

ORDINANCE 2010-022

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3
4 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH
5 COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE
6 03-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1 – GENERAL PROVISIONS**; CHAPTER A,
7 AUTHORITY; CHAPTER C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER E,
8 PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; CHAPTER G, EMINENT DOMAIN;
9 CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 – DEVELOPMENT REVIEW**
10 **PROCESS**; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER
11 D, ADMINISTRATIVE PROCESS; CHAPTER E, MONITORING; CHAPTER F, CONCURRENCY
12 (ADEQUATE PUBLIC FACILITIES STANDARD); **ARTICLE 3 – OVERLAYS AND ZONING**
13 **DISTRICTS**; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD
14 DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E,
15 PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT
16 DISTRICTS (TDDs); **ARTICLE 4 – USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION;
17 CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER C, COMMUNICATION
18 TOWER, COMMERCIAL; CHAPTER D, EXCAVATION; **ARTICLE 5 - SUPPLEMENTARY**
19 **STANDARDS**; CHAPTER A, GENERAL; CHAPTER B, ACCESSORY AND TEMPORARY
20 USES; CHAPTER F, LEGAL DOCUMENTS; CHAPTER G, DENSITY BONUS PROGRAMS;
21 **ARTICLE 7 – LANDSCAPING**; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D,
22 GENERAL STANDARDS; CHAPTER E, REVIEW, INSTALLATION AND MAINTENANCE;
23 CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-
24 STREET PARKING REQUIREMENTS; **ARTICLE 8 – SIGNAGE**; CHAPTER G, STANDARDS
25 FOR SPECIFIC SIGN TYPES; **ARTICLE 9 – ARCHAEOLOGICAL AND HISTORIC**
26 **PRESERVATION**; CHAPTER B, HISTORIC PRESERVATION PROCEDURES; **ARTICLE 11 –**
27 **SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS**; CHAPTER A, GENERAL
28 REQUIREMENTS; CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER D, PLATTING;
29 CHAPTER E, REQUIRED IMPROVEMENTS; **ARTICLE 12 – TRAFFIC PERFORMANCE**
30 **STANDARDS**; CHAPTER A, GENERAL; CHAPTER B, STANDARD; CHAPTER M, FIVE-YEAR
31 ROAD PROGRAM; CHAPTER P, OKEECHOBEE BOULEVARD CRALLS POINT SYSTEM;
32 **ARTICLE 14 – ENVIRONMENTAL STANDARDS**; CHAPTER C, VEGETATION
33 PRESERVATION AND PROTECTION; **ARTICLE 17 – DECISION MAKING BODIES**;
34 CHAPTER C, APPOINTED BODIES; CHAPTER D, STAFF OFFICIALS; PROVIDING FOR:
35 INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A
36 SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN
37 EFFECTIVE DATE.

38
39 **WHEREAS**, Section 163.3202, Florida Statutes, mandates the County compile Land
40 Development Regulations consistent with its Comprehensive Plan into a single Land
41 Development Code; and

42 **WHEREAS**, pursuant to this statute the Palm Beach County Board of County
43 Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-
44 067 and 03-070, as amended from time to time; and

45 **WHEREAS**, the BCC desires to further amend the ULDC, based upon public participation
46 and advice from the Palm Beach County Land Development Regulation Advisory Board; and

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

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

52 **WHEREAS**, the BCC hereby elects to conduct its public hearings on this Ordinance at
53 9:30 a.m.; and

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

4
5 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
6 **PALM BEACH COUNTY, FLORIDA, as follows:**

7
8 **Section 1. Adoption**

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

- 11 Exhibit A Article 1 – General Provisions
- 12 Exhibit B Article 2 – Development Review Process
- 13 Exhibit C Article 3 – Overlays and Zoning Districts
- 14 Exhibit D Article 4 – Use Regulations
- 15 Exhibit E Article 5 – Supplementary Standards
- 16 Exhibit F Article 7 – Landscaping
- 17 Exhibit G Article 8 – Signage
- 18 Exhibit H Article 11 – Subdivision, Platting and Required Improvements
- 19 Exhibit I Article 12 - Traffic Performance Standards
- 20 Exhibit J Article 14 – Environmental Standards
- 21 Exhibit K Article 17 Decision Making Bodies
- 22 Exhibit L Annual Public Facilities Update Report
- 23 Exhibit M Development Order/Development Agreement/Development Permit
- 24 Exhibit N State Road 7 – Economic Development Overlay (SR-7 EDO)
- 25 Exhibit O Historic Preservation
- 26 Exhibit P Traditional Marketplace Development (TMD)
- 27 Exhibit Q Urban Redevelopment Area (URAO)
- 28 Exhibit R Westgate Community Redevelopment Area Overlay (WCRAO)
- 29 Exhibit S Agricultural Enclave (AGEO)

30
31
32 **Section 2. Interpretation of Captions**

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

35
36 **Section 3. Providing for Repeal of Laws in Conflict**

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

39
40 **Section 4. Severability**

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

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Section 5. Providing for a 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.

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

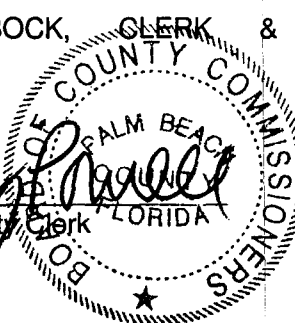
The provisions of this Ordinance shall become effective upon filing with the Department of State, except for the provisions listed in Exhibit L, which shall become effective upon the effective date of amendments to Future Land Use Element Policy 3.5-e included in Comprehensive Plan Amendment Round 10-1.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach

County, Florida, on this the 26th day of August, 2010.

SHARON R. BOCK, CLERK & PALM BEACH COUNTY, FLORIDA, BY
COMPTROLLER ITS BOARD OF COUNTY COMMISSIONERS

By: 
Deputy Clerk



By: 
Burt Aaronson, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: 
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 1st day of

September, 2010.

EXHIBIT A

ARTICLE 1 – GENERAL PROVISIONS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Art. 1.C.1.A, General (pages 7- 8 of 114), is hereby amended as follows:
3

4 CHAPTER C RULES OF CONSTRUCTION AND MEASUREMENT

5 Section 1 Rules of Construction

6 A. General

7 1. Rules and Definitions

8 The rules and definitions set out in this Section shall not be applied to any express provision,
9 which are specifically excluded. This Code shall be liberally construed in order that the intent
10 of the Plan may be fully carried out. In cases of conflict, the Plan shall prevail to the extent of
11 the conflict. Terms used in this Code, unless otherwise stated, shall have the meanings
12 prescribed by the statutes of the State of Florida for the same terms.

13 2. Interpretation and Application

14 The interpretation and application of any provision in this Code shall be the minimum required
15 to promote the public health, safety, comfort, convenience and general welfare. Where
16 interpretation and application of any provision in this Code imposes greater restrictions upon
17 the subject matter than a general provision imposed by the Plan or other provision in this
18 Code, the provision imposing the greater restriction shall control.

19

20 p. Prohibited – Not allowed.
21 [Renumber accordingly.]

22

23
24
25 Part 2. ULDC Art. 1.F.2.E.2., Non-Residential Development & or Residential Development
26 Other Than Single Family (page 21 of 114), is hereby amended as follows:

27 CHAPTER F NONCONFORMITIES

28 Section 4 Nonconforming Lot

29 E. Non-Residential Development & or Residential Development Other Than Single Family

30 2. All other property development regulations, supplemental development regulations and
31 setbacks for the use are met, or variances are obtained pursuant to the requirements of Art.
32 2.B.3, Type II Variances or Art.2.D.3, Type IA and Type IB Administrative Variances. [Ord.
33 2008-037] [Ord. 2010-005
34

35
36 Part 3. ULDC Art.1.G.1.B.3.a., Variance Required for New Deviation From Regulations (page 27
37 of 114), is hereby amended as follows:

38 CHAPTER G EMINENT DOMAIN

39 Section 1 Properties Affected by Eminent Domain Proceedings

40 B. Development Standards

41 3. Redesign of Sites

42 a. Variance Required for New Deviation From Regulations

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44 When applying the variance standards in Article 2.B.3, Type II Variances and Art.2.D.3,
45 Type IA and Type IB Administrative Variances, the eminent domain action shall be
46 presumed to be sufficient evidence to demonstrate a hardship.

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EXHIBIT A

ARTICLE 1 – GENERAL PROVISIONS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 4. ULDC Art. 1.I.2.N.44, North American Vertical Datum (NAVD) (page 76 of 114), is hereby
3 amended as follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

7 44. North American Vertical Datum (NAVD)

8 For the purposes of Art. 11 and Art. 18, a proposed replacement datum of NGVD, identified
9 by FEMA to be the reference of new FIRM when current 1979 and 1982 flood maps are
10 replaced. [Ord. 2004-013]

11
12
13 Part 5. ULDC Art. 1.I.3, Abbreviations and Acronyms (page 112 of 114), is hereby amended as
14 follows:

15 CHAPTER I DEFINITIONS & ACRONYMS

16 Section 3 Abbreviations and Acronyms

17 NAVD88 North American Vertical Datum of 1988

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EXHIBIT B

ARTICLE 2 – DEVELOPMENT REVIEW PROCESS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

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2
3 Part 1. ULDC Art. 2.A.1.D.1.b.5)d), Zoning Commission [Related to Use Regulations] (page 7 of
4 56), is hereby amended as follows:

5 CHAPTER A GENERAL

6 Section 1 Applicability

7 D. Authority

8 1. Processes

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

11 b. Zoning Commission (ZC)

12 The ZC shall consider the following types of development order applications:

13

14 5) The ZC is also granted the authority to consider, take action, and make decisions on
15 applications for Type II variances. The ZC is not authorized to grant variances from
16 the following Articles of the ULDC: [Ord. 2006-036]

17 a) Art. 1, General Provisions (excluding Article 1.F.3.F.1); [Ord. 2008-003]

18 b) Art. 2, Development Review Procedures;

19 c) Art. 3.B.3, COZ, Conditional Overlay Zone;

20 d) Art.4, Use Regulations, unless specifically authorized in Article 4.B,
21 Supplementary Use Standards; [Ord. 2007-013] [Ord. 2008-003]

22
23
24 Part 2. ULDC Art. 2.A.1.G.3.h.2), Sign Plans (page 12 of 56), is hereby amended as follows:

25 CHAPTER A GENERAL

26 Section 1 Applicability

27 G. Application Procedures

28 3. Plan Requirements

29 h. Other Types of Plans

30 2) Sign Plans

31 Article 8, Signage, identifies ~~three~~ two types of sign plans: ~~Master Sign Program,~~
32 ~~Master Sign Plan,~~ and Alternative Sign Plans. Application requirements, labeling of
33 Plans, certification and approval procedures of ~~Master Sign Programs,~~ Master Sign
34 Plans or Alternative Master Sign Plans shall be consistent with Art. 2.A.1.G.3, Plan
35 Requirements, Art. 2.A.1.G.3.g.1) and g.2), Regulating Plan and Art.8, Signage.
36 [Ord. 2009-040]

37
38
39 Part 3. ULDC Art. 2.A.1.J Notification (pages 13 -14 of 56), is hereby amended as follows:

40 CHAPTER A GENERAL

41 Section 1 Applicability

42 J. Notification

43 Notice for any required public hearing shall be provided by publication of an advertisement,
44 mailed notice and posting of property in accordance with this Section.

