23 Part 3. ULDC Art. 5.B.1.A.12, Accessory Radio Tower (page 25 of 100), is hereby amended as
24 follows:

25 CHAPTER B ACCESSORY AND TEMPORARY USES

26 Section 1 Supplementary Regulations

27 A. Accessory Uses and Structures

28 12. Accessory Radio Tower

29 A radio tower for noncommercial electronic communication purposes may be permitted as an
30 accessory structure to civic, institutional, recreational, and agricultural uses subject to the
31 following standards:

32 a. Height

33 The radio tower shall not exceed 100 feet in height from ground level; and

34 b. Setbacks

35 An accessory radio tower shall be setback a distance equal to the height of the tower.
36 The radio tower shall be located in such a manner that it will not fall on any power line.

37 c. Exceptions for SFWMD Telemetry Towers in the Glades Tier

38 SFWMD Telemetry towers may be considered an accessory use within the Glades Tier,
39 subject to the following:

40 1) DRO approval of a FSP;

41 2) Located on parcels owned by the SFWMD or leased from the Board of Trustees of
42 the Internal Improvement Trust Fund (TIITF) of the State of Florida;

43 3) Height may exceed 80 feet;

44 4) The DRO may approve setback reductions for property lines or lease tracts within
45 parcels owned by the SFWMD or TIITF, when it is demonstrated to DRO that the
46 tower will collapse within the property or the adjoining parcels owned by the SFWMD
47 or TIITF.

48 5) If located within the USA of the Glades Tier, rezoning for consistency with the
49 parcel's FLU designation shall not be required.

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EXHIBIT G

INLAND LOGISTICS CENTER
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 2.D.6, Type I Waiver (page 45 of 229), is hereby amended as follows:

3 CHAPTER D ADMINISTRATIVE PROCESS

4 Section 6 Type I Waiver

5 A. Purpose

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

11 B. Applicability

12 Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC:
13 [Ord. 2011-016] [Ord. 2012-027]
14

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

Type I Waiver Summary List
<u>Glades Area Overlay (GAO)</u>
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
[Ord. 2012-027]

15

16

17

18 Part 2. ULDC Table 2.E.3.B, Time Limitation for Development Order for Each Phase (Page 58
19 of 88), is hereby amended as follows:

20

Table 2.E.3.B - Time Limitation of Development Order for Each Phase

TYPE OF DEVELOPMENT ORDER	MAXIMUM NUMBER OF PHASES	NEXT REQUIRED ACTION OR DEVELOPMENT ORDER	MAXIMUM TIME TO RECEIVE DEVELOPMENT PERMIT OR COMMENCE DEVELOPMENT	MAXIMUM LENGTH OF ADMINISTRATIVE TIME EXTENSION ⁴	ACTION UPON FAILURE TO COMPLY WITH TIME REQUIREMENT WITHOUT AN APPROVED TIME EXTENSION
....
<u>PDD: GAO PIPD (including any associated waivers)</u>	<u>No Maximum</u>	<u>Record Plat</u>	<u>Three Years (2)(7)</u>	<u>Twenty-four Months</u>	<u>BCC review pursuant to subsections Article 2.E.2.A, Suspension of Development Orders and Article 2.E.2.D, Failure to Comply with Conditions herein</u>
....

Ord. 2005 – 002] [Ord. 2006-004] [Ord. 2007-01] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2009-040]

Notes:

2. From resolution adoption date for first phase, and from date of commencement of development of last phase, or last plat recordation date, for subsequent phases. The maximum time to commence development for each phase of a Type III excavation shall be established by a condition of approval.
7. An additional 90 days will be provided if prior to the expiration of any time period established by this Code, staff is notified by the property owner that either a complete building permit application has been submitted, or technical compliance for a plat has been received, as appropriate, and development will commence, or the plat will be recorded, within 90 days of the deadline. If the required action does not occur within the 90 days, the requirements of Art. 2.E.2, Procedures, shall apply. This provision shall not be utilized when there has been a failure to comply with concurrency reservation or development order conditions which are required for the Development Order to comply with Art. 12.C.2, Conditions. [Ord. 2005-002]

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EXHIBIT G

INLAND LOGISTICS CENTER
SUMMARY OF AMENDMENTS

1
2 Part 3. ULDC Art. 3.B.4, Glades Area Overlay (GAO) (page 24 of 229), is hereby amended as
3 follows:

4 CHAPTER B OVERLAYS

5 Section 4 Glades Area Overlay (GAO)

6 A. Purpose and Intent

7 ~~The GAO is established to promote sustainable economic diversification in the Glades Area. The~~
8 ~~A GAO district is to provide~~ flexibility in the range of uses and PDRs allowed ~~in the underlying~~
9 ~~districts~~ in the Glades Tier ~~and~~ to accommodate uses which, if deemed appropriate, will increase
10 job opportunities and improve the economic vitality of the area. In addition, the GAO may include
11 ~~district will provide a set of~~ regulations that recognize the character of the area.

12 B. Applicability

13 The GAO shall apply to all land within the Urban Service Area (USA) of the Glades Tier. All
14 development orders within the GAO district shall also comply with all applicable Joint Planning
15 Area Agreements, pursuant to Florida Statutes.

16 C. Boundaries

17 The boundaries of the GAO coincides with shall apply to all land within the USA in the Glades
18 Tier, which is delineated on Comprehensive Plan Map LU 2.1, Service Areas, and is generally
19 comprised of those lands lying near or around the Cities of Belle Glade, Pahokee and South Bay,
20 and the unincorporated community of Canal Point.

21 1. Tier requirements

22 The Urban/Suburban Tier Requirements of the ULDC shall apply. [Ord. 2005 – 002]

23 D. Use Regulations ~~Exceptions~~

24 Uses allowed in ~~in~~ the GAO ~~district, use~~ shall be permitted, as follows: [Ord. 2005-002]

25 1. Permitted Uses

26 Uses shown in a Use Matrix as Permitted by Right (P), Special Permit (S), or Development
27 Review Officer (DRO) shall remain subject to the same approval process shown in the Use
28 Matrix permitted as of right in the underlying district are permitted as of right in the GAO.

29 2. ~~Special Uses~~

30 ~~Uses allowed as special uses in the underlying district shall be permitted in the GAO district~~
31 ~~after compliance with the special use standards. In addition:~~ [Relocated and consolidated
32 above.]

33 a. ~~Nonconforming Use~~

34 ~~Any nonconforming use may be expanded subject to a Special Permit.~~ [Ord. 2006-036]
35 [Relocated below to new 3, Nonconforming Uses.]

36 23. ~~Conditional/Requested~~ Uses

37 Uses allowed as ~~e~~ Conditional or Requested uses in ~~a~~ the non-residential Zoning district shall
38 be permitted by the DRO in the GAO ~~district~~ after compliance with Art. 2.B.2.B, Standards for
39 Conditional Uses, Requested Uses and Development Order Amendments the conditional use
40 regulations. Uses not otherwise permitted in ~~a~~ the non-residential Zoning district may be
41 permitted as Class A ~~e~~ Conditional or Requested uses in the GAO ~~district after compliance~~
42 ~~with the conditional use regulations and~~ after the BCC determines that the proposed use
43 meets the following criteria:

- 44 a. increases the number of jobs or provides needed housing;
45 b. does not adversely affect adjacent land uses;
46 c. is consistent with the goals, objectives and policies of the Plan; and
47 d. helps to support existing or encourage additional Glades Area economic development.

48 3. ~~Nonconforming Use~~

49 A nonconforming use permitted to expand subject to DRO approval may be expanded
50 subject to approval of a Special Permit. [Ord. 2006-036]

51 E-4. Property Development Regulations (PDRs) ~~Exceptions~~

52 a. ~~General~~

53 ~~All development within the GAO district shall be subject to the (PDRs) of the underlying~~
54 ~~district, except as otherwise provided below.~~

55 1b. Type II Waiver - Minimum Density

56 The BCC may consider the waiver of the minimum density requirement as a Type II Waiver
57 for proposed development in the Glades area when: [Ord. 2012-027]

58 a.1) The proposed development is consistent with the provisions of any applicable Joint
59 Planning Area Agreement, and;

60 b.2) An analysis is completed that addresses:

- 61 1a) the impact of a reduced density development on the overall infrastructure system;
62 2b) the compatibility of the proposed development with adjacent land uses; and

Notes:

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EXHIBIT G

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3e) the effect of the reduced density development on the ability of PBC to meet its goals, objectives and policies related to affordable housing. If the development is located in a municipal annexation area, the analysis must be performed by the annexing municipality.

2e. Maximum Density and Intensity – Conditional/Requested Use Approval

~~The BCC may consider an increase in the maximum Maximum density and intensity allowed by the Plan of uses within the GAO district may be allowed to exceed those imposed by the underlying district and shall be determined by the BCC during the conditional use review process subject to approval of a Conditional or Requested Use.~~

3d. Location of Structures

Building permits in the GAO district may be permitted between the 120 foot and 220 foot R-O-W line within the R-O-W of State Road 700 through Canal Point, from Third Street on the north to Triangle Park on the east, subject to approval of the County Engineer.