45
46 3. Posting

47 The land subject to the application shall be posted by the applicant with a notice of the public
48 hearing on a sign provided by the PBC at least 15 days in advance of any public hearing.
49 One sign shall be posted for each 100 feet of frontage along a street up to a maximum of ten
50 signs. All signs shall be evenly spaced along the street or in a location acceptable to the
51 Zoning Director. All signs shall be setback no more than 25 feet from the property line. All
52 signs shall be erected in full view of the public. Where land does not have significant frontage
53 on a street, signs shall be in a location acceptable to the Zoning Director. The applicant shall
54 submit photographs to the Zoning Division confirming the signs have been posted. The
55 failure of any such posted notice to remain in place after it has been posted shall not be
56 deemed a failure to comply with this requirement or be grounds to challenge the validity of
57 any decision made by the approving authority. The applicant shall also be required to ensure
58 the signs have been removed no later than five days after the final hearing.
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EXHIBIT B

ARTICLE 2 – DEVELOPMENT REVIEW PROCESS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

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2 **4. Postponements**

3 All applications postponed for three or more consecutive hearings shall require the applicant
4 to pay all additional costs associated with new notification, and compliance with publication
5 and courtesy mailing requirements pursuant to Art.2.J.3 Posting. The applicant shall update
6 all posted signs including new information such as the revised hearing date and any
7 modifications to the request.
8
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10 **Part 4. ULDC Art. 2.B.3.B.2, Noise Variance (page 23 of 56), is hereby amended as follows:**

11 **CHAPTER B PUBLIC HEARING PROCESS**

12 **Section 3 Type II Variance**

13 **B. Application Procedure**

14 **2. Noise Variance**

15 An application for a noise variance shall be subject to the following criteria in addition to the
16 provisions of Art. 2.B.3.E, Standards: ~~See Article 5.E, PERFORMANCE STANDARDS~~

- 17 a. Additional time is necessary to alter the activity to comply with the provisions of Art.
18 5.E.4.B, Noise Limitations and Prohibitions;
19 b. The activity, operation, or noise source will be of temporary duration which cannot be
20 done in a manner that complies with Art. 5.E.4.B, Noise Limitations and Prohibitions;
21 c. No reasonable alternative is available. Any variance granted pursuant to this section
22 contains all conditions upon which the variance has been granted, including but not
23 limited to the effective date, time of day, location, sound level, limit or equipment
24 limitation and duration of the variance.
25
26

27 **Part 5. ULDC Art. 2.E.2.C, Appeal (page 40 of 56), is hereby amended as follows:**

28 **CHAPTER E MONITORING**

29 **Section 2 Procedures**

30 **C. Appeal**

- 31 2. An appeal to the DRAB shall be made pursuant to Article 2.D.1.G.2, Administrative
32 Amendments 2.A.1.S.1.b, DRO Appeal.
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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Table 3.B.2.A, Airport Use Regulations (pages 15-17 of 154), is hereby amended
3 as follows:
4
5

Table 3.B.2.A, Airport Use Regulations

Use Type	Airport Related Uses	Non-Airport Related Uses	Corresponding Zoning District PDRs ⁽¹⁾	Note ⁽²⁾	Use Applicable to Specific Airport
Residential Uses					
...					
Commercial Uses					
<u>Auction, Enclosed</u>		<u>D</u>	CG	16	All
<u>Auction, Outdoor</u>		<u>A</u>	CG	16	All
...					
<u>Building Supplies</u>		<u>D</u>	CG or IL	22	All
...					
<u>Catering Service</u>	<u>P</u>	<u>D</u>	CG or IL	26	All
...					
<u>Landscape Service</u>		<u>D</u>	CG or IL	77	All
<u>Laundry Service</u>		<u>D</u>	CG or IL	78	All
...					
<u>Pawnshop</u>		<u>A</u>	CG	97	All
...					
<u>Veterinary Clinic</u>	<u>P</u>	<u>D</u>	CG or IL	136	All
...					
Public and Civic Uses					
...					
Recreation Uses					
<u>Arena, Auditorium or Stadium</u>	<u>P</u>	<u>A</u>	CG	12	PBIA
...					
Park, Passive	<u>P</u>	P	CG or IL	93	All
...					
Agricultural Uses					
...					
Use Type	Airport Related Uses	Non-Airport Related Uses	Corresponding Zoning District PDRs⁽¹⁾	Note⁽²⁾	Use Applicable to Specific Airport
Agricultural Uses					
Kennel, Commercial-Type II	<u>P</u>	D	CG or IG	74-1	All
Kennel, Commercial-Type III	<u>P</u>	D	CG or IG	74-2	All
<u>Nursery, Retail</u>		<u>D</u>	CG	88	All
...					
Utilities & Excavation					
...					
Recycling Plant	<u>P</u>	D	IG	105	All
...					
Industrial Uses					
...					
Manufacturing and Processing	<u>P</u>	D	IG	81	All
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EXHIBIT C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 2. ULDC Table 3.B.16.F, IRO Permitted Use Schedule (page 72 of 195), is hereby amended
3 as follows:
4

TABLE 3.B.16.F.– IRO PERMITTED USE SCHEDULE

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	
RESIDENTIAL USES					COMMERCIAL USES (CONTINUED)						
....										
....					Office, Medical or Dental	D	D	<u>D</u>	<u>D</u>	83	
....					Office, Business or Professional	D	D	D	D	91	
....										
[Ord. 2010-005]											
KEY											
P Permitted by right.											
D Permitted subject to DRO approval.											
L Permitted only where accessory to a permitted use.											
S Permitted subject to Special Permit approval.											
A Permitted subject to Board of County Commission Approval.											

5
6
7 Part 3. ULDC Table 3.E.1.B, PDD Use Matrix (page 108 of 195), is hereby amended as follows:
8

Table 3.E.1.B – PDD Use Matrix cont'd

Use Type	PUD					MUPD						MXPD		PIPD			M	R	V	P	D	LCC		NOTE
	Pods					FLU						FLU		Use Zone								FLU		
	R	C	R	C	A	C	C	C	C	C	I	I	C	C	I	C						I	H	
E	O	E	I	G	L	H	L	H	R	N	N	H	H	N	O	N	H	P	L	H				
S	M	C	V	R			O	O		D	S		O	D	M	D	D	P	L	H				
				P						T			L		G									
Public and Civic Uses																								
....																								
Place Of Worship		<u>PR</u>		<u>PR</u>		<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>		<u>PR</u>		<u>PR</u>				<u>PR</u>	<u>PR</u>	29	
....																								
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-013] [Ord. 2008-037] [Ord. 2009-040]																								
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 C

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 4. ULDC Art. 3.E.1.C.2.j, Recreation Clubhouse Emergency Generators (page 114 of 195),
3 is hereby amended as follows:

4 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

5 Section 1 General

6 C. Objectives and Standards

7 2. Performance Standards

8 Planned developments shall comply with the following standards:

9 j. ~~Recreation Clubhouse~~ Emergency Generators

10 A permanent emergency generator shall be required for all Type II and Type III CLFs,
11 Nursing or Convalescent Facilities, and PDD clubhouses ~~2,500~~ 20,000 square feet or
12 greater, and shall meet the standards of Art. 5.B.1.A.18, Permanent Generators. [Ord.
13 2006-004]
14
15

16 Part 5. ULDC Table 3.E.1.E.3.a, Notice to Homeowners [Related to Modifications to Reduce or
17 Reconfigure Existing Golf Course (page 116 of 195), is hereby amended as follows:

18 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

19 Section 1 General

20 E. Modifications

21 3. Modification to Reduce or Reconfigure Existing Golf Course

22 Any modifications to reduce the acreage or reconfigure the boundaries of the golf course
23 previously approved on the Master Plan shall meet the following criteria: [Ord. 2006-004]

24 a. Notice to Homeowners

25 At the time of submitting the zoning application to amend the Master Plan, the applicant
26 shall provide documentation that the residents of the PUD, as outlined in the latest PBC
27 Property Appraisal list, were notified by certified ~~registered~~ mail, and shall post notice as
28 may be allowed at appropriate common areas within the PUD. The notice mailed and
29 posted shall describe the applicant's request to reconfigure the boundaries of the golf
30 course. The applicant shall provide a copy of this notice to the Zoning Division and shall
31 verify that the notice was provided as required by this section. The applicant shall further
32 provide documentation of all additional efforts to inform association membership of the
33 proposed golf course reconfiguration. Minutes of any association membership meeting,
34 including the results of any vote concerning the applicant's request, as may be required
35 by the Association, shall also be provided to the Zoning Division for inclusion in ZC and
36 BCC staff reports. [Ord. 2006-004]
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EXHIBIT D

ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Art. 4.B, Supplementary Use Standards (page 21 of 166), is hereby amended as
3 follows:

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 ~~This Section contains supplementary standards for specific uses. The Supplementary Uses establish~~
6 ~~minimum standards as well as the review process for each Use Type.~~ In the case of a conflict with other
7 regulations in this Code, the more restrictive requirement shall apply, unless otherwise stated. Variances
8 shall not be granted from the Use Standards including use regulations that reference other Sections of
9 the ULDC, unless explicitly specified in Chapter B.1 of this Article.

10
11
12 Part 2. ULDC Article 4.B.1.A.87, Multi-family (page 67 of 166), is hereby amended as follows:

13 CHAPTER B SUPPLEMENTARY USE STANDARDS

14 Section 1 Uses

15 A. Definitions and Supplementary Standards for Specific Uses

16 87. Multi-family

17 a. TMD District

18 On Main Streets multi-family units may occupy a maximum of 25% of the ground floor
19 area designated as commercial square footage. The remaining units shall only be ~~are~~
20 permitted ~~only~~ on upper floors of mixed-use buildings.

21 1) AGR-TMDs shall be exempt from the integration requirement and shall comply with
22 the Development Order approved by the BCC.

23
24
25 Part 3. ULDC Art. 4.B.1.A.138.e, Parking in PDDs (pages 102-103 of 166), is hereby amended
26 as follows:

27 CHAPTER B SUPPLEMENTARY USE STANDARDS

28
29 Section 1 Uses

30
31 A. Definitions and Supplementary Standards for Specific Uses

32 138. Warehouse

33 A building used for the storage of raw materials, equipment, or products. Typical uses include
34 moving companies, cold storage, and dead storage facilities, but excludes self-service
35 storage facilities.

36 e. Parking in PDDs

37 Facilities located in a PDD shall comply with Table 6.A.1.B, Minimum Off-Street Parking
38 and Loading Requirements. Variances may be requested from these requirements.
39 [Ord. 2008-037]

40
41
42 Part 4. ULDC Art. 4.B.1.A.138, Warehouse (page 103 of 166), is hereby amended as follows:

43 CHAPTER B SUPPLEMENTARY USE STANDARDS

44 Section 1 Uses

45 A. Definitions and Supplementary Standards for Specific Uses

46 138. Warehouse

47 A building used for the storage of raw materials, equipment, or products. Typical uses include
48 moving companies, cold storage, and dead storage facilities, but excludes self-service
49 storage facilities.

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51 f. Freestanding Structures

52 Freestanding structures for warehouse developments located in an IND-MUPD shall not
53 be subject to the provisions of Table 3.E.3.B, Freestanding Buildings.

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Notes:

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTARY STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Art. 5.F.2.B, Drainage Easement Encroachments (page 62 of 93), is hereby
3 amended as follows:

4 CHAPTER F LEGAL DOCUMENTS

5 Section 2 Easements

6 B. Drainage Easement Encroachments

- 7 1. All construction in a drainage easement shall be subject to approval by the beneficiary of said
8 easement. Further, the Land Development Division (LDD) shall approve all encroachments
9 into easements which drain County roads. [Ord. 2010-005]
10 2. If a building permit is required, the applicant shall obtain approval from the LDD or
11 appropriate entity prior to submitting the building permit application to PZB. [Ord. 2010-005]
12 3. When approval is required from LDD, t~~The~~ applicant shall submit a request to encroach a
13 drainage easement in or on a form established by the LDD and include a copy of the
14 recorded deed to the parcel on which the easement is located; the document creating the
15 easement; a certified sketch of survey of the easement; a sketch or plans showing the
16 proposed construction in relation to the location of existing drainage improvements in the
17 easement; and such other documentation as the LDD reasonably deems appropriate. [Ord.
18 2010-005]
19 4. When encroachments are proposed in easements which drain County roads, t~~The~~ LDD may
20 deny, approve, or approve with conditions the construction. [Ord. 2010-005]
21 5. When approval is required from LDD, n~~No~~ approval shall be given before the LDD has
22 received specific written consent from all easement holders, easement beneficiaries, and
23 governmental entities or agencies having jurisdiction of the drainage easement. The LDD is
24 hereby authorized to effect consent on behalf of PBC when PBC is the easement holder or
25 beneficiary of a drainage easement. The LDD may require that consent be in or on a form
26 established by the LDD. [Ord. 2010-005]
27 6. For easements which drain County roads, t~~The~~ LDD shall also have executed in proper form,
28 and shall cause to be recorded against the applicant's land involved, a removal and
29 indemnification declaration (with the necessary consents) on a form approved by County
30 Attorney's Office. Said declaration shall provide that all direct and indirect costs related to
31 removal shall be borne by the property owner, its heirs, successors, assignees, and grantees;
32 that the aforesated person(s) shall indemnify and hold PBC, its officers, employees,
33 contractors, and agents harmless against any and all claims and liabilities of whatever nature
34 (including personal injury and wrongful death) arising from any approval granted hereunder or
35 the construction or installation approved hereunder. The removal declaration shall inure to
36 the benefit of the easement holders and beneficiaries. It shall contain such other terms and
37 covenants as the LDD or the County Attorney deems appropriate. Proof of the recording of
38 the document shall be furnished to PZB with the application for a building permit. [Ord.
39 2010-005]

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EXHIBIT F
ARTICLE 7 – LANDSCAPING
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 **Part 1. ULDC Article 7.E.5.G.4, Vacant Lot Variance (page 29 of 48), is hereby amended as**
3 **follows:**

4 **CHAPTER E REVIEW, INSTALLATION AND MAINTENANCE**

5 **Section 5 Maintenance**

6 **G. Vacant Lots**

7 **4. Vacant Lot Variance**

8 A property owner may apply for a Type IA Administrative ~~Variance~~ subject to Art. ~~2-D.3,~~
9 ~~2.D.3.B.4 Type IA and Type IB Vacant Lots Administrative Variance~~, as may be amended.
10 [Ord. 2005-002][Ord. 2008-037]
11
12

13 **Part 2. ULDC Article 7.G.2.E.1, Curbing (page 44 of 48), is hereby amended as follows:**

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

15 **Section 2 Landscape Islands**

16 **E. Landscape Protection Measures**

17 **1. Curbing**

18 All landscape areas subject to vehicular encroachment shall be separated from vehicular use
19 areas by six inch, non-mountable, FDOT-type “D” or FDOT-type “F”, concrete curbing.
20 Curbing shall be machine-laid, formed-in-place or integrally installed with the pavement.
21 Landscaped areas adjacent to vehicular use areas shall be surrounded with a continuous
22 raised curb, ~~except for the following:~~

23 **a. Exemptions**

24 ~~Divider medians that abut parking spaces with wheel stops.~~

25 ~~b. Properties located in the AGR, AP, AR, and PO zoning districts.~~

26 ~~c. Alternative landscape protection measures approved by the Zoning Division.~~

27 ~~1) Divider medians that abut parking spaces with wheel stops; or,~~

28 ~~2) Properties located in the AGR, AP, or AR zoning districts that support bona fide~~
29 ~~agricultural uses.~~

30 **b. Alternative**

31 ~~1) For properties located in the PO zoning district, alternative landscape protection~~
32 ~~measures may be allowed when it can be demonstrated to the Zoning Director that~~
33 ~~the curbing will interfere with the traffic circulation of the proposed use.~~
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EXHIBIT G

ARTICLE 8 - SIGNAGE
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

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Part 1. ULDC Art. 8.G.3.B, Electronic Message Center Signs, (page 29 of 39), is hereby amended as follows:

CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

Section 3 Other Sign Types

B. Electronic Message Center Signs

Electronic message center signs ~~are allowed~~ shall only be allowed at regional facilities, facilities with serial performances, and, specialized attractions that, by their operating characteristics, have unique sign requirements. These signs ~~require approval as a~~ shall be subject to Class A ~~Conditional Use / or Requested Use~~ approval unless exempt under Article 8.B, EXEMPTIONS.

~~1.~~ **Exemption**

Electronic message center signs ~~that only display time or temperature~~ with a message unit less than 20 square feet in area ~~that display the time and temperature only are exempt from the requirements of this Section shall be permitted in non-residential zoning districts, subject to issuance of a building permit. These signs shall not be required to comply with the requirements of Sections 8.G.3.B.4, Location and 8.G.3.B.5, Required Findings.~~

~~21.~~ **Prohibited Elements**

~~The following are prohibited:~~

- a. Electronic message center signs in windows and externally visible;
- b. Message units that change copy, light, color, intensity, words or graphics more than once per two seconds;
- c. Reflectorized lamps; and,
- d. Electronic message center signs with lamps or bulbs over 30 watts.

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EXHIBIT H

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Art. 11.A.8.B, Plat Waiver with Certified Survey (pages 12-13 of 47), is hereby
3 amended as follows:

4 CHAPTER A GENERAL REQUIREMENTS

5 Section 8 Exceptions to the General Requirements

6 B. Plat Waiver with Certified Survey

7 1. Application for Plat Waiver

8
9 d. The division consists of a change in lot lines for the purpose of combining lots or portions
10 thereof, shown on a record plat, into no more than three contiguous lots where each of
11 the resulting lots meets the requirements of the Plan and this Code or reduces the
12 degree of non-conformity to the requirements of the Plan and this Code, as applicable,
13 and the establishment of streets or installation of improvements either would not be
14 required pursuant to this Article or would be required and their installation would be
15 guaranteed ~~guaranteed~~ by the developer pursuant to the provisions of this Article.
16 Provided, however, that any application hereunder for lands shown on a record plat
17 recorded after February 5, 1973, shall be limited to those changes necessary to correct
18 errors in the record plat or to make a lot line adjustment to accommodate an isolated
19 instance of error in construction of a dwelling unit or other building. In such cases, the
20 improvements shall be in compliance with the standards in effect at the time of recording
21 the plat or with any approved variance to such standards;

22
23 2. Decision by County Engineer

24 In determining if platting may be waived, the County Engineer shall make a determination of
25 the agencies required for review, distribute to these agencies accordingly ~~each application to,~~
26 and consider recommendations received from the ~~following~~ agencies regarding conformance
27 with requirements of their respective regulations and program responsibilities. The agencies
28 that may be considered for review by the County Engineer are:

- 29 a. The Directors of the Land Development and Traffic Divisions, and Survey Section of the
30 Engineering Department;
- 31 b. The Directors of the Planning and Zoning Divisions; **[Ord. 2006-004]**
- 32 c. The Director of Environmental Resources Management;
- 33 d. The County Health Director;
- 34 e. The Director of Water Utilities; and,
- 35 ~~f. The Chief of Fire-Rescue;~~
- 36 ~~g. The Director of Parks and Recreation; and, [Ord. 2006-004]~~
- 37 ~~h. The County Attorney. [Ord. 2006-004]~~

38 3. Effect of Approval

39

40
41
42 Part 2. ULDC Art. 11.A.8. Exceptions to General Requirements (page 13 of 47), is hereby
43 amended as follows:

44 CHAPTER A GENERAL REQUIREMENTS

45 Section 8 Exceptions to the General Requirements

46 **C. 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) and
50 that the new lot configuration decreases any existing non-conformities. The revised single lot of
51 record may be created by one of the following:

- 52 1. The property owner may record a revised abstracted boundary survey into the Public
53 Records of PBC, if approved by the Director of Land Development. In determining whether
54 this process is acceptable, the revised abstracted boundary survey must be submitted for
55 review to the Director of Land Development. The agencies that may be considered for review
56 of the revised abstracted boundary survey are Land Development, Survey and Zoning. The
57 abstracted boundary survey shall be prepared by a State of Florida licensed surveyor and
58 mapper. The document recorded in the Public Records shall include the approval from
59 Director of Land Development. In determining eligibility for creation of a new single lot of
60 record through this option, the Director of Land Development and reviewing agencies shall
61 consider the following criteria at a minimum:
62 a. Designated zoning of lots to be combined;

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EXHIBIT H

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

- b. Existence of landscape tracts, buffers or easements along property lines; and
 - c. Existence of utility easements along property lines; or
 - 2. The property owner may record a waiver of plat in accordance with Article 11.A.8, Exceptions to General Requirements
 - 3. The property owner may record a plat in accordance with Article 11.D, Platting
- DC. Exceptions to Installation of Improvements Requirement**
- ...
- ED. Contents of Applications**
- ...
- FE. Administration of Exceptions to General Requirements**

Part 3. ULDC Art. 11.B.1.B, Professional Services Required (page 15 of 47), is hereby amended as follows:

CHAPTER B SUBDIVISION REQUIREMENTS

Section 1 Preliminary Subdivision Plan

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.

Part 4. ULDC Art. 11.B.6.D, Format and Content of Construction Plans (page 20 of 47), is hereby amended as follows:

CHAPTER B SUBDIVISION REQUIREMENTS

Section 6 Construction Plans and Supplemental Engineering Information

D. Format and Content of Construction Plans

- 5. Bench mark, based on NAVD88 NGVD (1929); and

Part 5. ULDC Art. 11.D.1.B, Final Plat (pages 27-30 of 47), is hereby amended as follows:

CHAPTER D PLATTING

Section 1 Requirements for the Preliminary and Final Plat

B. Final Plat

1. Material

The plat shall be drawn or printed on 24 inch by 36 inch ~~linen, chronoflex, mylar~~ stable base film made by photographic processes from a film scribing tested for residual hypo testing solution to assure permanency, or other approved material.