F. Planned Industrial Park Development (PIPD)

1. Development Standard Exceptions

Planned Industrial Park Developments (PIPD) located in the GAO shall be subject to the following exception provisions:

a. Public Street

For the purposes of this Section, a public street within a PIPD shall not include private streets that comply with the following:

- 1) Located within or adjacent to an Industrial Pod; and,
- 2) Services industrial uses only.

b. Minimum Frontage

The PIPD is not required to have minimum frontage on an arterial or collector street but at a minimum must connect to an arterial or collector street through a non-plan collector roadway, subject to approval of the Zoning Director and County Engineer.

c. Maximum Commercial Acreage - Requested Use Approval

The BCC may consider an increase in the maximum Commercial acreage allowed pursuant to Table 3.E.5.D, PIPD Land Use Mix, subject to approval of a Requested Use; and, upon finding that the increase will serve the projected workforce and residential population of the PIPD, and encourage internal automobile trip capture.

d. Architectural Review

Industrial buildings visible from a public street or residential zoning district may be exempt from the Roofline, Facade and Additional Design Elements of Article 5.C.1.H Architectural Guidelines, if the adjacent perimeter ROW or incompatibility buffer is doubled in width and planting requirements, and upon demonstration by line of sight that the majority of the affected area of the building will be screened by the increased buffering. For those parcels that use this exemption, only that portion of the building façade with the main public and employee entrances, and extending along the façade a minimum of 100 feet in each direction from each entrance, including around corners, unless interfering with a loading area/space/dock/bay, are subject to the provisions of Article 5.C.1.H, Architectural Guidelines. If the distance between entry treatments is less than 10 percent of the overall length of the building façade, the treatment shall be extended.

e. Parking and Loading in Industrial Pods

1) Loading Area Screening

- a) Loading spaces, docks and associated maneuvering areas not visible from a public street are exempt from screening requirements of Art. 6.B.1.F.2, Loading Areas; and
- b) Loading areas are not subject of the provisions of Art. 6.B.1.F.3, Single Tenant.

f. Landscaping in Industrial Pods

1) Foundation Planting

Industrial buildings visible from a public street or residential zoning district may be exempt from the foundation planting requirements of Art. 7.D.11, Foundation Planting if the adjacent perimeter ROW or incompatibility buffer is increased in width by eight feet and the foundation planting requirements are relocated to the buffer. For those parcels that use this exemption, only that portion of the building façade with the main public and employee entrances, and extending along the façade a minimum of 100 feet in each direction from each entrance, including around corners unless interfering with a loading area/space/dock/bay, are subject to the provisions. If the distance between foundation planting treatments is less than 10 percent of the overall length of the building façade, the treatment shall be extended. If the Architectural Review exemption in Art. 3.B.4.F.1.d, Architectural Review is utilized, the additional buffer width and planting is not required to utilize the Foundation Planting exemption.

2) Interior Landscaping Exceptions

- a) Interior Tree and Shrub Requirements

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EXHIBIT G

INLAND LOGISTICS CENTER
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- (1) One Tree per 4,000 sq. ft.; and,
- (2) Three Shrubs per 4,000 sq. ft.

- b) Interior Vehicular Use Areas not used for parking of passenger vehicles are not required to provide terminal or interior landscape islands.
- c) Perimeter compatibility buffers are not required between parcels supporting compatible industrial uses. Where fences or walls are installed along the perimeter, they shall be protected from vehicles by a curb or similar barrier, and shall not encroach into the drive aisle (excluding gates) or impede vehicular circulation.

g. Hours of Operation

Any non-residential use located within 250 feet of a residential FLU designation or zoning district as measured by drawing a straight line from the closest point on the perimeter of the exterior wall, structure or bay or the limits of any outdoor storage to the residential property line, shall be subject to the following hours of operation:

- 1) Industrial Uses – 7:00 a.m. to 7:00 p.m.;
- 2) Industrial Uses without Outdoor Activities – 6:00 a.m. to 11:00 p.m.; and,
- 3) Commercial Uses and all Loading Activities – 6:00am to 11:00 p.m.

2. Type I Waivers for Industrial Pods

An applicant may apply for waivers for development standards within an Industrial Pod in accordance with Art. 2.D.6, Type I Waivers. Applications for Type I Waivers shall be expressly limited to the requirements listed below:

Table 3.B.4.F. - Type I Waivers for Industrial Pods

<u>Article/Table Reference and Title</u>	<u>Maximum Waiver</u>	<u>Criteria</u>
<u>Art. 3.E.1.C.2.h.2), Non Residential Uses (Related to PDD Performance Standards for Parking); or, Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements</u>	<u>The minimum or maximum number of parking spaces may be reduced or increased by up to 25 percent, subject to DRO approval of a parking demand study.</u>	<ul style="list-style-type: none"> ▪ <u>The parking demand study, justification and any supporting documentation shall be submitted in a form established by the Zoning Director;</u> ▪ <u>Alternative calculations shall be based on evidence of actual parking demand for similar uses or reliable traffic engineering and planning information; and,</u> ▪ <u>A reduction in required parking shall require designation of reserved space or a limitation of uses consistent with the parking demand study.</u>
<u>Art. 3.E.1.C.2.h.5), Location Non Residential PDDs (Related to PDD Performance Standards for Parking); or, Art. 6.A.1.D.2.c, Location of Required Front, Side and Rear Parking</u>	<u>Parking required to be located on the side or rear of a building may be relocated for industrial uses.</u>	<ul style="list-style-type: none"> ▪ <u>Demonstration that proposed use(s) require limited public or employee access due to special security requirements, or where side or rear facades are primarily utilized for bay door or other transportation logistics parking or access; and,</u> ▪ <u>Demonstration that proposed Site Plans and building floor plans provide building entrances within reasonable proximity to any public or employee parking areas.</u>
<u>Art. 7.D.12 – Landscape in Easements</u>	<u>Landscape buffers may overlap easements by up to 10 feet.</u>	<p><u>For one of the following scenario's:</u></p> <ul style="list-style-type: none"> ▪ <u>Any R-O-W buffer 30 feet in width or greater resulting from use of Art. 3.B.4.F.1.d, Architectural Review; or</u> ▪ <u>Landscape buffers 20 feet in width or greater, upon demonstration that new technology developed after the original utility easement was platted necessitate increased easement width.</u> ▪ <u>Documentation from a licensed landscape architect demonstrating that careful consideration in the selection of planting materials to be used will ensure that all required landscaping is sustainable and will not adversely impact utilities.</u>

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Table 3.B.4.F. - Type I Waivers for Industrial Pods (continued)		
Article/Table Reference and Title	Maximum Waiver	Criteria
<u>Art. 5.B.1.A.2.c Fences, Walls and Hedges – Dangerous Materials</u>	<u>Barbed wire on the top of fences or walls may be allowed.</u>	<ul style="list-style-type: none"> When the applicant demonstrates that an increased level of security is necessary. The applicant shall provide written justification and support documentation to support the need for barbed wire.
<u>Art. 5.B.1.A.3.b Outdoor Storage - Location</u>	<u>Outdoor storage may be allowed within required building setbacks.</u>	<ul style="list-style-type: none"> When all parcels adjacent to the outdoor storage are within an Industrial pod of the PIPD.
<u>Art. 5.B.1.A.18 Permanent Generators</u>	<u>Permanent generators may be allowed within required side or rear building setbacks.</u>	<ul style="list-style-type: none"> When all parcels adjacent to the generator location are within an Industrial pod of the PIPD.
<u>Art. 5.B.1.A.19.a.2) Ground Mounted Mechanical Equipment Screening Requirements</u>	<u>Screening for ground mounted mechanical equipment is not required.</u>	<ul style="list-style-type: none"> If the equipment cannot be viewed from a ROW or any Commercial, Civic, Recreation or Residential parcels.
<u>Art. 5.B.1.A.19.a.2)b)(1)(b), Roof Mounted Mechanical Equipment Screening</u>	<u>Screening for roof mounted mechanical equipment is not required.</u>	<ul style="list-style-type: none"> If all adjacent parcels having a view of the equipment are within the Industrial pods of the PIPD.
<u>Table 5.E.4.D, Illumination Levels</u>	<u>Increased illumination levels in outdoor work areas of up to 25 percent may be allowed when all adjacent parcels are within an Industrial pod, as follows:</u>	<ul style="list-style-type: none"> Demonstration in writing and with supporting documentation that increased illumination levels will not adversely impact other uses within or abutting the PIPD; Demonstration that the need for additional lighting is for employee safety or site security; provided the illumination level complies with the Table at the perimeter property line adjacent to a public ROW or to residentially zoned property.
<u>Table 5.E.4.D, Maximum Permitted Luminaire Height</u>	<u>Luminaire heights may be increased by 25 percent.</u>	<ul style="list-style-type: none"> When all adjacent parcels are within an Industrial pod.
<u>Art. 6.A.1.D.14.b.2), Pedestrian Circulation</u>	<u>Canopy trees, benches and accented walkways are not required.</u>	<ul style="list-style-type: none"> Demonstration that these amenities conflict with site security; Demonstration in writing and supporting documentation that either manned or electronic security access is provided for employees; and, That a minimum of 25 percent of the required amenities or equivalent improvements are utilized at the public or employee entrances to the facility or in outdoor break areas, if applicable.
<u>Table 8.G.2.B, Freestanding Sign Standards</u>	<u>Maximum sign area for freestanding signs may be increased by 25 percent to accommodate additional address information for multiple tenant buildings.</u>	<ul style="list-style-type: none"> With uses that generate heavy truck traffic, as documented within the traffic study for the project.
<u>Table 8.G.2.B, – Freestanding Outparcel Identification Signs</u>	<u>Maximum sign area for freestanding outparcel identifications signs may be increased by up to 50 percent to accommodate additional address information for multiple tenant buildings.</u>	<ul style="list-style-type: none"> With uses that generate heavy truck traffic, as documented within the traffic study for the project.

2

3

4

Part 4. ULDC Art. 4.A.4.A, Development Thresholds (page 19 of 171), is hereby amended as follows:

5

6 CHAPTER A USE CLASSIFICATIONS

7 Section 4 Development Thresholds

8 A. General

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Any amendment to an existing development, or new construction of residential, commercial or industrial projects that meets or exceeds either the maximum square footage or units, or maximum acreage of Table 4.A.4.A, Thresholds for Projects Requiring Board of County Commission Approval, shall be reviewed and approved as a PDD or TDD in accordance with Art. 2.B.1, Official Zoning Map Amendment (Rezoning). Projects that meet or exceed the thresholds of this table that do not meet the access and dimension requirements of a PDD or TDD; are not allowed to be a PDD or TDD by the Plan; or for non-residential projects, consist of only one use, shall be approved as a Class A Conditional Use. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2010-005]

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Table 4.A.4.A - Thresholds for Projects Requiring Board of County Commission Approval (1)

FLU Designation (2) (3)	Number of Square Footage or Units (4)(5)	Acreage
Residential (Excluding RR FLU)	200 du	50 acres
AGR (Residential Only)	-	250 acres
CLO	30,000	-
CHO	50,000	-
CL	30,000	-
CH	50,000	-
IND	100,000	-
INST	50,000	-
CR	100,000	-
MLU	50,000	-
EDC	100,000	-

Notes:

1. Land area devoted to retention pursuant to the requirements of the C-51 drainage basin, or land area devoted to vegetation preservation pursuant to the Environmentally Sensitive Lands Ordinance, excluding AGR or Sector Plan preserve areas, shall not be counted toward the maximum acreage threshold. **[Ord. 2006-004]**
2. PDDs or TDDs in the AGR Tier are limited to the 80/20 PUD, 60/40 PUD or AGR TMD (FLUE Policy 1.5.1-a).
3. There are no thresholds for the UC or UI FLU designations. **[Ord. 2011-016]**
4. Dwelling units shall include any density awarded as part of a density bonus program. **[Ord. 2006-004 [Ord. 2011-016]**
5. **A BCC approved PDD or TDD shall not be subject to these thresholds for any subsequent Development Order approval.**

3

....