7. Survey Data

- f. Permanent reference monuments shall be shown in the manner prescribed by F.S. Chapter 177, as amended or as otherwise required by the County Engineer. All information pertaining to the location of "P.R.M.s" shall be indicated in note form on the plat. Permanent Control Points, Permanent Reference Monuments, and Monuments shall be designed and set as prescribed by F.S. Chapter 177, as amended or as otherwise required by the County Engineer, and Sec. 0. It is the responsibility of the surveyor and mapper to furnish the Clerk ~~of the Circuit Court and Comptroller of Palm Beach County~~ with ~~his~~ their certificate that the "P.C.P.s" and all monuments according to F.S. §177.091(9), have been set and the dates said "P.C.P.s" and monuments were set;
- g. There shall be reserved on each sheet of the plat a three inch by five inch space in the upper right hand corner to be used by the Clerk ~~of the Circuit Court and Comptroller of Palm Beach County~~ for recording information and each sheet shall reserve three inches on the left margin and a half inch margin on all remaining sides;

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EXHIBIT H

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

- h. The map shall mathematically close within 0.01 foot and shall be accurately tied to all PBC or reestablished township, range and section lines occurring within the subdivision by distance and bearing;
- i. ~~...~~The position and orientation of the plat shall conform to the Florida State Plane Coordinate System in the manner established by the County Engineer and prescribed in the Land Development Forms Manual;
- j. The cover sheet or first page of the plat shall show a vicinity sketch, showing the subdivision's location in reference to other areas of ~~the~~ PBC;

~~....~~
15. Certification and Approvals

~~....~~
c. Certification of Surveyor and Mapper

The Final Plat shall contain the signature, registration number and official seal of the surveyor and mapper, certifying that the plat is a true and correct representation of the land surveyed under his responsible direction and supervision and that the survey data compiled and shown on the plat complies with all of the requirements of F.S. Chapter 177, as amended, and this Article. If the surveyor and mapper is part of a legal entity, the name, address, and certificate of authorization number of said entity shall be shown. The certification shall also state that permanent reference monuments ("P.R.M.s") have been set in compliance with F.S. Chapter 177, as amended, and this Article. When the permanent control points ("P.C.P.s") and monuments according to F.S. §177.091(9), are to be installed after recordation, the certification shall also state that the "P.C.P.s" and said monuments will be set under the direction and supervision of the surveyor and mapper under the guaranty posted for required improvements within the plat. When required improvements have been completed prior to the recording of a plat, the certification shall state that "P.C.P.s" and monuments have been set in compliance with

d. PBC Approval

~~....~~ Upon approval of the plat, the County Engineer shall present the plat to the Clerk ~~of the Circuit Court and Comptroller of Palm Beach County~~ for recording.

e. Certification of Title

The title sheet of the plat shall contain a title certification. The title certification must be an opinion of an attorney at law licensed in the State of Florida, or the certification of an abstractor or a title insurance company licensed in the State of Florida, and shall state that:

~~....~~
5) All Palm Beach County special assessment items and all other items held against said lands have been satisfied

f. Preparing Surveyor and Mapper

The name and address of the natural person who prepared the plat shall be shown on the plat in the form prescribed in the Land Development Forms Manual.

Part 6. ULDC Art. 11.E.4.H, Preparing Surveyor (page 44 of 47), is hereby amended as follows:

CHAPTER E REQUIRED IMPROVEMENTS

Section 4 Stormwater Management

H. Certificate of Compliance for Lots

When the finished lot grading required by Article 11.E.4.E.1, Lot and Building Site Drainage, Article 11.E.4.E.4, Parking Tract and Parking Area Drainage, is to be completed in conjunction with building construction, prior to issuance of the Certificate of Occupancy the developer shall submit to the Building Director a Certificate of Compliance from a State of Florida registered professional surveyor and mapper, engineer, or landscape architect. Such statement shall be in a form approved by the Building Department and shall state that lot grading was done in accordance with either the approved grading plan for the subdivision or, in the absence of such plan, in accordance with the applicable requirements of Article 11.E.4.E.1, Lot and Building Site Drainage, and Article 11.E.4.E.4, Parking Tract and Parking Area Drainage.

Part 7. ULDC Art. 11.E.9.F.2, Survey Requirements (page 47 of 47), is hereby amended as follows:

CHAPTER E REQUIRED IMPROVEMENTS

Section 9 Subdivision Design and Survey Requirements

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EXHIBIT H

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

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F. Survey Requirements

2. Permanent Control Points (P.C.P.s) and Monuments

Permanent control points and monuments according to F.S. § 177.091(9), shall be installed as follows.

a. Installation Prior to Plat Recordation

Where required improvements are constructed prior to recordation, the permanent control points and monuments shall be set prior to submission of the Final Plat and certified by the surveyor and mapper in accordance with Article 11.D.1.B.15.c, Certification of Surveyor.

b. Installation After Plat Recordation

Where required improvements are constructed after recordation, the permanent control points shall be set under the guaranties as required by Article 11.E.9, Subdivision Design and Survey Requirements. In such case, the ~~surveyor-s~~ and mapper's certificate shall comply with Article 11.D.1.B.15, Certification and Approvals. The signing surveyor and mapper shall provide the County Engineer with a copy of the recorded certification required by Article 11.D.1.B.7.f, as to his placement of the permanent control points and monuments.

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EXHIBIT I
ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/28/10)

1
2 Part 1. ULDC Art. 1.1.2, Definitions (pages 29, 63, 94 and 95 of 114), are hereby amended as
3 follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

- 7 1. ~~1985 Manual~~ for the purposes of Art. 12, the Highway Capacity Manual, 1985, as published
8 by the Transportation Research Board.
9 2. ~~2000 Manual~~ for the purposes of Art. 12, the Highway Capacity Manual, 2000, as published
10 by the Transportation Research Board. Example Para 4 paragraph.

11 [Renumber accordingly.]

12

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

14

- 15 14. Highway Capacity Manual (HCM) – unless otherwise specified, the most recent edition of
16 the Highway Capacity Manual as published by the Transportation Research Board.

17 [Renumber accordingly.]

18

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

- 20 46. **Significant** - for the purposes of Art. 12, significant or significance shall refer to the amount
21 of traffic that has been deemed to be of a level that requires the analysis of roadway Links
22 and or intersections. For purposes of Test One, significance is calculated as the amount of
23 ~~two-way~~ peak hour, peak direction Project traffic assigned to a link taken as a percent of the
24 LOS D service volume for that Link, as shown for the applicable classification in Table
25 12.B.2.D-9 3C: Test One Levels of Significance. For Test Two, Significance shall be
26 calculated as the amount of ~~Average Daily~~ peak hour, peak direction Project traffic assigned
27 to a Link divided by the LOS E service volume for that link, as shown for the applicable
28 classification in Table 12.B.2.D-10 3D: Test Two Levels of Significance. The applicable
29 classification shall be determined on the basis of the number of traffic signals per mile
30 anticipated to be in place by the buildout time frame of the proposed Project. [Ord. 2005-
31 002]

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

33

- 34 58. **Site Specific Development Order** - for the purposes of Art. 12, a Development Order issued
35 by a Local Government which establishes the density or intensity, or maximum density or
36 intensity, or use, group of uses, or permitted uses and which approves a specific plan of
37 Development on a lot or lots pursuant to an application by or on behalf of an Owner or
38 contract purchaser, including applications initiated by a Local Government. It may apply to a
39 lot or lots under single ownership or a group of lots under separate ownership. It shall not
40 include general rezoning/district boundary changes initiated by the Local Government which
41 do not involve a particular development concept, except “down zonings” under this Article of
42 the Code. It includes those Development Order’s referenced in policies 2-g and 2-h of the
43 Plan in the Capital Improvements Element, including amendments thereto. ~~It shall apply to all~~
44 ~~parcels or lots in their entirety taken together of any Subdivision.~~ It includes site specific
45 rezonings, special exceptions, conditional uses, special permits, master plan approvals, site
46 plan approvals, plat approvals, and building permits. It may or may not authorize the actual
47 commencement of development. Two or more Development Order’s which individually do not
48 constitute a Site Specific Development Order shall be considered a Site Specific
49 Development Order if when taken together they meet the definition of Site Specific
50 Development Order.

51
52
53 Part 2. ULDC Art. 12.A.3.C.5.b, Amendments to Previously Captured Approvals (page 11 of
54 63), is hereby amended as follows:

55 CHAPTER A GENERAL

56 Section 3 Applicability

57 C. Non-Applicability

- 58 5. Subsequent or Amendments to Development Orders
59 b. Amendments to Previously Captured Approvals

60 Amendments to Site Specific Development Orders which were captured by this Article or
61 Ord. 90-6 (Traffic Performance Standards Municipal Implementation Ordinance) which do
62 not increase the captured Site Specific Development Orders Net Trips or Net Peak Hour
63 Trips on any Link or Major Intersection (including increases resulting from redistribution)

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EXHIBIT I
ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/28/10)

shall not be subject to the standards of this Article. For purposes of this determination, the generation rates and capture rates of the captured Site Specific Development Order shall be updated to current generation and capture rates, if applicable, and shall be used to calculate whether there is any increase. If there is an increase, Net Trips shall be subject to the standards of this Article. In making this determination, all parcels or lots in their entirety taken together of any Previously-Captured Approval shall be considered if it was approved as a single Project.

Part 3. ULDC Art. 12.B.2, Project Buildout/Five-Year Standard (pages 13, 14 and 15 of 63), are hereby amended as follows:

CHAPTER B STANDARD

Section 2 Project Buildout/Five-Year Standard

A. Buildout Test - Test 1 - Part One and Two

No Project shall be approved for Site Specific Development Order unless it can be shown to satisfy the requirement of Parts One and Two of Test 1 as outlined below. **[Ord. 2009-040]**

2. Part Two – Links

a. This Part requires analysis of Links and Major Intersections as necessary within or beyond the Radius of Development Influence, where a Project's traffic is significant on a Link within the Radius of Development influence. The Total Traffic in the peak hour on the Link shall be compared to applicable thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Peak Hour Traffic; ~~two-way peak direction~~ volume threshold. The applicable facility class for each Link shall be determined on the basis of the number of traffic signals per mile anticipated by the County Engineer to be in place by the buildout time frame of the proposed Project being evaluated. Additionally, for all Links where the Total Traffic peak hour directional volumes exceed the applicable threshold and for all Links where the uninterrupted flow service volume has been utilized, the Major Intersections on each end of the Link shall be analyzed. If the Link is on Southern Boulevard, the at-grade intersection created by an Urban Interchange shall not be considered the intersection at the end of the link since the intersection is actually not on Southern Boulevard. The Project shall include the next intersection with Southern Boulevard for analysis and compliance.

The Project shall pass Part Two of Test One if:

~~If the Total Traffic is equal to or lower than the thresholds, the Project shall pass Part Two of Test 1. If the Total Traffic is higher than the threshold, then the Project fails Part Two. If the Project fails, the applicant may elect to complete a more detailed analysis as outlined below, to demonstrate compliance with Part Two. **[Ord. 2005 – 002]**~~

~~a. Optional Analysis i., On all Links where the peak hour Total Traffic two way volume exceeds the Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Peak Hour Traffic two-way volume thresholds, the Peak Hour directional traffic volumes on each Link shall be compared to the thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Class II. If the Total Traffic is equal to or lower than the thresholds, the Project shall pass Part Two of Test 1. If the peak hour Total Traffic is higher than the threshold, then the Project fails. If the Project fails, optional analysis ii may be completed as outlined below, to demonstrate compliance with Part Two. **[Ord. 2007-013]**~~

~~b. Optional Analysis ii, On all Links where the Total Traffic peak hour directional volumes exceed the thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Class II, the Total Traffic peak hour directional volumes shall be compared to the thresholds in Table 12.B.2.C-1 1A: LOS D Link Service Volumes, Class I and the Major Intersections on each end of the failing Link shall be analyzed. If the project is on Southern Boulevard, the intersection created by the Single Point Urban Interchange shall not be considered the intersection at the end of the link since the intersection is actually not on Southern Boulevard. The Project should include the next intersection with Southern Boulevard for analysis and compliance. The Project shall pass Part Two of Test 1 if: **[Ord. 2005 – 002]** **[Ord. 2007-013]**~~

1) the Total Traffic peak hour directional volume on the Link is less than the applicable thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes ~~Class I~~; and, **[Ord. 2007-013]**

2) For Links utilizing the uninterrupted flow service volume, the intersections are below the 1,400 Critical Volume or below the Delay Threshold in Table 12.B.2.C-2, 1B: LOS D Intersection Thresholds.