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EXHIBIT H

NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ)
SUMMARY OF AMENDMENTS

1
2 **Part 1. ULDC Art. 3.B.8, NBOZ, and Northlake Boulevard Overlay Zone (page 28 of 229), is**
3 **hereby amended as follows:**

4 **CHAPTER B OVERLAYS**

5 **Section 8 NBOZ, Northlake Boulevard Overlay Zone**

6 **A. Purpose and Intent**

7 The purpose and intent of the NBOZ is to encourage improvement, enhancement, renovation,
8 and/or redevelopment of the Northlake Boulevard Corridor and to provide criteria by which to
9 review development/redevelopment within the Overlay Zoning District. The criteria outlined in
10 "Design Guidelines: Northlake Boulevard Overlay Zoning District (NBOZ)" will serve to unify
11 commercial development along the corridor and provide a positive collective identity for the
12 corridor. These regulations were prepared under the guidance of the Northlake Boulevard
13 Corridor Task Force (NBCTF) – an intergovernmental task force created by Interlocal agreement
14 composed of two representatives each from PBC, the Town of Lake Park, the Village of North
15 Palm Beach and the City of Palm Beach Gardens.

16 **B. Applicability**

17 The provisions of the NBOZ, as outlined in "Design Guidelines: Northlake Boulevard Overlay
18 Zoning District (NBOZ)" prepared by Michael Redd & Associates, and dated March 11, 2002,
19 which are incorporated herein by reference, shall apply to all proposed development order
20 applications within the boundaries of the NBOZ, as described in Article 3.B.9.C, Boundaries.

21 **C. Boundaries**

22 The NBOZ includes the public R-O-W for Northlake Boulevard and all properties along Northlake
23 Boulevard from Military Trail to U.S. Highway One for one property depth north and south of
24 Northlake Boulevard, including the street intersection properties at U.S. Highway One and at
25 Military Trail. Unincorporated portions of the NBOZ include portions of Section 18, Township 42,
26 Range 43; Section 17, Township 42, Range 43; Section 24, Township 42, Range 42; and Section
27 19, Township 42, Range 43, as indicated in the Official Zoning Map.

28 **D. Conflict**

29 In the event of a conflict between the NBOZ and other applicable regulations, the more restrictive
30 regulation shall prevail.

31 **E. Deadline to Comply with Requirements for Signage and Landscaping**

32 The deadlines to comply with signage and landscaping requirements contained in the provisions
33 of the Design Guidelines for the NBOZ are hereby extended to July 5, 2016 ~~May 31, 2014~~.

34 **1. Notice to Property Owners**

35 Written certified notice shall be provided by PBC Zoning to the property owner at least one
36 year in advance of the July 5, 2016 ~~May 31, 2014~~ deadline.

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EXHIBIT I

URAO AND IRO ALTERNATIVE PARKING LOT DESIGN OPTIONS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 3.B.15.F.11.c, Alternative Parking Lot Design Options [Related to Landscape
3 Standards] (page 2 81-82 of 229), is hereby amended as follows:

4 CHAPTER B OVERLAYS

5 Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)

6 F. Design and Development Standards

7 11. Landscape Standards

8 c. Alternative Parking Lot Design Options

9 This section ~~allows provides landscape or~~ alternatives, ~~parking lot designs through~~
10 ~~modifications to or reductions~~ Art. 7.G, Off Street Parking Requirements ~~for~~
11 ~~interconnectivity that allow for the use of~~ to promote innovative design or ~~use of~~ green
12 building materials ~~necessary for smaller sites or desired for larger projects~~. The following
13 may be used individually or in combination, unless stated otherwise: [Ord. 2010-005]

14 1) Option 1

15 Projects that are one-half acres or less in size, with 20 or fewer parking spaces may
16 ~~consolidate relocate~~ all required interior landscape ~~island areas and planting parking~~
17 materials into one or more locations anywhere within the project open-space
18 ~~preserve~~; [Ord. 2010-005]

19 2) Option 2

20 Projects that are two acres or less in size may reduce required terminal island
21 landscape width to a minimum of five feet in width of landscape area. This option
22 may not be used in conjunction with any option relocating these landscape areas;
23 [Ord. 2010-005]

24 3) Option 3

25 Landscape ~~area and~~ shrub or groundcover requirements for terminal, interior and
26 divider median islands may be replaced with bio-swales and appropriate landscaping,
27 provided that required canopy trees can be accommodated. Alterations to required
28 curbing may be permitted subject to demonstration that vegetated areas are
29 protected from vehicles ~~and that there will be no adverse impacts to pedestrians~~; ~~or~~,
30 [Ord. 2010-005]

31 4) Option 4

32 Up to a maximum of 25 percent of required terminal, interior and divider median
33 landscape ~~islands areas~~ shall not be required provided that those parking areas
34 provide shade by installing covered parking that utilizes ~~materials with~~ appropriate
35 solar reflectance index (SRI) ~~materials are installed where islands are removed~~
36 ~~depending on the pitch of the roof of the structure~~; [Ord. 2010-005]

37 5) Option 5

38 Landscape shrub or groundcover requirements for Required terminal, interior and
39 divider median landscape areas ~~and required shrubs~~ shall not be required, subject to
40 the following: [Ord. 2010-005]

41 a) The number of required terminal, interior and divider median trees are doubled;
42 and, [Ord. 2010-005]

43 ~~b) Trees are protected by curbing, wheel stops or other similar methods of~~
44 ~~protection~~; [Ord. 2010-005]

45 ~~be)~~ Green building standards for tree wells and related root growth areas are utilized;
46 [Ord. 2010-005]

47 ~~d) All abutting parking spaces utilize pervious pavement that has an SRI of at least~~
48 ~~29 to improve solar reflectance~~; and, [Ord. 2010-005]

49 ~~e) Land Development approval~~. [Ord. 2010-005]

50 6) Option 6

51 No interior islands are required if parking spaces are abutting landscape buffers,
52 street walls or tree planting areas. [Ord. 2010-005]

53
54
55 Part 2. ULDC Art. 3.B.16.F.10.c, Alternative Parking Lot Design Options [Related to Landscape
56 Standards] (page 107 of 229), is hereby amended as follows:

57 CHAPTER B OVERLAYS

58 Section 16 Urban Redevelopment Area Overlay (URAO)

59 F. PRA Design and Development Standards

60 10. Landscape Standards

61 c. Alternative Parking Lot Design Options

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EXHIBIT I

URAO AND IRO ALTERNATIVE PARKING LOT DESIGN OPTIONS
SUMMARY OF AMENDMENTS

- 1 This section ~~allows provides landscape or alternatives, parking lot designs through~~
2 ~~modifications to or reductions Art. 7.G, Off Street Parking Requirements for~~
3 ~~interconnectivity that allow for the use of to promote~~ innovative design or use of green
4 building materials ~~necessary for smaller sites or desired for larger projects.~~ The following
5 may be used individually or in combination, unless stated otherwise:
6
- 7 **1) Option 1**
8 Projects that are one-half acres or less in size, with 20 or fewer parking spaces may
9 consolidate relocate all required interior landscape island areas and planting parking
10 materials into one or more locations anywhere within the project open space
11 preserve; [Ord. 2010-022]
12
- 13 **2) Option 2**
14 Projects that are two acre or less in size may reduce required terminal island
15 landscape width to a minimum of five feet in width of landscape area. This option
16 may not be used in conjunction with any option relocating these landscape areas;
17 [Ord. 2010-022]
18
- 19 **3) Option 3**
20 Landscape ~~area and~~ shrub or groundcover requirements for terminal, interior and
21 divider median islands may be replaced with bio-swales and appropriate landscaping,
22 provided that required canopy trees can be accommodated. Alterations to required
23 curbing may be permitted subject to demonstration that vegetated areas are
24 protected from vehicles ~~and that there will be no adverse impacts to pedestrians; or,~~
25 [Ord. 2010-022]
26
- 27 **4) Option 4**
28 Up to a maximum of 25 percent of required terminal, interior and divider median
29 landscape ~~islands areas~~ shall not be required provided that those parking areas
30 provide shade by installing covered parking that utilizes ~~materials with~~ appropriate
31 solar reflectance index (SRI) materials are installed where islands are removed
32 depending on the pitch of the roof of the structure; [Ord. 2010-022]
33
- 34 **5) Option 5**
35 Landscape shrub or groundcover requirements for Required terminal, interior and
36 divider median landscape areas ~~and required shrubs~~ shall not be required, subject to
37 the following: [Ord. 2010-005]
38 a) The number of required terminal, interior and divider median trees are doubled;
39 and, [Ord. 2010-005]
40 b) ~~Trees are protected by curbing, wheel stops or other similar methods of~~
41 ~~protection;~~ [Ord. 2010-005]
42 be) Green building standards for tree wells and related root growth areas are utilized;
43 [Ord. 2010-005]
44 d) ~~All abutting parking spaces utilize pervious pavement that has an SRI of at least~~
45 ~~29 to improve solar reflectance; and,~~ [Ord. 2010-005]
46 e) ~~Land Development approval.~~ [Ord. 2010-005]
47
- 48 **6) Option 6**
49 No interior islands are required if parking spaces are abutting landscape buffers,
50 street walls or tree planting areas. [Ord. 2010-022]

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EXHIBIT J

RESIDENTIAL SETBACK EXCEPTIONS
AND ZERO LOT LINE ENCROACHMENTS
SUMMARY OF AMENDMENTS

1
2 **Part 1. ULDC Art. 3.D.1.D.5, Setback Exceptions (page 127 and 128 of 229), is hereby amended**
3 **as follows:**

4 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

5 **Section 1 PDRs for Standard Zoning Districts**

6 **D. Setbacks**

7 **5. Setback Exceptions**

8 The following structures, projections, and improvements shall be allowed within required
9 setbacks:

10 **a. Structures Projections and Improvements Permitted in Setbacks**

11
12 ~~.....~~
13 3) Permanent/retractable awnings, ~~or~~ canopies or Bahama shutters projecting a
14 maximum of three feet into a setback, and having no support other than provided by
15 the wall or structure to which it is attached; [Ord. 2005-041]

16 ~~.....~~
17 26) Bus shelters and bus benches; ~~and~~ [Ord. 2005-041]

18 27) Fire hydrants and other government service/utility structures required to be in certain
19 locations by applicable Codes and ordinances; ~~and~~ [Ord. 2005-041]

20 28) Impact shutters projecting a maximum of 18 inches into the setback.

21 29) Decorative architectural treatment such as lintels, stone veneer or stucco banding,
22 projecting a maximum of six inches into a setback.

23
24 **Part 2. ULDC Art. 3.D.2.B.9.c, Maintenance and Roof Overhang Easement (pages 134 and 135**
25 **of 229), is hereby amended as follows:**

26 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

27 **Section 2 PDRs for Specific Housing Types**

28 **B. Zero Lot Line (ZLL)**

29 **9. Permitted Openings and Attachments**

30 **c. Maintenance and Roof Overhang Easement**

31 The subdivision plan and plat shall indicate a maintenance and roof eave encroachment
32 easement along the ZLL for each ZLL lot for the purpose of allowing maintenance of the
33 portion of the home with a zero setback and to accommodate any overhang of the roof
34 eave and gutter. Should a fence or wall traverse or be located within a maintenance and
35 roof easement, written permission from all easement beneficiaries will be required prior to
36 the issuance of a permit by PBC. A gate for access and maintenance purposes will be
37 required. Access for the owner of the lot abutting the easement and the easement
38 beneficiaries shall be provided after advanced notification and during reasonable hours.
39 No construction, landscaping, mechanical equipment, fence or wall shall prevent
40 perpetual access to said easement by the owner of the lot abutting the easement or the
41 easement beneficiaries. [Ord. 2013-001]

42 **1) Easement Width**

43 This easement shall have a minimum width of two feet.

44 **2) Roof Overhang**

45 Roof eaves, soffits and gutters may encroach the easement up to a maximum of 24
46 inches. Gutters shall be installed along the entire length of the ZLL side to prevent
47 water runoff onto the adjacent property.

48 **3) Drainage**

49 This easement shall not overlap a drainage easement.

50 **4) Plat**

51 The following language shall be on the plat for each ZLL subdivision: Maintenance
52 and roof overhang easements are hereby reserved in perpetuity to the owner of the
53 lot abutting the easement and the HOA for the purpose of access to and
54 maintenance of improvements, the roof overhang, eave, gutters, drainage and utility
55 services, decorative architectural treatment, and impact shutters, within and adjacent
56 to said easement without recourse to PBC. [Ord. 2013-001]

57 **5) Easement Encroachments**

58 Projections or improvements may be permitted to encroach into the ZLL maintenance
59 and roof overhang easement, upon demonstration that the plat dedication includes
60 the items specified, as follows:

Notes:

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EXHIBIT J

RESIDENTIAL SETBACK EXCEPTIONS
AND ZERO LOT LINE ENCROACHMENTS
SUMMARY OF AMENDMENTS

1
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- a) Mounting hardware for impact shutters, accordion shutters, or roll down shutters, projecting a maximum of six inches into the ZLL easement; and,
- b) Decorative architectural treatment such as lintels, stone veneer or stucco banding extending a maximum distance of three feet measured from the front facade, projecting a maximum of two inches into a ZLL easement.

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EXHIBIT K

RVPD REAL ESTATE SALES OFFICE
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 3.E.1.G.1, General [Related to PDD Sales Office and Models] (pages 154-155
3 of 229), is hereby amended as follows:

4 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

5 Section 1 General

6 G. Sales Office and Models

7 1. General

8

9 b. Permanent

10 A permanent real estate sales office is permitted in a commercial pod only, except where
11 allowed otherwise within a Recreational Vehicle Park Development (RVPD).

12 c. Definitions – see Art. 1.I, Definitions and Acronyms

13 1) Real Estate Sales Office, Planned Development

14 An office for the sale and resale of new and existing residential units, or Recreation
15 Vehicle (RV) sites, in a planned development.

16 a) Temporary, Pod

17 A temporary real estate sales office for the sale of new units only shall be
18 permitted in a residential pod or other temporary location approved by the DRO.
19 Sales shall be limited to only new units in the pod. A temporary sales office in a
20 mobile home shall be subject to Article 5.B.1.B, Temporary Structures. Sanitary
21 facilities shall be available in the office. A temporary real estate sales office shall
22 be removed from the site prior to the issuance of the CO for the last remaining
23 unit in the pod. Temporary access to the sales office may be permitted, subject
24 to approval by the DRO. The temporary access shall be limited to one year,
25 unless extended by the DRO.

26 b) Temporary, Project

27 A temporary real estate sales office for the sale and resale of units in the entire
28 project, or phase of a project, shall be permitted in a residential pod, private civic
29 pod, commercial pod, or recreation pod, subject to approval by the BCC. A
30 temporary sales office in a mobile home shall be subject to Article 5.B.1.B,
31 Temporary Structures. Sanitary facilities shall be available in the office. A
32 temporary real estate sales office serving an entire project shall only be permitted
33 within a planned development and/or phase approved for 300 or more units.
34 Sales and resales shall be limited to only units within the planned development.
35 A temporary real estate sales office shall be removed from the site prior to the
36 issuance of the CO for the last remaining unit in the project or phase, as
37 applicable. Temporary access to the sales office may be permitted, subject to
38 approval by the BCC.

39 c) RVPD

40 A temporary real estate sales office for the sale of RV sites shall be permitted
41 within an RVPD in accordance with the provisions above, and the following:

42 (1) Units shall mean RV sites;

43 (2) May be located within the Recreation Pod;

44 (3) The temporary RVPD real estate sales office shall be removed upon
45 completion of the project, CO of a permanent RV site real estate sales office,
46 or upon expiration of the maximum time to commence development for the
47 last phase, in accordance with Table 2.E.3.B, Time Limitation of
48 Development Order for Each Phase. The BCC may impose a Condition of
49 Approval with a specific date for compliance;

50

51
52
53 Part 2. ULDC Art. 3.E.7, Recreational Vehicle Park Development (RVPD) (pages 183-184 of
54 229), is hereby amended as follows:

55 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

56 Section 7 Recreational Vehicle Planned Development District (RVPD)

57
58 C. Pods

59

60 2. Commercial

Notes:

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EXHIBIT K

RVPD REAL ESTATE SALES OFFICE
SUMMARY OF AMENDMENTS

1 No commercial use, building or structure shall front or have direct legal access on any arterial
2 or collector street bordering or traversing the RVPD. Commercial uses shall be intended for
3 the use of temporary residents in the RVPD only, with exception to a permanent real estate
4 sales office for the sale of RV sites located within the RVPD.

5

6 **G. Supplemental Standards**

7

8 **3. Temporary Structures**

9 Temporary structures, such as construction trailers, RV site real estate sales office and
10 security quarters, may be allowed, subject to Article 5.B.1.B, Temporary Structures. A mobile
11 home may be used as a caretakers quarters, security quarters, watchmans trailer, or
12 temporary structure.

13

14 **5. Real Estate RV Site Sales**

15 A permanent real estate sales office for RV sites may be collocated with an accessory
16 management office in a Recreational Pod.

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 3.A.3.B, Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts (page 17 of 229), is hereby amended as follows:

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

FLU Designation	Zoning District (2)					
....						
Industrial						
IND	IL	IG	CRE			
EDC	IL	IG				
....						
[Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016]						
Notes:						
....						

Part 2. ULDC Table 3.A.3.C, Future Land Use Designation and Corresponding Planned Development Districts (page 18 of 229), is hereby amended as follows:

Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)

	AGR (2)	RR	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
PUD	√	√	√	√	√	√	√	√	√	√	√	
MHPD		√		√	√	√	√	√	√	√		
MXPD									(3)	(3)		

	AGR (1)	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
MUPD			√	√	√	√	√	√	√	√	√
MXPD				√		√				√	√
PIPD							√			√	√
RVPD		√							√		
LCC			√	√							

[Ord. 2008-037] [Ord. 2009-040] [Ord. 2009-040] [2010-005] [Ord. 2010-022]

Notes:

....

Part 3. ULDC Table 3.A.3.D, Corresponding Land Use (page 18 of 229), is hereby amended as follows:

Table 3.A.3.D - FLU Designation and TDD Corresponding Traditional Development Districts (TDD) Land Use

	AGE	AGR	RR	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU	EDC
TND	√ (1)			√	√	√	√	√	√	√	√	√
TTD	√ (1)			√	√	√	√	√	√	√	√	
	AGE	AGR	RR	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
TMD	√ (1)			√	√	√	√			√	√	√

[Ord. 2010-022]

Legend: Check (√) indicates the TDD corresponds to the FLU category. Any application for a rezoning to a TDD shall be to a TDD that corresponds to a FLU designation. [Ord. 2008-037]

Note:

....