For Links not utilizing the uninterrupted flow service volumes: where the Total Traffic peak hour directional volumes exceed the applicable threshold, where the Buildout period is five years or fewer, and where If the Project fails Part Two of Test 1 using optional analysis ii but the intersections at the end of the failing link are below less than or equal

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1 to the 1,400 Critical Volume or ~~below less than or equal to~~ the Delay Threshold in Table
2 12.B.2.C-2,1B a more detailed analysis as outlined in ~~the~~ Optional Analysis ~~iii~~ may be
3 completed to demonstrate compliance with Part Two.

4 ~~For Links not utilizing the uninterrupted flow service volumes: where the Total Traffic~~
5 ~~peak hour directional volumes exceed the applicable threshold and where the Buildout~~
6 ~~period is greater than five years or where the intersections at the end of the failing link~~
7 ~~are greater than the 1,400 Critical Volume or greater than the Delay Threshold in Table~~
8 ~~12.B.2.C-2,1B, the Project fails Part Two of Test One.~~

9 ~~For Links utilizing the uninterrupted flow service volumes, where the Total Traffic peak~~
10 ~~hour directional volumes exceed the applicable threshold, the Project fails Part Two of~~
11 ~~Test One. [Ord. 2005 – 002] [Ord. 2007-013]~~

12 ~~b.e. Optional Analysis, _iii, On all Links where the Total Traffic peak hour, two-way and~~
13 ~~directional volumes exceeded the allowable thresholds above in Optional Analysis ii, but~~
14 ~~the intersections at the end of the Link did not exceed the 1,400 Critical Volume or the~~
15 ~~LOS D Intersection Threshold: [Ord. 2007-013]1) ——— The HCM Arterial Analysis~~
16 ~~Operational methodology shall be conducted. if the Buildout period is five years or fewer~~
17 ~~and the traffic signals projected to be in place on the Link during the Buildout Period of~~
18 ~~the Traffic Impact Study are less than or equal to two miles apart. For these Links, the~~
19 ~~Project shall demonstrate that the Total Traffic peak hour, directional volumes do not~~
20 ~~result in an average speed on the Segment that is lower than the speed thresholds for~~
21 ~~LOS D as defined in Table 12.B.2.C-3, 1C: LOS D. Speed Thresholds. If the speed is~~
22 ~~lower than LOS D then the Project fails Part Two of Test 1. If the speed is equal to or~~
23 ~~higher than the LOS D speed threshold, then the Project shall pass Part Two of Test 1. If~~
24 ~~the speed is lower than the LOS D speed threshold, then the Project fails Part Two of~~
25 ~~Test One. [Ord. 2005-002] [Ord. 2007-013]~~

26 ~~2) If traffic signals projected to be in place on the Link during the Buildout Period of the~~
27 ~~Traffic Impact Study are more than two miles apart, the Total Traffic peak hour~~
28 ~~directional volumes shall be compared to the thresholds in Table 12.B.2.C-1 1A: LOS~~
29 ~~D Link Service Volumes, Uninterrupted Flow. If the Total Traffic is equal to or lower~~
30 ~~than the thresholds, the Project shall pass Part 2 of Test 1. If the Total Traffic is~~
31 ~~higher than the threshold, then the Project fails. [Ord. 2007-013]~~

32 ~~3) If the Buildout Period is greater than five years, the traffic signals projected to be in~~
33 ~~place on the Link during the Buildout Period of the Traffic Impact Study are less than~~
34 ~~or equal to two miles apart, and the Total Traffic peak hour, two-way and directional~~
35 ~~volumes exceeded the allowable thresholds in Optional Analysis ii, then the Project~~
36 ~~fails Part Two of Test 1. [Ord. 2007-013]~~

37 ~~c. The Applicant may make link or intersection improvements in accordance with published~~
38 ~~Palm Beach County or Florida Department of Transportation Design and Traffic~~
39 ~~Engineering Standards, as applicable, in order to satisfy Part Two of Test One. # Part~~
40 ~~Two of Test One could be technically satisfied by improving the deficient Link(s), the~~
41 ~~County Engineer may determine that such improvements will not satisfy Part Two of Test~~
42 ~~One where such improvements do not result in additional capacity sufficient to solve the~~
43 ~~deficiency on the Major Thoroughfare Network or do not provide continuity based upon~~
44 ~~generally accepted traffic engineering principles.~~

45 **B. Five-Year Analysis - Test 2**

46 No project shall be approved for a Site Specific Development Order unless it can be shown to
47 satisfy the requirements of Test 2. This test requires analysis of Links and Major Intersections as
48 necessary within or beyond the Radius of Development Influence, where a Project's traffic is
49 Significant on a Link within the Radius of Development Influence. This analysis shall address the
50 Total Traffic anticipated to be in place at the end of the fifth year of the Florida Department of
51 Transportation Five-Year Transportation Improvement Program in effect at the time of traffic
52 analysis submittal. The existing road network and State and County Five-Year Road Program
53 improvements with construction scheduled to commence before the end of the Five-Year
54 Analysis Period shall be the Test 2 Road Network assumed in the analysis. ~~If the number of~~
55 ~~lanes is different in each direction of a Link, both directions shall be evaluated against the~~
56 ~~applicable standard. [Ord. 2006-043]~~

57 ~~1. The Total Traffic in the peak hour on the Link shall be compared to thresholds in Table~~
58 ~~12.B.2.C-4 2A: LOS E Link Service Volumes, Peak Hour Traffic; two-way volume threshold.~~
59 ~~If the Total Traffic is equal to or lower than the thresholds, the Project shall pass Test Two. If~~
60 ~~the Total Traffic is higher than the applicable threshold, then the project fails Test Two. If the~~
61 ~~Project fails, the applicant may elect to complete a more detailed analysis as outlined below,~~
62 ~~to demonstrate compliance with Test Two. [Ord. 2006-043]~~

63 ~~a. Optional Analysis i. On all links where the peak hour Total Traffic exceeds the Table~~
64 ~~12.B.2.C-4 2A, Peak Hour Traffic two-way volume thresholds, the Peak Hour directional~~
65 ~~traffic volumes on each link shall be compared to the thresholds in Table 12.B.2.C-4 2A~~
66 ~~Class II. If the Total Traffic is equal to or lower than the thresholds, the project shall pass~~
67 ~~Test Two. If the peak hour Total Traffic is higher than the threshold, then the project fails.~~

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~~If the project fails, Optional Analysis ii may be completed as outlined below, to demonstrate compliance with Test Two. [Ord. 2006-043]~~

~~b. Optional Analysis ii. On all links where the Total Traffic peak hour directional volumes exceed the thresholds in Table 12.B.2.C-4 2A, Class II, t~~

1. ~~The Total Traffic peak hour directional volumes shall be compared to the applicable thresholds in Table 12.B.2.C-4 2A LOS E Link Service Volumes, Class I, and the Major Intersections on each end of the failing Link shall be analyzed. The applicable facility class for each Link shall be determined on the basis of the number of traffic signals per mile anticipated to be in place at the 5- year analysis time frame. Additionally, for all Links where the Total Traffic peak hour directional volumes exceed the applicable threshold and for all Links where the uninterrupted flow service volume has been utilized, the Major Intersections on each end of the Link shall be analyzed. If the Link is on Southern Boulevard, the at-grade intersection created by an Urban Interchange shall not be considered the intersection at the end of the Link since the intersection is actually not on Southern Boulevard. The Project shall include the next intersection with Southern Boulevard for analysis and compliance. The Project shall pass Test 2 using this Optional Analysis if: [Ord. 2006-043] [Ord. 2007-013]~~

a. ~~the Total Traffic peak hour directional volume on the Link is less than the applicable thresholds in Table 12.B.2.C-4 2A Class I; and [Ord. 2006-043]~~

b. ~~For Links utilizing the uninterrupted flow service volume, the intersections are below the 1,500 Critical Volume or below the Delay Threshold in Table 12.B.2.C-5, 2B: LOS E Intersection Thresholds.~~

~~For Links not utilizing the uninterrupted flow service volumes, where the Total Traffic peak hour directional volumes exceed the applicable threshold but the intersections at the end of the failing link are below the 1,500 Critical Volume or below the Delay Threshold in Table 12.B.2.C-5, 2B a more detailed analysis as outlined in the Optional Analysis may be completed to demonstrate compliance with Test Two. Otherwise, the Project fails Test Two.~~

~~If the project fails Test Two using Optional Analysis ii but the intersections at the end of the failing link are below the 1500 Critical Volume or below the Delay Threshold in Table 12.B.2.C-5 2B, a more detailed analysis as outlined in Optional Analysis iii may be completed to demonstrate compliance with Test Two. [Ord. 2006-043]~~

~~2.e. Optional Analysis iii. On all links where the Total Traffic peak hour two-way and directional volumes exceeded the allowable thresholds in Optional Analysis ii, but the intersections at the end of a link did not exceed the 1500 Critical Volume or the LOS E Intersection Threshold: [Ord. 2006-043] [Ord. 2007-013]1) The HCM Arterial Analysis Operational methodology shall be conducted. If the traffic signals projected to be in place on the Link during the Five-Year Analysis Period are less than or equal to two miles apart. For these links, the project shall demonstrate that the Total Traffic peak hour directional volumes do not result in an average speed on the Segment that is lower than the speed thresholds for LOS E as defined in Table 12.B.2.C-6 2C. If the speed is lower than LOS E, then the project fails Test 2. If the speed is equal to or higher than the LOS E speed threshold, then the project shall pass Test 2. [Ord. 2006-043] [Ord. 2007-013]~~

~~2) If traffic signals projected to be in place on the Link during the Five-Year Analysis Period are more than two miles apart, the Total Traffic peak hour directional volumes shall be compared to the thresholds in Table 12.B.2.C-4 2A: LOS E Link Service Volumes, Uninterrupted Flow. If the Total Traffic is equal to or lower than the thresholds, the Project shall pass Test 2. If the Total Traffic is higher than the threshold, then the Project fails. [Ord. 2007-013]~~

~~32. The Applicant may make link or intersection improvements in accordance with published Palm Beach County or Florida Department of Transportation Design and Traffic Engineering Standards, as applicable, in order to satisfy Test 2. If Test 2 could be technically satisfied by improving the deficient Link(s), the County Engineer may determine that such improvements will not satisfy Test 2 where such improvements do not result in additional capacity sufficient to solve the deficiency on the Major Thoroughfare Network or do not provide continuity based upon generally accepted traffic engineering principles. [Ord. 2006-043]~~

Part 4. **ULDC Art. 12.B.2.C, Level of Service Standard (page 15 of 63), is hereby amended as follows:**

CHAPTER B STANDARD

Section 2 Project Buildout/Five-Year Standard

C. Level of Service Standard

....
4. A different service volume may be adopted for a specific road or intersection as part of the Plan as a CRALLS. A required roadway improvement that is the subject of a development order condition may not be necessary due to the adoption of a CRALLS. An applicant with a

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1 Project that has a development order condition for a roadway improvement or is phased to
2 the unnecessary roadway improvement may request the appropriate governing body to
3 remove the applicable roadway phasing condition. The application may be approved
4 provided that the concurrency reservation (for unincorporated Projects) or determination of
5 the County Engineer (for municipal Projects) has been amended to delete the applicable
6 roadway phasing condition. If a Project has relied upon a CRALLS volume on a roadway
7 and/or intersection to meet the standard, the subsequent subdivision of that Project into
8 separate lots shall still require all parcels or lots in their entirety taken together of that
9 subdivision to be addressed against the standard and any required CRALLS mitigation for the
10 overall Project to be completed by the developers of the separate lots.
11