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Notes:

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

1
2 Part 4. ULDC Table 3.E.1.B, PDD Use Matrix (pages 141 - 147 of 229), is hereby amended as
3 follows:
4

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

Use Type	PUD					MUPD					MXPD		PIPD			LCC		N O T E								
	Pods					FLU					FLU		Use Zone			FLU										
	R E S	C O M	R E C	C I V	A G R / P	C L	C H	C L	C H	C R	I N D	E C	I N S T	C H	C H	O	I N D		C O M	I N D	M H P D	R V P D	C L	C H		
Residential Uses																										
Single Family	P																								122	
Zero Lot Line Home	P													P	P											142
Townhouse	P													P	P								P	P		132
Multi-Family	P													P	P								P	P		87
Mobile Home Dwelling					S															P						85
Accessory Dwelling	S				S																					1
Congregate Living Facility, Type 1	P																									34
Congregate Living Facility, Type 2	R			S																				D	D	34
Congregate Living Facility, Type 3	R	R		R		R	R	R	R				R	R	R								R	R		34
Estate Kitchen	P																									48
Farm Residence																										50
Farm Worker Quarters					P																					51
Garage Sale	P				P									P	P	P				P						60
Guest Cottage	P																									66
Home Occupation	P				P									P	P					P		P	P			70
Kennel Type I (Private)	P																									73
Nursing Or Convalescent Facility		R		R		R	R						D	R												90
Security Or Caretaker Quarters		S		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		119
[Ord. 2005-002] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005]																										
Notes:																										
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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

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

Use Type	PUD				MUPD						MXPD		PIPD			LCC		NOTE					
	Pods				FLU						FLU		Use Zone			FLU							
	R E S	C O M	R C V	C I V / P	A G R / P	C L	C H	C L O	C H O	C R O	I N D C	<u>E</u> D C	I N S T	C H O	C H O	I N D M L	C O N D M L		I N D M L G	M H P D	R V P D	C L	C H
Commercial Uses																							
Adult Entertainment																S	S					2	
Auction, Enclosed		R					P			P	D						P				P	P	16
Auction, Outdoor							R			R	R					P	P	P					16
Auto Paint Or Body Shop		R					R			R						P	P	P					17
Bed And Breakfast	D	D				S	S	S	S	S				S	S		S						20
Broadcast Studio		R				R	P	R	P	P	P	<u>P</u>		R	R	P	P				R	R	21
Building Supplies		R					R							R			P				R	R	22
Butcher Shop, Wholesale							R				P			R		P	P	P					23
Car Wash		R					R				P			R		P	P	P			R	R	25
Catering Service																D							26
Contractor Storage Yard											<u>P</u>	<u>D</u>				P	P						35
Convenience Store		P				P	P							P	P		P		P	P	P	P	36
Convenience Store With Gas Sales						R	R			R				R		R	P					R	37
Crematory						R	R			R		R		R		R							59-2
Day Labor Employment Service		R					R			R						P							41
Dispatching Office							R							R		P	P	P					42
Dog Day Care							R							R		P	R				R	R	43
Financial Institution		R				R	P	R	P					P	P		P				R	R	55
Flea Market, Enclosed		P					R							R			P					R	57
Flea Market, Open							R										R						58
Funeral Home		P				R	R			D		R		R		P							59-1
Gas and Fuel, Retail		R				R	R							R		P	R	P			R	R	18
Green Market																					D	D	64
Hotel, Motel, SRO, Rooming And Boarding							R		R	R				R	R		P					R	72
Kennel, Type II (Commercial)		R					R							R									74-1
Kennel, Type III (Commercial-Enclosed)		R					R	R						R							R	R	74-2
Kiosk						P	P	P	P	P				P	P	P	P	P			P	P	75
Landscape Service		R					R				<u>P</u>	<u>D</u>		R		P	P	P					77
Laundry Services		R				P	P		P					P	P	P	P		P	P	P	P	78
[Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016] [Ord. 2012-003] [Ord. 2012-027] [Ord. 2013-001]																							
Notes:																							
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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

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

Use Type	PUD				MUPD						MXPD		PIPD			LCC		N O T E			
	Pods				FLU						FLU		Use Zone			FLU					
	R E S	C O M	R E C	A I V /	C L /	C H O	C L O	C H O	C R O	I N D	E D C	I N S T	C H O	C H O	I N D	C O M	I N D		M H P D	R H V P D	C L H
Commercial Uses																					
Lounge, Cocktail	R				R	R		R	R				R	R					R	R	79
Medical Or Dental Office	P				P	P	P	P					P	P		P			P	P	83
Monument Sales, Retail					P	P							P		P						86
Office, Business Or Professional	P				P	P	P	P					P	P		P			P	P	91
Parking Garage, Commercial	P					R		R	R						P						95
Parking Lot, Commercial	R					R		R	P												96
Pawnshop						R															97
Personal Services	P				P	P		P					P	P		P		P	P		98
Printing And Copying Services	P				P	P	P	P					P	P		P			P	P	100
Repair And Maintenance, General	R					R				P	D				P	P	P				107
Repair Services, Limited	P				P	P		P		P			P	P		P			P	P	108
Restaurant, Type I	R				R	R		R					R	R		R			R	R	109
Restaurant, Type II	R				R	D		R	R				D	R		R			D	D	111
Retail Sales, Auto Accessories and Parts	P				P	P							P	P		P			P	P	113
Retail Sales, General	P				P	P							P	P		P			P	P	114
Retail Sales, Mobile Or Temporary	S												S		S						115
Self-Service Storage					R	R				P	D				P	R	P				120
Theater, Drive-In						R			R						R						128
Theater, Indoor	R					R			P				R							R	129
Towing Service And Storage									P						P						130
Vehicle Sales And Rental	R				R	R							R		R				R	R	135
Veterinary Clinic	R				R	P	R	P					R	R		P			R	R	136
Vocational School	R				R	P		P		P	R	D	R	R	R	P	R		R	P	137
Work/Live Space	P				P	P	P	P					P	P		P			P	P	141-1
Live/Work													D	D					D	D	141-2

[Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2007-013] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-027]

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

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

Use Type	PUD					MUPD					MXPD	PIPD			LCC		N O T E					
	Pods					FLU					FLU	Use Zone			FLU							
	R E S	C O M	R E C	C I V I V	A G R I C U L T U R E	C L	C H	C L	C H	C R	I N D U S T R I A L	E D C S T	I N D U S T R I A L	C H O	C H O	I N D U S T R I A L		C O M M U N I T Y	M U L T I P L E	R E S I D E N T I A L	C O M M U N I T Y	C O M M U N I T Y
Public and Civic Uses																						
Airport, Helipad & Landing Strip									R	R	<u>R</u>				R	R					10	
Assembly, Nonprofit Institutional	R		R			R	R		R			R	R	R	R					R	R	14
Assembly, Nonprofit Membership			R			R	R	R	R			R	R	R	R					R	R	15
Cemetery			R																			27
Place Of Worship	R		R			R	R	R	R			R	R	R	R		R			R	R	29
College Or University			R			R	R	R	R	R		R	R		R					R	R	30
Day Camp			P	P		R			P			P	R							R	R	39
Day Care, General	R		R			R	R	R	R			R	R	R	R	R	R	R	R	R	R	40
Day Care, Limited	D		D			D	D	D	D	D		D	D	D	D	D	D	D	D	D	D	40
Government Services	P		P			P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	P	63
Homeless Resource Center						R		R				R			R	R						70-1
Hospital Or Medical Center	R					R	R	R				R	R	R	R					R	R	71
Kennel, Type IV (Animal Shelter)						R	R					R	R									74-3
School, Elementary Or Secondary			R			R	R	R	R			D	R	R	R					R		118
Recreation Uses																						
Arena, Auditorium Or Stadium	R					R		R				R										12
Campground									P										P			24
Entertainment, Indoor	R					R	R		P			R			P					R	R	45
Entertainment, Outdoor	R					R	R		P	D		R			P							46
Fitness Center	R	P	R			R	R		R	P			P	P	R	P				R	P	56
Golf Course			R			R	R	R	R	R		R	R	P		P	P	R				62
Marine Facility	R	R				R		R	R			R	R		P							82
Park, Passive	P	P	P	P	R	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	93
Park, Public			P	P		R	P		P	P		P	P		P		R	R	P	P		94
Special Event	S	S	S			S	S		S	S	<u>S</u>	S	S		S	S			S	S		124
Zoo						R		R														143
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-007] [Ord. 2012-027]																						
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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

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

Use Type	PUD				MUPD								MXPD		PIPD			LCC									
	Pods				FLU								FLU		Use Zone			FLU									
	R E S	C O M	R E C	C I V	A G R / P	C L	C H	C L	C H	C R	C O	I R	<u>E</u> D <u>C</u>	I N S T	C H	C H	O	I N D M L	C O N D M D /	I N D M D /	M H P D	R V P D	C L	C H	N O T E		
Agricultural Uses																											
Agriculture, Bona Fide					P																						3
Agriculture, Light Manufacturing																											4
Agriculture, Packing Plant					R																						5
Agriculture, Research/Development						P	P	P	P	P	P	<u>P</u>	P					P	P								3.1
Agriculture, Sales And Service						P												P									6
Agriculture, Storage																											7
Agriculture, Transshipment												P	<u>P</u>					P	P								8
Aviculture, Hobby Breeder					P																						19
Community Vegetable Garden																											32
Equestrian Arena, Commercial					R						P																47
Farmers Market						P					P						P	P	P								52
Farrier																											53
Groom's Quarters	P				P																						65
Nursery, Retail		P			P	P										P		P									88
Nursery, Wholesale					P													P	P								89
Potting Soil Manufacturing																											99
Produce Stand																											101
Shadehouse					P																						121
Stable, Commercial					P					P																	125
Stable, Private	P				P																						126
Sugar Mill Or Refinery																										P	127
[Ord. 2005-002] [Ord. 2006-036] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2012-027]																											
Notes:																											
P Permitted by right																											
D Permitted subject to approval by the DRO																											
S Permitted in the district only if approved by Special Permit																											
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																											

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

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

Use Type	PUD					MUPD					MXPD		PIPD			LCC						
	Pods					FLU					FLU		Use Zone			FLU						
	R	C	R	C	A	C	C	C	C	C	I	E	I	C	I	C	I	M	R	C	C	
S	M	C	V	R	L	H	L	H	O	O	D	N	H	N	O	N	H	V	L	H		
				P							<u>C</u>	T	O	L	G	D	D	D	D	D		
Utilities and Excavation Uses																						
Air Curtain Incinerator																				9		
Air Stripper, Remedial																				11		
Chipping and Mulching											P				P	P				28		
Communication Cell Sites On Wheels (COW) Tower, Mobile	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>	S	S	S	S	S	S	S	S	31	
Communication Panels, Or Antennas, Commercial	B	D	D	D		D	D	D	D	D	P	<u>P</u>	D	D	D	P	P	P		D	D	31
Communication Tower, Commercial						R					R	<u>R</u>	R	R	R	R	R	R		R		31
Composting Facility											P				P	P					33	
Electric Power Facility		R					R	R	R	R					R	R	R				44-1	
Electric Transmission Facility		R					R	R	R	R	<u>R</u>				R	R	R				44-2	
Excavation, Agricultural				P																	49	
Excavation, Type I																					49	
Excavation, Type II	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	49	
Excavation, Type III A																	R				49	
Excavation, Type III B																	R				49	
Recycling Center						A					P	<u>D</u>			P	A	P				103	
Recycling Drop-Off Bin		D	D	D		D	D	D	D	D	D	<u>D</u>	D	D	D	D	D			D	D	104
Recycling Plant											P				<u>P</u>		P				105	
Renewable Energy Facility, Solar		D	D	D		D	D	D	D	D	<u>D</u>	D	D	D	D	D	D	B	B		106-1	
Renewable Energy Facility, Wind						R	R	R	R	R	R	<u>R</u>	R	R	R	R	R	R	R		106-2	
Sanitary Landfill Or Incinerator																					117	
Solid Waste Transfer Station						R		R	R	R					<u>P</u>	R	P				123	
Utility, Minor	P	P		P		P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	134	
Water Or Treatment				R		R		R	R	R			R	R	P	P	R	R			139	

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

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

Use Type	PUD				MUPD						MXPD	PIPD			LCC		N O T E					
	Pods				FLU						FLU	Use Zone			FLU							
	R E S	C O M	R E C V	C A / P	C L	C H	C L	C H	C R	I N D C	I N S T	C H O	C H O	I N D M L	I N D M G	M H P D		R V P D	C L H	C L H		
Industrial Uses																						
Asphalt Or Concrete Plant										R										13		
Data Information Processing					P	P	P	P	P	P		P	P	P	P				P	P	38	
Film Production Studio						P	P	R	P	P				P	P	P				P	54	
Gas And Fuel, Wholesale										R						P					61	
Heavy Industry										R				R	P						69	
Laboratory, Research					R	R	R	R	R	P	P	R	R		P	R	P			R	R	76
Machine Or Welding Shop										P					P	P					80	
Manufacturing And Processing					R	R	R	R	R	P	R				P	P					81	
Medical Or Dental Laboratory		P			P	P	P	P			P				P						84	
Salvage Or Junk Yard										R						R					116	
Transportation Facility											P				P	P					133	
Truck Stop										R					R	R					131	
Warehouse						R				P	P				P	P					138	
Wholesaling, General										P	P				P	P					140	
[Ord. 2005-002] [Ord. 2004-040] [Ord. 2009-040] [Ord. 2010-005]																						
Notes:																						
P Permitted by right																						
D Permitted subject to approval by the DRO																						
S Permitted in the district only if approved by Special Permit																						
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																						

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Part 5. ULDC Art. 3.E.3, Multiple Use Planned Development (MUPD) (pages 171 - 173 of 229), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 3 Multiple Use Planned Development (MUPD)

A. General

1. Purpose and Intent

The purpose of an MUPD is to provide for the efficient use of land by the integration of multiple uses, or large single uses, within a unified development. The intent of an MUPD is to provide opportunities for enlightened and imaginative approaches to community planning and site design by:

- a. allowing flexibility from standard PDRs;
- b. applying PDRs to the entire project rather than individual lots, such as: access, parking, lot dimensions, lot frontage, and landscaping; and
- c. encouraging the creation of a unified image between buildings and signage through architecture and linkages between land uses.

....
B. Objectives and Standards

1. Design Objectives

A MUPD shall comply with the following objectives:

- e. Allow for landscape design that enhances the appearance of the project; and,
- f. An MUPD with an EDC FLU designation shall be primarily utilized by office and research parks, which may also include manufacturing and processing, research and development, wholesale distribution and storage of products.

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

2. Performance Standards

....

Table 3.E.3.B - Freestanding Buildings

FLU Designations	CL	CH	CLO	CHO	IND	EDC	CR	INST
Number of buildings	1	3	1	3	3	3	3	3

4. EDC FLU – Use Limitations

All permitted Commercial, Public and Civic, Agricultural, Utility or Industrial uses shall comply with the following:

- a. Shall be clustered within the overall project so as to minimize any adverse impacts, including heavy truck traffic, on office and research portions of the project; and,
- b. Outdoor storage or activity areas shall be buffered and screened from view of office or research areas, or operate completely in enclosed buildings.

C. Thresholds

....

Table 3.E.3.C - MUPD Thresholds

FLU	CL	CH	CLO	CHO	IND	EDC (1)	CR	INST
Square Feet	30,000	50,000	30,000	50,000	100,000	50,000	100,000	50,000
[Ord. 2013-]								
Notes:								
1. Minimum square footage may be reduced if a lower square footage is approved as part of a FLUA amendment.								

D. Property Development Regulations

....

Table 3.E.3.D - MUPD Property Development Regulations

FLU Designations	Lot Dimensions			FAR (2)	Max. Bldg. Coverage	Setbacks (1)			
	Size	Width & Frontage	Depth			Front	Side	Side Street	Rear
EDC	5 ac	300	300	-	45 percent	30	C-15 R-40	30	C-20 R-40
[Ord. 2007-001]									
Notes:									
C Indicates the building setback if the lot abuts a non-residentially zoned or designated lot.									
R Indicates the setback from an adjacent parcel with a residential zoning designation.									
1. Setbacks are measured in linear feet from the boundary of the MUPD.									
2. The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted.									

1. Work/Live Space

....

Table 3.E.3.D - - Work/Live Space PDD

FLU Designation	CL/Commercial Pod in a PUD	CH	CLO	CHO	IND (1)	EDC (1)
Number of Spaces	1/acre	5/acre	3/acre	3/acre	3/acre	3/acre
DRO (2)	8	24	24	24	24	24
[Ord. 2004-040]						
Notes:						
(1) Limited to commercial and light industrial pods in a PIPD only.						
(2) Maximum number of spaces.						

Part 6. ULDC Art. 3.E.5, Planned Industrial Park Development (PIPD) (pages 177 – 179 of 229), is hereby amended as follows:

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 5 Planned Industrial Park Development (PIPD)

A. General

1. Purpose and Intent

The purpose of the PIPD district is to create an industrial development alternative, which provides employment opportunities for industries, manufacturing, research and development and encourages internal trip capture by offering support uses. *The intent of a PIPD is to promote creative design approaches to community planning and site design for planned*

Notes:

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

industrial developments. Support uses, such as hotels, offices, commercial, institutional, and residential are intended to serve the PIPD workforce, and ~~other~~ residential populations. [Ord. 2004-040]

....
B. Objectives and Standards

1. Design Objectives

~~The intent of a PIPD is to promote creative design approaches to community planning and site design for planned industrial developments.~~ A PIPD shall comply with the following objectives:

-
b. Be designed as a predominantly industrial development, with exception to:
- 1) the SR-7 EDO, which shall allow for larger percentages of business or professional office uses, or other similar uses that are identified in Art. 3.B.18, SR-7 EDO; and, [Ord. 2010-022]
 - 2) the EDC FLU designation, which shall be primarily utilized by office and research parks, but may also include manufacturing and processing, research and development, wholesale distribution and storage of products.

....
2. Performance Standards

....
C. Thresholds

1. General

-
a. Lot Size
The minimum gross land area required for a PIPD ~~is 40 contiguous acres~~ shall be as follows: [Ord. 2006-004]
- 1) IND FLU designation: 40 contiguous acres; or,
 - 2) EDC FLU designation: 20 acres, except for parcels approved with a lower acreage as part of a FLUA amendment.
- b. Land Use Mix
Land uses shall be grouped into Pods ~~Pods~~ which limit and define the types of uses within a specific area of a PIPD. Table 3.E.5.D, PIPD Land Use Mix, indicates the range of each pod within required for a PIPD.

Table 3.E.5.D - PIPD Land Use Mix

Pods	Minimum	Maximum
Industrial	60%	100%
Light	20%	100%
General (1)	-	50%
Commercial	-	20% (max. 15 ac) (2-4)
Residential	-	20%
Recreation	.006 acre (3)	20%
Notes:		
1. <u>A General Industrial Pod shall only be permitted with an IND FLU designation. General Industrial Pods shall be prohibited with an EDC FLU designation.</u>		
2-4. <u>The maximum commercial acreage shall not apply to an Economic Development Center (EDC).</u>		
3. <u>Minimum Recreation Pod requirement only applies to Residential Pods. Other residential uses such as Live/Work located in other than a Residential Pod shall still comply with Art. 5.D, Parks and Recreation – Rules and Recreational Standards.</u>		

....
E. Pods

1. Industrial Pods

An industrial pod is intended to provide areas for light and general industrial uses, and accessory uses. [Ord. 2004-040]

- a. Use Regulations
Uses shall be permitted in accordance with Table 3.E.1.B, PDD Use Matrix; and Art. 4, Use Regulations. [Ord. 2004-040] [Ord. 2008-003]
- b. EDC Future Land Use Designation
- 1) Industrial Pods
General Industrial Pods are prohibited.
 - 2) Use Limitations

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EXHIBIT L

ECONOMIC DEVELOPMENT CENTER (EDC)
SUMMARY OF AMENDMENTS

1 All Commercial, Public and Civic, Agricultural, Utility or Industrial uses permitted
2 within a Light Industrial Pod shall comply with the following:
3 a) Shall be clustered within the overall project so as to minimize any adverse
4 impacts, including heavy truck traffic, on office and research portions of the
5 project; and,
6 b) Outdoor storage or activity areas shall be buffered and screened from view of
7 office and research areas, or operate completely in enclosed buildings.
8
9
10
11 Part 7. ULDC 3.F.5, Traditional Town Development (pages 226 - 227 of 229), is hereby
12 amended as follows:
13 CHAPTER E CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)
14 Section 5 Traditional Town Development (TTD)
15
16 B. Organization and Applicability
17 The requirements of this Section, Article 3.F.1, General Provisions for TDDs, and Article 3.F.2,
18 General Standards, shall apply to all TTDs. In addition, the components of a TTD shall be subject
19 to the following requirements:
20
21 4. ~~Office~~ Multiple Use Planned Development (MUPD)
22 A MUPD may be included within a TTD with a minimum of 320 acres, ~~provided it has a CH-O~~
23 ~~FLU designation~~, subject to the requirements ~~for a~~ of ~~Article 3.E.3~~, Multiple Use Planned
24 Development (MUPD) with an EDC FLU designation.
25

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EXHIBIT M

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS

Part 1. ULDC Art. 1.I.2, Definitions (pages 64 and 95 of 119), is hereby amended as follows:

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

36. Gun Club, Enclosed - an ~~open-or~~ enclosed facility used for the discharge of firearms or projectiles at targets.

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

40. Shooting Range, Outdoor – An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training, excluding private gun ranges where preempted by state law.