Table 12.B.2.C-1 1A: LOS D Link Service Volumes

FACILITY TYPE		ADT	Peak Hour Two Way	Peak Season, Peak Hour, Peak Direction		
				(Class I)	(Class II)	Uninterrupted Flow
2 lanes undivided ¹	2L	12,300	1,170	690	650	1030
		<u>15,200</u>	<u>1,480</u>	<u>880</u>	<u>810</u>	<u>1,140</u>
2 lanes one-way	2LO	19,600	1,870	2,230	2,050	
		<u>19,900</u>		<u>2,350</u>	<u>2,120</u>	
3 lanes two-way	3L	15,400	1,460	860	810	
		<u>15,200</u>	<u>1,480</u>	<u>880</u>	<u>810</u>	
3 lanes one-way	3LO	29,500	2,810	3,350	3,080	
		<u>30,200</u>		<u>3,530</u>	<u>3,220</u>	
4 lanes undivided ¹	4L	24,500	2,330	1,400	1,280	3490
		<u>31,500</u>	<u>3,060</u>	<u>1,860</u>	<u>1,680</u>	<u>3,150</u>
4 lanes divided	4LD	32,700	3,110	1,860	1,710	3490
		<u>33,200</u>	<u>3,220</u>	<u>1,960</u>	<u>1,770</u>	<u>3,320</u>
5 lanes two-way	5L	32,700	3,110	1,860	1,710	
		<u>33,200</u>	<u>3,220</u>	<u>1,960</u>	<u>1,770</u>	
6 lanes divided	6LD	49,200	4,680	2,790	2,570	5230
		<u>50,300</u>	<u>4,880</u>	<u>2,940</u>	<u>2,680</u>	<u>4,980</u>
8 lanes divided	8LD	63,800	6,060	3,540	3,330	
		<u>67,300</u>	<u>6,530</u>	<u>3,940</u>	<u>3,590</u>	
4 lanes expressway	4LX	67,200	6,250	3,440		
		<u>73,600</u>	<u>6,770</u>	<u>3,720</u>		
6 lanes expressway	6LX	105,800	9,840	5,410		
		<u>110,300</u>	<u>10,150</u>	<u>5,580</u>		
8 lanes expressway	8LX	144,300	13,420	7,380		
		<u>146,500</u>	<u>13,480</u>	<u>7,420</u>		
10 lanes expressway	10LX	182,600	16,980	9,340		
		<u>184,000</u>	<u>16,930</u>	<u>9,320</u>		
[Ord. 2005-002] [Ord. 2007-013]						
Based on the <u>2009</u> FDOT Quality/ LOS <u>Handbook Manual, 2002 edition.</u>						
¹ Service volumes for "undivided" roadways assume no <u>exclusive</u> left turn lanes are <u>available</u> <u>provided</u> <u>at</u> <u>signalized</u> <u>intersections.</u> <u>If there are no left turn lanes, reduce these values by 20 percent.</u>						

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Table 12.B.2.C-4 2A: LOS E- Link Service Volumes

FACILITY TYPE		ADT	Peak Hour Two Way	Peak Season, Peak Hour, Peak Direction		
				Class I	Class II	(Uninterrupted Flow)
2 lanes undivided ¹	2L	13,000	1,240	710	680	1,410
		<u>16,200</u>	<u>1,570</u>	880	860	<u>1,440</u>
2 lanes one-way	2LO	20,700	1,960	2,230	2,160	
		<u>21,100</u>		<u>2,350</u>	<u>2,240</u>	
3 lanes two-way	3L	16,300	1,550	890	850	
		<u>16,200</u>	<u>1,570</u>	880	860	
3 lanes one-way	3LO	31,100	2,950	3,350	3,250	
		<u>31,900</u>		<u>3,530</u>	<u>3,400</u>	
4 lanes undivided ¹	4L	25,900	2,450	1,400	1,350	3,970
		<u>33,300</u>	<u>3,230</u>	1,860	1,780	<u>3,570</u>
4 lanes divided	4LD	34,500	3,270	1,860	1,800	3,970
		<u>35,100</u>	<u>3,400</u>	1,960	1,870	<u>3,760</u>
5 lanes two-way	5L	34,500	3,270	1,860	1,800	
		<u>35,100</u>	<u>3,400</u>	1,960	1,870	
6 lanes divided	6LD	51,800	4,920	2,790	2,710	5,960
		<u>53,100</u>	<u>5,150</u>	2,940	2,830	<u>5,650</u>
8 lanes divided	8LD	67,000	6,360	3,540	3,500	
		<u>70,900</u>	<u>6,880</u>	3,940	3,780	
4 lanes expressway	4LX	76,500	7,110	3,910		
		<u>79,400</u>	<u>7,300</u>	<u>4,020</u>		
6 lanes expressway	6LX	120,200	11,180	6,150		
		<u>122,700</u>	<u>11,290</u>	<u>6,200</u>		
8 lanes expressway	8LX	163,900	15,240	8,380		
		<u>166,000</u>	<u>15,270</u>	<u>8,400</u>		
10 lanes expressway	10LX	207,600	19,310	10,620		
		<u>209,200</u>	<u>19,250</u>	<u>10,580</u>		

[Ord. 2005 - 002] [Ord. 2007-013]
Based on the 2009 FDOT Quality/ LOS Handbook-Manual, 2002 edition.
¹Service volumes for “undivided” roadways assume ~~no~~ exclusive left turn lanes are available provided at signalized intersections. If there are no left turn lanes, reduce these values by 20 percent.

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Part 5. ULDC Art. 12.B.2.D, Radius of Development Influence/Project Significance (pages 17, 18, and 19 of 63), are hereby amended as follows:

5

CHAPTER B STANDARD

6

Section 2 Project Buildout/Five-Year Standard

7

D. Radius of Development Influence/Project Significance

8

Table 12.B.2.D-7, 3A represents the Radius of Development Influence for the specific volume of the proposed Project's Net Trips. **[Ord. 2006-043] [Ord. 2007-013]**

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Table 12.B.2.D-7 3A: Radius of Development Influence

Net External Peak Hour Two-Way Trip Generation			Radius
1	thru	20	Directly accessed link(s) of first accessed major thoroughfare(s)
21	thru	50	0.5 miles
51	thru	100	1 mile
101	thru	500	2 miles
501	thru	1,000	3 miles
1,001	thru	2,000	4 miles
2,001	thru <u>and</u>	Up	5 miles

[Ord. 2005-002] [Ord. 2006-043] [Ord. 2007-013]

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Table 12.B.2.D-9 3C – Test One Levels of Significance

Facility	All Links (except I-95 and the Turnpike)	I-95/Turnpike
Significance Level	one percent LOS D within Radius, five percent LOS D outside Radius	five percent LOS D

[Ord. 2006-043]

Table 12.B.2.D-10 3D – Test Two Levels of Significance

Facility	All Links (except I-95 and the Turnpike)	I-95/Turnpike
Significance Level	three percent LOS E within Radius, five percent LOS E outside Radius	five percent LOS E

[Ord. 2006-043]

1. For Test 1, a Project must address those Links within the Radius of Development Influence on which its Net Trips are greater than one percent of the LOS D of the Link affected on a peak hour peak direction basis AND those Links outside the Radius of Development Influence on which its Net Trips are greater than five percent of the LOS D of the Link affected on a peak hour peak direction basis up to the limits set forth in Table 12.B.2.C-1 1A: LOS D Link Service Volumes. Provided, in all cases, I-95 and Florida's Turnpike shall be addressed only if Net Trips on these facilities are greater than five percent of the LOS D of the Link affected on a peak hour peak direction basis up to the limits set forth in Table 12.B.2.C-1 1A: LOS D Link Service Volumes. [Ord. 2006-043] [Ord. 2007-013]
2. For Test 2, a Project must address those Links within the Radius of Development Influence on which its Net Trips are greater than three percent of the LOS E of the Link affected on a peak hour two-way peak direction basis up to the limits set forth in Table 12.B.2.C-4, 2A: LOS E Link Service Volumes AND those Links outside the Radius of Development Influence on which its Net Trips are greater than five percent of the LOS E of the Link affected on a peak hour two-way peak direction basis up to the limits set forth in Table 12.B.2.C-4, 2A: LOS E Link Service Volumes. Provided, in all cases, I-95 and Florida's Turnpike shall be addressed only if Net Trips on these facilities are greater than five percent of the LOS E of the Link affected on a Peak Hour peak direction basis up to the limits set forth in Table 12.B.2.C-4, 2A: LOS E Link Service Volumes. [Ord. 2006-043] [Ord. 2007-013]

....
 Table 12.B.2.D-9-3C identifies the thresholds for the purposes of defining project significance for Test 1. The LOS D thresholds shall mean those peak-hour two-way peak direction volumes listed in Table 12.B.2.c-1 1A. Table 12.B.2.D-10-4B identifies the Significance thresholds for Test 2. The LOS E thresholds shall be those Peak Hour peak direction volumes listed in Table 12.B.2.C-4, 2A. [Ord. 2006-043]

Part 6. ULDC Art. 12.B.2.E, Development of Regional Impact (DRI) (page 19 of 63), is hereby amended as follows:

CHAPTER B STANDARD

Section 2 Project Buildout/Five-Year Standard

E. Phasing

Phasing may be utilized by the Applicant to establish compliance with this standard if all of the following conditions are met:

1. The Proposed Project is able to comply with all the other Concurrency Requirements of the Plan in the unincorporated area.
2. The proposed phasing results in the proposed Project complying with the standards set forth in this Chapter.
3. The proposed phasing comports with the extent and timing of the Assured Construction.
4. The County Engineer confirms that construction is in fact Assured Construction.
5. For any Assured Construction which is to be completed by the Applicant as to the Unincorporated Area, the Applicant must agree in writing prior to approval of the Traffic Impact Study that a condition of approval must be imposed or an Agreement executed and sufficient Performance Security must be required; and as to the Incorporated Area either an Agreement must be executed by all parties prior to or concurrent with the issuance of the Site Specific Development Order, or the Site Specific Development Order must have as a condition the completion of the Assured Construction and timely posting of Performance Security.

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EXHIBIT I
ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/28/10)

- 1 6. Building Permits for that portion of a Project approved with phasing which if standing alone
2 would be the Entitlement phase of the Project may be issued notwithstanding the standards
3 in this Chapter.
4 7. Conditions of the Development Order are imposed or an Agreement is entered which ensure
5 permits are restricted in accordance with the phasing.
6 8. Phasing shall be controlled by the non-issuance of building permits. Phasing may not occur
7 by issuing building permits for any of the phased units or square feet and withholding the CO,
8 inspections, or other items subsequent to the issuance of building permits. Local Government
9 may control phasing by a means prior to the issuance of building permits.
10 9. For any Project that has an approved buildout time frame of 20 years or greater (including
11 buildout time extensions) and is required to phase to intersection improvements more than 3
12 miles from the Project site, the level of service at the intersection may be reevaluated in light
13 of existing and projected turning movement volumes from the TPS database after the Project
14 has received certificates of occupancy for development generating more than 50 percent of
15 its Approved Trips on a peak hour basis. If it is projected that the adopted LOS can be
16 maintained at buildout of the Project, then the Project may continue to pull building permits
17 past the intersection improvement phasing threshold and the improvement no longer needs
18 to be assured. The Project shall be required to monitor the intersection on a biennial basis
19 until 2 years after the final certificate of occupancy to determine the need for any
20 improvements to maintain the adopted level-of-service. If subsequent monitoring shows that
21 the originally-required intersection improvement or an alternative improvement is necessary
22 to maintain the adopted LOS at the originally-required intersection, then the phasing condition
23 in the Project Development Order for the intersection improvement shall be administratively
24 amended to include the new phasing threshold, after which no building permits may be
25 issued until construction of the improvement has commenced. Construction of the
26 intersection improvement shall be assured within 6 months of the date of the amended
27 Project Development Order. If, however, it is a DRI with a project buildout of more than 5
28 years, then construction of the improvement shall be assured no less than 3 years prior to the
29 date of the new phasing threshold.