[Renumber Accordingly]

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

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	
Recreation Uses						Industrial Uses					
Gun Club, Enclosed				67-1						
[Ord. 2010-005] [Ord. 2012-007] [Ord. 2013-001]											

Part 3. ULDC Table 3.B.16.E – PRA Use Matrix (page 88 of 229), is hereby amended as follows:

Table 3.B.16.E - PRA Use Matrix Continued

Use Type	Transect Sub-Zones					Note
	UC 1	UC 2	UC 3	UI 1	UI 2	
Recreational Uses						
Gun Club, Enclosed					67-1
[Ord. 2011-016] [Ord. 2012-007]						

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EXHIBIT M

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS

1
2 Part 4. ULDC Table 3.E.1.B PDD Use Matrix (page 144 of 229), is hereby amended as follows:
3

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

Use Type	PUD				MUPD				MXPD	PIPD			M	R	LCC		N O T E	
	Pods				FLU				FLU	Use Zone					FLU			
	R E S	C O M	R E C	C O N	A G R /	C L O P	C H O	C L O	C H O	R E S	I N D	I N D			C H O	C H O		I N D
Recreation Uses																		
....																		
Gun Club, Enclosed																		67-1
Gun Club, Open Shooting Range, Outdoor										R								67-2
....																		
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-007] [Ord. 2012-027]																		

4
5
6 Part 5. ULDC Table 4.A.3.A, Use Matrix (page 15 of 171), is hereby amended as follows:
7
8

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 C T	AR S A	R E S	R E S	R E S	R E S	C O M	C O M	C O M	C O M	C O M	C O M		I N D	I N D	P U B
Recreation Uses																		
....																		
Gun Club, Enclosed																		67-1
Gun Club, Open Shooting Range, Outdoor														A			B A	67-2
....																		82
[Ord. 2005-002] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2012-007]																		

9
10
11 Part 6. ULDC Art. 4.B.1.A.67 Gun Club (page 58 of 171), is hereby amended as follows:
12

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

67-1. Gun Club, ~~Enclosed~~

An ~~open or~~ enclosed facility used for the discharge of firearms or projectiles at targets.

a. Setbacks and Buffers

1) ~~Enclosed~~

An enclosed gun club shall have a 100-foot setback and a 50 foot buffer from a residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.

2) ~~Open~~

~~An open gun club and its accessory shooting areas shall have a 300-foot setback to a 100-foot buffer from residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.~~

b. Lot Size

Notes:

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EXHIBIT M

SHOOTING RANGE, OUTDOOR
SUMMARY OF AMENDMENTS

Except in the IL district, a gun club shall be located on a minimum of five acres or meet the minimum lot and setback requirements of the district in which it is located, whichever is greater.

~~c. AR/RSA~~

~~An open gun club may be permitted in the SA-FLU subject to a Class A conditional use approval. [Ord. 2005-002]~~

Part 7. ULDC Art. 4.B.1.A.67-2 Shooting Range, Outdoor (page 58 of 171), is hereby established:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

67-2. Shooting Range, Outdoor

a. Definition

An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training, excluding private gun ranges where preempted by State law.

b. Separation Distance

An outdoor shooting range shall not be located within 1,320 feet of a property line with a civic or residential use, zoning district, or FLU designation, unless the adjacent properties are owned by a government agency and utilized for other than civic or residential purposes.

c. Site Design

Except where preempted by State law, during Zoning or Building Permit review, whichever occurs first, the applicant shall provide documentation demonstrating acceptable industry design, configuration and operational standards, based on type of shooting activity, to address potential adverse safety and nuisance concerns. Range design shall include, but not be limited to: backstops, sideberms, sidewalls, sound and visual baffles and target placement.

d. Archery Range

1. DRO Approval Process

An outdoor shooting range allowed as a Conditional Use may be approved by the DRO when limited to non-mechanical archery equipment.

2. Separation Distance

Shall not be subject to the 1,320 foot separation distance when limited to non-mechanical archery equipment. An alternative separation distance may be required if warranted based on the site design requirements contained above.

Part 8. ULDC Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements (page 8 of 39), is hereby amended as follows:

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

Use Type: Recreational	Parking	Loading (1)
....		
Gun club, enclosed and open <u>Shooting Range, Outdoor</u>	1 space per target area	N/A
....		
[Ord. 2005-002] [Ord. 2007-001] [Ord. 2012-007]		
Loading Key:		
....		

Notes:

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EXHIBIT N

MODIFICATIONS TO BCC/ZC APPROVALS
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 2.A.1.L, Actions by Decision Making Bodies or Persons [Related to Art.
3 2.A.1.L.2, Administrative Processes] (page 21 of 90), is hereby amended as follows:

4 CHAPTER A GENERAL

5 Section 1 Applicability

6 L. Actions by Decision Making Bodies or Persons

7 1. General

8 All decision making persons and bodies shall act in accordance with the time limits
9 established in this Code.

10 2. Administrative Processes

11 a. Action by DRO

12 The DRO shall approve, approve with conditions, revoke, deny or administratively
13 withdraw an application based upon the recommendation of the reviewing agencies, in
14 accordance with the procedures, standards and limitations of this Code and Article 2.D,
15 ADMINISTRATIVE PROCESS, including where applicable: the standards of Art. 2.D.1.E,
16 Standards for Administrative Approval, ~~and the standards of Art. 2.D.4.D, Standards,
17 applicable to Administrative Amendments~~; or, the standards of Art. 2.D.7.C, Standards,
18 applicable to Type I Waivers. [Ord. 2012-027]

19
20 Part 2. ULDC Art. 2.D.1.G, Administrative Review [Related to Art. 2.D.1.G.1, Amendments to
21 BCC/ZC Approvals] (page 40 of 89), is hereby amended as follows:

22 CHAPTER D ADMINISTRATIVE PROCESS

23 Section 1 Development Review Officer (DRO)

24 G. Modifications to Prior Development Orders

25 The DRO may approve amendments to Preliminary Plans approved by the BCC/ZC, and approve
26 Final Plans, in accordance with the following procedures. [Ord. 2007-001] [Ord. 2008-003] [Ord.
27 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-001]

28 1. Modifications to BCC/ZC Approvals

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

35

36 b. An increase ~~of no more than five percent~~ in the ~~total floor area square footage indicated~~
37 ~~on the most recently ZC or BCC approved Plan(s) of any building or structure, or outdoor~~
38 ~~area considered as square footage, provided that the increase does not exceed 5,000~~
39 ~~square feet whichever is less; shall be subject to the following:~~ [Ord. 2008-003] [Ord.
40 2009-040]

41 1) ~~Maximum of five percent or 5,000 square feet of any building, structure or outdoor~~
42 ~~area considered as square footage, whichever is less; and,~~

43 2) ~~Maximum 5,000 square feet of the total ZC or BCC approved square footage.~~

44 ~~4)c.~~ For a Renewable Energy Facility (Wind) within the AP Zoning dDistrict, an increase in no
45 more than ten percent, up to a maximum of ten, of the number of wind turbines approved
46 by the BCC, ~~for a Renewable Energy Facility (Wind) within the AP Zoning district.~~ [Ord.
47 2011-016]

48 [Re-number Accordingly.]

Notes:

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

EXHIBIT O

DIGITAL FUEL PRICE SIGNAGE
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.1.2, [Related to Definitions] (page 45 of 115), is hereby amended as follows:

3 CHAPTER I DEFINITIONS & ACRONYMS

4 Section 2 Definitions

5
6 C. Terms defined herein or referenced Article shall have the following meanings:
7 ~~28. Change of Message – each text frame of an electronic message center sign shall hold~~
8 ~~constant for a minimum of two seconds.~~

9
10 S. Terms defined herein or referenced Article shall have the following meanings:

11
12 43. Sign - any character, letter, figure, symbol, design or device or combination of these used to
13 attract attention or convey a message and which is visible to any area outside of a building.
14 The term includes banners, pennants, streamers, moving mechanisms and lights.

15 a. Sign Types -

16
17 ~~40) Change of Message – for the purposes of Art. 8, each text frame of an electronic~~
18 ~~message center sign shall hold constant for a minimum of two seconds.~~

19 [Renumber accordingly.]

20 1415) Electronic Message - for the purposes of Art. 8, a sign that uses changing
21 lights, digital or ~~an other~~ electronic medium to form a sign message or messages
22 wherein the sequence of the messages and the rate of change are electronically
23 programmed and can be modified by electronic processes.

24
25 ~~2324~~) Ground Mounted - for the purposes of Art. 8, any sign which is permanently
26 erected or standing on the ground and supported from the ground by one or more
27 poles, columns, uprights, braces, or anchors and includes all freestanding signs,
28 monument signs and electronic message ~~center~~ signs.

29
30
31
32 Part 2. ULDC Table 8.A.1.C, Organization of Sign Regulations (page 7 of 39), is hereby
33 amended as follows:
34

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

CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES	Lists specific provisions and standards for building-mounted signs (wall signs, awning and canopy signs, projecting signs, and marquee signs); ground-mounted signs (freestanding and monument signs) entrance wall signs; electronic message center signs; directional signs; flags and freestanding flagpoles; and project identification signs.
--	---

35
36
37 Part 3. ULDC Art. 8.F.5.A, General Requirements [Related to Illumination provisions applicable
38 to all sign types], (page 22 of 39), is hereby amended as follows:

39 CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES

40 Section 5 Illumination

41 Signs may be illuminated subject to the following standards:

42 A. General Requirements

43 3. Illumination shall be constant and shall not consist of flashing, animated or changing lights,
44 except for permitted change of message for electronic message ~~center~~ signs, pursuant to Art.
45 8.G.3.B, Electronic Message ~~Center~~ Signs.