31
32 **Part 7. ULDC Art. 12.M.3, Monitoring of County's Adherence to and Implementation of the**
33 **Adopted Five-Year Road Program (pages 39 and 40 of 63), are hereby amended as**
34 **follows:**

35 **CHAPTER M FIVE-YEAR ROAD PROGRAM**

36 **~~Section 3 Monitoring of County's Adherence to and Implementation of the Adopted Five-Year~~**
37 **~~Road Program~~**

38 **~~A. General~~**

39 ~~PBC's adherence to and the effectiveness of its implementation of the adopted Five-Year Road~~
40 ~~Program shall be monitored by the Independent Five-Year Road Program Oversight and Advisory~~
41 ~~Council. (Referred to as "Oversight and Advisory Council").~~

42 **~~B. Independent Five-Year Road Program Oversight and Advisory Council~~**

43 **~~1. Council~~**

44 ~~An Oversight and Advisory Council is hereby created and established, consisting of nine~~
45 ~~members. One member shall be selected from each of the six disciplines listed below so that~~
46 ~~all the disciplines are represented, and appointed by the BCC of PBC:~~

- 47 ~~a. construction management;~~
48 ~~b. civil engineering;~~
49 ~~c. operations research/systems analysis;~~
50 ~~d. finance/certified public accounting;~~
51 ~~e. economist; and~~
52 ~~f. legal or general business.~~

53 ~~Three members shall be selected from the general public; one from each of the following~~
54 ~~geographic areas:~~

- 55 ~~1) North PBC – bounded on the west by State Road 7 and a line being the Projection~~
56 ~~north of the centerline of State Road 7; bounded on the south by Southern~~
57 ~~Boulevard.~~
58 ~~2) South PBC – bounded on the west by State Road 7 and on the north by Southern~~
59 ~~Boulevard.~~
60 ~~3) West PBC – bounded on the east by State Road 7.~~

61 ~~The members shall be appointed at large by a majority vote of the BCC, and shall be~~
62 ~~PBC residents. They shall serve two year terms; provided that the initial term only of~~
63 ~~the members from construction management, civil engineering, operations~~
64 ~~research/systems analysis, finance/certified public accounting, and North PBC shall~~
65 ~~be one year. Any member missing three consecutive meetings may be replaced by~~

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EXHIBIT I
ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/28/10)

~~the BCC, with the new appointment filling the unexpired term of the member replaced.~~

2. Purpose and Functions

~~The purpose of the Oversight and Advisory Council is to function both as a resource for both the County Engineer and the BCC in matters of the Five-Year Road Program implementation; to detect potential problems with PBC road building programs; to recommend to the BCC suggested corrective actions relating to any such problems so identified; to strengthen the confidence of the public and industry of PBC in the road transportation improvement program; to generally monitor whether there is adherence to the adopted LOS standards and the Five-Year Road Program schedule.~~

3. Activities

~~To implement the functions stated in Article 12.M.3.B.2, Purpose and Functions, the members of the Oversight and Advisory Council are directed:~~

- ~~a. To aid in the review of the policies, procedures, and programs for use by the County Engineer for implementation of the Five-Year Road Program.~~
- ~~b. To monitor whether the preparation of plans for road and bridge construction is on schedule.~~
- ~~c. To monitor whether the preparation of plans for R-O-W acquisitions and abandonments is on schedule.~~
- ~~d. To monitor the progress of road construction.~~
- ~~e. To monitor the collection and expenditure of all road reviews, including impact fees.~~
- ~~f. To monitor whether there is adherence to the adopted LOS for the major thoroughfare system and the Five-Year Road Program Schedule.~~
- ~~g. To monitor the impact of this Article on the level of development activity by comparison to other communities.~~
- ~~h. To review and recommend funding sources, mechanisms, and mixes of funding to improve the major thoroughfare system.~~
- ~~i. To perform such other duties as the BCC shall direct; provided that the Oversight and Advisory Council shall not be involved in recommending changes to, or the adoption of, the annual Five-Year Road Program or the management of the Engineering Department.~~

4. Administration

- ~~a. The Office of the County Administrator shall provide such administrative staff and assistance as is required for the Oversight Advisory Council to perform its duties and functions.~~
- ~~b. All PBC departmental directors shall cooperate with the Oversight Advisory Council to the fullest extent.~~

5. Reports

- ~~a. adopted Five-Year Road Program. This report shall contain a detailed report on the status of each Project in the Five-Year Road Program, including the proposed commencement and completion. The County Engineer shall submit a report by April 30 and October 30 each year to the Oversight and Advisory Council detailing the status of the PBCs implementation of its dates of all programmed activities within each quarter of each fiscal year and the likelihood of meeting those dates.~~
- ~~b. The Oversight and Advisory Council shall meet at least quarterly to conduct the tasks contained in Article 12.M.3.B.3, Activities. The Oversight and Advisory Council may submit reports to the BCC regarding actual as opposed to planned performance and shall respond to other requests from the BCC. **[Ord. 2009-040]**~~

C. Review of the Oversight and Advisory Council

~~The need for, and tasks of, the Oversight and Advisory Council shall be reviewed approximately June 1, 1992 and every two years thereafter.~~

[Renumber accordingly]

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EXHIBIT I
ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/28/10)

1
2 **Part 8. ULDC Art. 12.P, OKEECHOBEE BOULEVARD CRALLS POINT SYSTEM (pages 44, 45**
3 **and 57 of 63), are hereby amended as follows:**

4 **CHAPTER P OKEECHOBEE BOULEVARD CRALLS POINT SYSTEM**

5 **Section 1 Purpose and Intent**

6 The purpose of the Okeechobee Boulevard CRALLS Point System is to provide a means for approving
7 new land development/redevelopment projects that will have significant traffic impacts on Okeechobee
8 Boulevard, but will provide acceptable mitigation for those impacts. In the case of Okeechobee
9 Boulevard, there are few undeveloped properties without development approvals that could still have
10 significant traffic impact on the roadway. To allow for reasonable and beneficial economic use of these
11 properties, the PBC BCC has determined that Okeechobee Boulevard from Military Trail to ~~Royal Palm~~
12 ~~Beach Boulevard Jog Road~~ is a constrained roadway facility where significant traffic impacts from new
13 development can be evaluated at a lower LOS standard than what is normally allowed. The mitigation of
14 impacts for Okeechobee Boulevard by the Strategies contained in this Point System will be accomplished
15 in the following ways: **[Ord. 2006-036]**

16

17 **Section 2 Applicability**

18 In addition to the standards imposed by this Article, all proposed Projects with significant Project Traffic
19 on the Okeechobee Boulevard corridor from ~~Royal Palm Beach Boulevard Jog Road~~ to Military Trail shall
20 be subject to the Okeechobee Boulevard CRALLS Point System. **[Ord. 2006-036]**

21

22 **Section 5 CRALLS Mitigation Strategies: Point System Methodology**

23 The following section outlines the methodology for a preliminary point system to be used in conjunction
24 with CRALLS Mitigation Strategies. This system operates within the context of PBC's Traffic
25 Performance Standards, in that it assigns trips impacting CRALLS facilities as part of the overall trip
26 generation function. CRALLS Facilities Assigned Trips are defined to include the highest number of
27 Project Net Trips that pass through any single point (intersection or link) along the Okeechobee Corridor
28 that is within the Project's Radius of Development Influence (RDI). For example, this would include
29 Project trips assigned to all approaches to an Okeechobee intersection that lies within the RDI, including
30 U-turn movements that must occur at the intersection. Once those assigned trips are understood and
31 classified, a weighting factor can be applied to reflect the intensity of mitigation required by the developer.
32 The "credit factor" used in this system corresponds to the sum of the credit factors derived from the
33 mitigation strategies utilized.

34

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EXHIBIT J

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS
(Updated 08/26/10)

1
2 Part 1. ULDC Art. 14.C.7.B.3.g.1).b), related to Application Process and General Standards,
3 (page 37 of 52), is hereby amended as follows:

4 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

5 Section 7 Application, Process, and General Standards

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

9 3. Establishing Native Upland Preserves

10 g. A preserve may be purchased in accordance with the following: [Ord. 2008-040]

11 1) A parcel owner may submit a cash payment in lieu of setting aside a native upland
12 preserve provided the following criteria are met: [Ord. 2008-040]

13 b) The cash payment shall be equivalent to the ~~average per acre appraised value,~~
14 per acre value of the pod, at the time of permit application, multiplied by the
15 number of acres required to be preserved. PBC may request a second appraisal
16 on which to base this cash payment; [Ord. 2008-040]
17
18

19 Part 2. ULDC Art. 17.C.6.B, Powers and Duties (page 13 of 26), is hereby amended as follows:

20 CHAPTER C APPOINTED BODIES

21 Section 6 Groundwater and Natural Resources Protection Board

22 B. Powers and Duties

23 The GNRPB shall have the following powers and duties:

24 1. to hold hearings as necessary to enforce Article 14, ENVIRONMENTAL STANDARDS. ERM
25 may refer alleged violations of Art. 14 Environmental Standards, and Art. 4.D, Excavation,
26 Ord. 2003-020, Petroleum Storage Systems, Ord. 2003-021, Petroleum Contamination
27 Clean-up criteria, Ord. 2004-050, Stormwater Pollution and Prevention, Natural Areas, Ord.
28 1994-014 and Ord. 1993-003, Water and Irrigation Conservation as amended to the GNRPB,
29 if there has been a failure to correct a violation within the time specified by the Code
30 Inspector, if the violation has been repeated, or is of such a nature that it cannot be
31 corrected; [Ord. 2006-004]
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EXHIBIT J

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS
(Updated 08/26/10)

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EXHIBIT K

ARTICLE 17 – DECISION MAKING BODIES
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Table 17.C.1.C-1 LDRAB Expertise (page 10 of 26), is hereby amended as
3 follows:

4 CHAPTER C APPOINTED BODIES

5 Section 1 Land Development Regulation Advisory Board

6 C. Board Membership
7 2. Qualifications

8
9 c. No two members of the LDRAB shall represent the same occupation or business.
10
11

Table 17.C.1.C-1 LDRAB Expertise

Occupations	Organizations
1. Residential Builder	Gold Coast Builders
2. Municipal Representative	League of Cities
3. Engineer	Florida Engineering Society
4. Architect	American Institute of Architects
5. Environmentalist	Environmental Organization
6. Realtor	PBC Board of Realtors
7. Surveyor	Fla. Society of Professional Surveyors <u>Florida Surveying and Mapping Society</u>
8. Citizen Representative	Condominium/HOA Assoc.
9. Commercial Builder	Assoc. General Contractors of America
10. AICP Planner	PBC Planning Congress

12
13
14 Part 2. ULDC Art. 17.C.1.C.2, Qualifications [Related to member representation](page 10 of
15 26), is hereby amended as follows:

16 CHAPTER C APPOINTED BODIES

17 Section 1 Land Development Regulation Advisory Board

18 C. Board Membership
19 2. Qualifications

20
21 c. No more than two members of the LDRAB shall represent the same occupation or
22 business.
23
24

25 Part 3. ULDC Article 17.C.7, Hearing Officers (page 14 of 26), is hereby amended as follows:

26 CHAPTER C APPOINTED BODIES

27 Section 7 Hearing Officers

28 A. Creation and Appointment

29 The County Administrator may, from a pool selected by the BCC, appoint one or more hearing
30 officers to hear and consider such matters as may be required under any provision of this Code
31 or under any provision of any other Palm Beach County Ordinance ~~or~~ as may be determined to
32 be appropriate by the BCC from time to time.
33 ...

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EXHIBIT K

ARTICLE 17 – DECISION MAKING BODIES
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 4. ULDC Article 17.D.3.B, Jurisdiction, Authority and Duties (page 14 of 26), is hereby
3 amended as follows:

4 CHAPTER D STAFF OFFICIALS

5 Section 3 County Administrator

6 B. Jurisdiction, Authority and Duties

7 In addition to the jurisdiction, authority, and duties which may be conferred upon PBC
8 Administrator by other provisions of PBC Code and PBC Charter, County Administrator shall
9 have the following jurisdiction and authority under this Code:

- 10 1. to administer PBC administrative officials charged with regulatory authority under this Code;
11 ~~2. to accept maintenance responsibility on behalf of PBC for those streets dedicated to the BCC~~
12 ~~on a duly approved plat of record and constructed pursuant to a Land Development Permit~~
13 ~~for subdivision required improvements;~~ and
14 ~~3.~~ 2. to appoint Hearing officers as set forth in Article 17.C.7, Hearing Officers.

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EXHIBIT L

ANNUAL PUBLIC FACILITIES UPDATE REPORT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Art. 2.F.6, Monitoring Program (page 54 of 56), is hereby amended as follows:

3 CHAPTER F CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARD)

4 Section 6 Monitoring Program

5 ~~**B. Annual Public Facilities Update Report (AUR)**~~

6 ~~By March 1 of each year, the Executive Director of PZB shall submit to the Office of Management~~
7 ~~and Budget (OFMB) an AUR. The AUR shall (a) determine the existing conditions of all potable~~
8 ~~water, sanitary sewer, solid waste, drainage, public school, park, road, mass transit, and fire-~~
9 ~~rescue public facilities, (b) determine and summarize the available capacity of these public~~
10 ~~facilities based on their LOS, and (c) forecast the capacity of existing and planned capital~~
11 ~~improvements identified in the five year capital improvement schedule for each of the five~~
12 ~~succeeding years. The forecasts shall be based on the most recently updated schedule of capital~~
13 ~~improvements for each public facility. The AUR shall also revise relevant population projections.~~
14 ~~Specifically, the AUR shall include:~~

- 15 ~~1. A summary of development exempted pursuant to Article 2.F.3.C, Standards for Review of~~
16 ~~Application for Concurrency Reservation.~~
17 ~~2. A summary of development activity.~~
18 ~~3. An evaluation of public facilities (potable water, sanitary sewer, solid waste, drainage, public~~
19 ~~school, park and recreation, road, mass transit, and fire-rescue facilities) indicating:~~
20 ~~a. The capacity available for each at the beginning of the reporting period and the end of the~~
21 ~~reporting period;~~
22 ~~b. An evaluation of the LOS for each public facility; and~~
23 ~~c. A forecast of the capacity for each public facility based upon the most recent updated~~
24 ~~schedule of capital improvements in the CIE.~~

25 ~~**C. Amendments**~~

26 ~~Based upon analysis of the AUR, OFMB shall propose to the BCC each year, any necessary~~
27 ~~amendments to the CIE, and any proposed amendments to the PBC's annual budget for public~~
28 ~~facilities.~~

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC, Art. 1.A.2 [Related to Applicability] (page 6 of 114) is hereby amended as
3 follows:

4 CHAPTER A AUTHORITY
5 Section 2 Applicability

6 The provisions of this Code shall apply to the development of all land in unincorporated PBC, unless
7 stated otherwise. No development shall be undertaken unless authorized by a ~~valid~~ Development ~~o~~
8 Order.
9

10
11 Part 2. ULDC, Art. 1.E.1.B [Related to Prior Approvals] (page 15 of 114) is hereby amended as
12 follows:

13 CHAPTER E PRIOR APPROVALS
14 Section 1 General

15 B. Prior Approvals
16 All development orders, permits, enforcement orders, ongoing enforcement actions, and all other
17 actions of the BCC, the ZC, the DRO, Enforcement Boards, all other PBC decision making and
18 advisory boards, Special Masters, Hearing Officers, and all other PBC Officials, issued pursuant
19 to the procedures established by prior PBC land development regulations, shall remain in full
20 force and effect. The uses, site design, intensity, density, and tabular data shown on a valid
21 development order Development Permit such as a master plan subdivision, land development
22 permit, or building permit that was approved in accordance with a prior ordinance, shall not be
23 subject to the requirements of this Code for any information clearly shown. This information may
24 be carried forward onto subsequent plans if necessary to implement the previously approved
25 plan.
26
27

28 Part 3. ULDC, Art. 1.I.2.A.41 [Related to Definition of Agreement] (page 34 of 114) is hereby
29 amended as follows:

30 CHAPTER I DEFINITIONS & ACRONYMS
31 Section 2 Definitions

32 A. Terms defined herein or referenced Article shall have the following meanings:
33
34 ~~41. Agreement—~~
35 ~~a. For the purposes of Art. 2, the interlocal agreement between the BCC, the municipalities~~
36 ~~of PBC, and the PBC School Board effective January 25, 2001, and recorded in the~~
37 ~~Official Records Book 12272, Page 973, Public Records, PBC, Florida; [Relocated to~~
38 ~~Art.1.I.2.I.26, Interlocal Agreement]~~
39 ~~b. For the purposes of Art. 12, a Development Agreement, public facilities agreement, or~~
40 ~~other binding agreement entered into between the applicant and PBC or other service~~
41 ~~provider for the purpose of assuring compliance with the adopted LOS standards. The~~
42 ~~form of the Agreement may include, but not be limited to a Development Agreement~~
43 ~~pursuant to F.S. § 163.3220.~~

44 [Renumber accordingly]
45
46

47 Part 4. ULDC, Art. 1.I.2.B.69 [Related to Definition of Buildout Period] (page 43 of 114) is
48 hereby amended as follows:

49 CHAPTER I DEFINITIONS & ACRONYMS
50 Section 2 Definitions

51 B. Terms defined herein or referenced Article shall have the following meanings:
52
53 69. **Buildout Period** - for the purposes of Art. 12, the anticipated time between the issuance of
54 the Specified Site Specific Development Order and December 31st of the year of completion
55 of a proposed Project as assumed in the Traffic Impact Study and approved by the County

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1 Engineer in accordance with the standards set forth in Art.12.C.1.B.3, Projected Buildout
2 Period. Completion of a project shall mean the issuance of the final certificates of occupancy
3 (CO) for buildings in a project. [Ord. 2005-002] [Ord. 2007-013]
4
5

6 Part 5. ULDC, Art. 1.1.2.C.81 [Related to Definition of Condition of Approval] (page 48 of 114),
7 is hereby amended as follows:

8 CHAPTER I DEFINITIONS & ACRONYMS

9 Section 2 Definitions

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

11
12 81. **Condition of Approval** - imposed as part of, or associated with, the issuance of a ~~valid local~~
13 ~~government d~~ Development e Order.
14
15

16 Part 6. ULDC, Art.1.1.2.D.31 [Related to Development Order] (page 52 of 114) is hereby deleted
17 as follows:

18 CHAPTER I DEFINITIONS & ACRONYMS

19 Section 2 Definitions

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

21 31. **Development Order** -

- 22 a. Any order granting, ~~or~~ granting with conditions, or denying an application for a
23 development permit- *through procedures established required by the Code which*
24 *establishes the specific use or uses of land, sets the density, and involves an active and*
25 *specific consideration by PBC of particular detailed development concept. A*
26 *Development Order typically involves the submission and review of a plan, but may not*
27 *necessarily involve such. It shall not include land use designations or amendments*
28 *established by the Comprehensive Plan and Rezoning initiated by PZB pursuant to*
29 *direction of the BCC.*[Relocated from Art.1.2.D.33, Development Order, Local
30 Government]
31 b. For the purposes of Art. 2.F, any Concurrency Reservation that applies to lands that are
32 owned by a unit of local, state, or federal government and utilized for buildings or facilities
33 that are owned by a government entity and support government services or delivery of
34 public services. [Ord. 2007-013]
35 ~~c. For the purposes of Art. 9 and Art. 12, as defined in F. S. § 163.3164. [Ord. 2007-013]~~
36
37

38 Part 7. ULDC, Art.1.1.2.D.32, 33, and 34 [Related to Development Order] (page 52 of 114), are
39 hereby deleted as follows:

40 CHAPTER I DEFINITIONS & ACRONYMS

41 Section 2 Definitions

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

- 43
44 ~~32. **Development Order, Final** – a development order for site plan/final subdivision plan, or a~~
45 ~~building permit.~~
46 ~~33. **Development Order, Local Government** – a development order properly issued by PBC~~
47 ~~through procedures established by Code which establishes the specific use or uses of land,~~
48 ~~sets the density, and involves an active and specific consideration by PBC of particular~~
49 ~~detailed development concept. It shall include affidavits of exemption and subdivision~~
50 ~~approval. It typically involves the submission and review of a master plan, site plan, or~~
51 ~~building plans, but may not necessarily involve such. It shall not include land use~~
52 ~~designations established by Local Government's Comprehensive Plan. It does not include~~
53 ~~comprehensive general rezoning district boundary changes initiated by PBC. It typically~~
54 ~~involves a petition of the landowner for his property alone and not adjoining properties. It~~
55 ~~does not include vegetative removal, clearing, grading or demolition permits.~~
56 ~~34. **Development Order, Preliminary** – a development order for an amendment to the official~~
57 ~~zoning map, a planned development, a conditional use, a special use, a variance, a coastal~~

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1 ~~protection permit, a flood prevention permit, an environmentally sensitive lands permit, a~~
2 ~~wetlands permit, a Wellfield protection permit, or a sea turtle protection permit.~~

3 [Renumber accordingly]
4
5

6 Part 8. ULDC, Art.1.1.2.D.35 [Related to Development Permit] (page 52 of 114), are hereby
7 deleted as follows:

8 CHAPTER I DEFINITIONS & ACRONYMS

9 Section 2 Definitions

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

11 ~~35. **Development Permit** – any amendment to the text of this Code or Official Zoning Map~~
12 ~~(rezone), conditional use, special use, planned development, site plan/final subdivision plan,~~
13 ~~subdivision, building permit, variance, special exception, certificate of conformity, unique~~
14 ~~structure, or any other official action of PBC having the effect of permitting the development~~
15 ~~of land or the specific use of land. [Ord. 2009-040]~~

16 35. **Development Permit** – includes any building permits, zoning permits such as Rezoning,
17 Conditional/Requested Uses, Development Order Amendments, DRO/Administrative
18 approvals, Special Permits, Deviations, Waivers, Variances, Subdivisions or any other
19 official action of PBC having the effect of permitting the development of land or the specific
20 use of land.
21