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Notes:

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EXHIBIT O

DIGITAL FUEL PRICE SIGNAGE
SUMMARY OF AMENDMENTS

1
2 Part 4. ULDC Art. 8.F.6, Changeable Copy [Related provisions applicable to all sign types],
3 (page 22 of 39), is hereby amended as follows:

4 CHAPTER F GENERAL PROVISIONS FOR ALL SIGN TYPES

5 Section 6 Changeable Copy

6 Changeable copy shall cover no more than 20 percent of the total sign area, except for the following uses
7 which are exempt from this restriction: all public and civic uses, indoor theaters, fuel price signs, and
8 signs that flash the time and temperature subject to Article 8.G.3.B, Electronic Message ~~Center~~ Signs.
9

10
11
12 Part 5. ULDC Art. 8.G.1.D, Marquee Signs [Related to Building] (page 25 of 39), is hereby
13 amended as follows:

14 CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

15 Section 1 Building Mounted Signs

16 D. Marquee Signs

17 Marquee signs are allowed for theaters, stadiums, auditoriums, and similar uses subject to BCC
18 approval. Marquee signs are not subject to wall sign area limits, but the maximum sign area shall
19 not exceed one square foot for each foot of building frontage. Marquee signs may be electronic
20 message ~~center~~ signs, subject to Article 8.G.3.B, Electronic Message ~~Center~~ Signs, and have
21 changeable copy. A marquee sign may project a maximum of six feet above the cornice of a
22 building provided that it is architecturally integrated with the building.
23
24

25 Part 6. ULDC Art. 8.G.3.B, Electronic Message Center Signs (page 29 - 30 of 39), is hereby
26 amended as follows:

27 CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

28 Section 3 Other Sign Types

29 B. Electronic Message ~~Center~~ Signs

30 Electronic message signs shall only be allowed at regional facilities, facilities with serial
31 performances, and, specialized attractions that, by their operating characteristics, have unique
32 sign requirements; or, for time and temperature, and fuel price signage. These signs shall be
33 subject to Class A Conditional Use or Requested Use approval unless exempt under Article 8.B,
34 EXEMPTIONS, or stated otherwise below. ~~Electronic message signs that only display time or~~
35 ~~temperature with a message unit less than 20 square foot in area shall be permitted in non-~~
36 ~~residential zoning districts, subject to issuance of a building permit. These signs shall not be~~
37 ~~required to comply with the requirements of Sections 8.G.3.B.3, Location and 8.G.3.B.4,~~
38 ~~Required Findings.~~ [Partially relocated under new Art. 8.G.3.B.7, Approval Process
39 Exceptions for Time and Temperature] [Ord. 2010-022]

40 1. Prohibited Elements

- 41 a. Electronic message ~~center~~ signs in windows and externally visible;
42 b. Message units that change copy, light, color, intensity, words or graphics more than once
43 per ~~eight two~~ seconds. Any change in message shall be completed instantaneously.
44 There shall be no special effects in-between messages;
45 c. Reflectorized lamps; and
46 d. ~~Electronic message center signs with lamps~~ Lamps, light-emitting diodes or bulbs in
47 excess of the amount and intensity of light generated by a ~~over~~ 30 watts incandescent
48 lamp or 300 lumens, whichever is less.
49 e. The message shall be static. There shall be no animation, flashing, scintillating lighting,
50 movement, or the varying of light intensity during the message. Messages shall not scroll
51 or give the appearance of optional illusion or movement.

52 2. Standards

53 Electronic message ~~center~~ signs are subject to ~~the standards in Table 8.G.3.B, Electronic~~
54 ~~Message Center Sign Standards,~~ and the height standards for freestanding signs in Table
55 8.G.2.A, Freestanding Signs: Maximum Heights, and the following:-

- 56 a. Each sign shall have a light sensing device that automatically adjusts brightness as
57 ambient light conditions change in order to ensure that the message meets the standard
58 for maximum brightness;

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EXHIBIT O

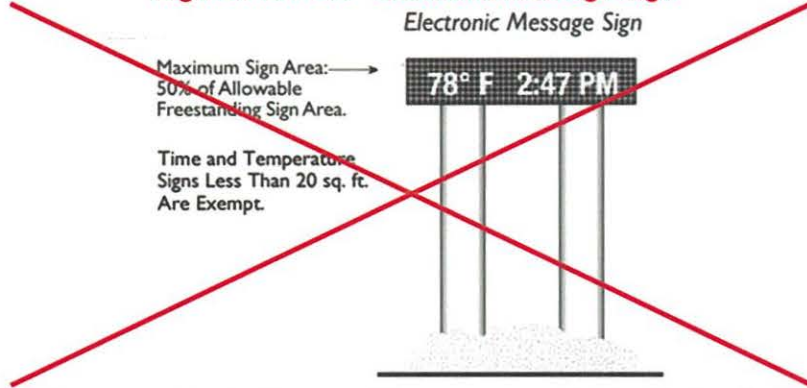
DIGITAL FUEL PRICE SIGNAGE
SUMMARY OF AMENDMENTS

- b. The maximum brightness shall be 0.2 foot candles above ambient light measured 150 feet perpendicular from the sign face area from a height of six feet. No sign shall display light of such intensity to cause glare or otherwise impair the vision of a driver, or interferes with the effectiveness of an official traffic sign, signal or device;
- c. The sign shall be equipped with a default mechanism or setting that will cause the sign to turn off or show a full black or similar image if a visible malfunction or failure occurs;
- d. Each message shall be monochromatic. Separate messages may have different colors;
- e. The maximum sign face area and minimum setbacks for an electronic message sign shall be per Table 8.G.3.B, Electronic Message Sign Face Area and Setbacks.

Table 8.G.3.B - Electronic Message ~~Center~~ Sign Standards Face Area and Setbacks

Maximum Sign Area	50 percent of allowable freestanding sign area (Table 8.G.2.A-7, <u>Freestanding Sign Standards</u>)
Minimum Setback: Front	15 feet
Minimum Setback: Side and Rear	30 feet
Minimum Setback: Side Street	50 feet

~~Figure 8.G.3.B.3 - Electronic Message Sign~~



[Figure 8.G.3.B.3, Electronic Message Sign partially relocated below.]

3. Location

An electronic message ~~center~~ sign may be located in the following areas and subject to the following provision:

- a. In a CG, CRE, PO, or IL zoning district or in a non-residential planned development.
- b. ~~Electronic message center signs may~~ Shall not be located within 100 feet of a residential zoning district, undeveloped property with a residential FLU designation, or residential use.
- c. Adjacent to roadways classified as arterials or expressways, and a minimum of 1,000 feet from any signalized intersection ~~and/or~~ existing electronic message signs; ~~and~~
- d. No more than one electronic message ~~center~~ sign shall be permitted per project; ~~and~~ -
- e. Electronic message ~~center~~ signs are prohibited in the WCRAO. [2006-004]

4. Required Findings

The BCC may approve an application for an electronic message ~~center~~ sign upon finding that:

- a. The sign will not create confusion or a significant distraction to passing motorists;
- b. The sign is of the same architectural character as the building's principal use;
- c. The sign will not be a nuisance to occupants of adjacent and surrounding properties; ~~and~~
- d. The sign is accessory to a use regional in scale and attraction that, by its nature, demonstrates a unique need to communicate more information than is ordinarily needed for a business or attraction.

5. Conditions of Approval

In reviewing an application for an electronic message ~~center~~ sign, the BCC may impose conditions to assure the sign is compatible with and minimizes adverse impacts on the area surrounding the proposed sign.

6. Submittal Requirements

All building permit applications that include electronic message signs shall include the following:

- a. Manufacturer's cut sheets that provide a description of all devices and compliance with the prohibited elements and standards listed above; and,
- b. A Certificate of Compliance signed and sealed by a licensed engineer, architect or landscape architect.

7. Approval Process Exceptions

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DIGITAL FUEL PRICE SIGNAGE
SUMMARY OF AMENDMENTS

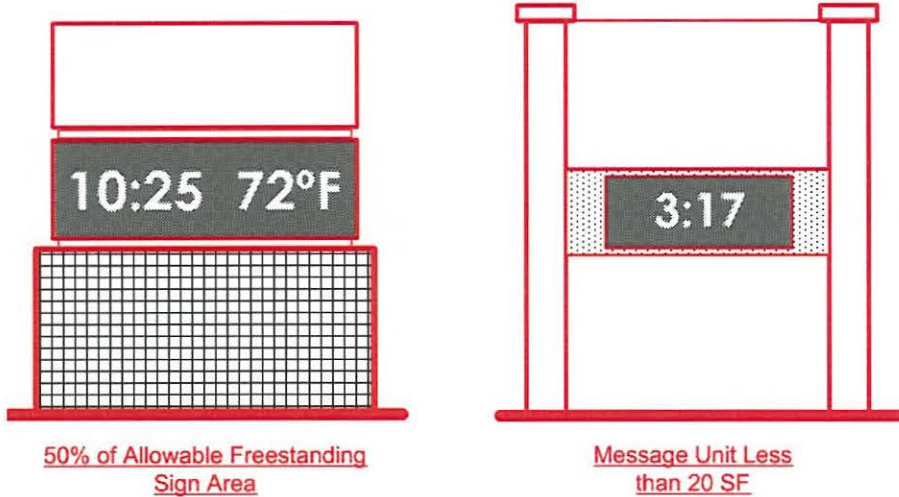
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The following signs shall not be subject to the Required Findings above and may be approved administratively, where located in a freestanding or outparcel identification sign and non-residential Zoning districts, including the Commercial Pod of PUD.

a. Time and Temperature – Building Permit Approval

Signs that only display time or temperature may be approved subject to issuance of a building permit, and where the message unit is less than 20 square feet in sign face area; [Partially relocated from Art. 8.G.3.B, Electronic Message Center Signs]

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



[Ord. 2014-]

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b. Fuel Price Signage – DRO Approval

Signs that only display fuel prices may be approved by the DRO, subject to the following:

- 1) Compliance with the County Fuel Price Posting Ordinance (Ord. 2014-005, as may be amended);
- 2) Only displays words for cash or credit, fuel grades and numerals for fuel prices; and,
- 3) Words or numerals shall not be greater than 12 inches in height, but may be increased to 18 inches in height for signs fronting on an Arterial or Collector where separated by a canal R-O-W of 80-feet in width or greater.

c. Exemptions

Time and temperature, and fuel price signage shall be exempt from the following:

- 1) Minimum setbacks of Table 8.G.3.B, Electronic Message Sign Face Area and Setbacks; and,
- 2) Art. 8.G.3.B.3, Location, except for Art. 8.G.3.B.3.b, which requires a minimum setback from residential.

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 3, 2014

Honorable Sharon R. Bock
Clerk and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Attention: Janell Larvin, Supervisor-Finance Services

Dear Ms. Bock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2014-025, which was filed in this office on September 3, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR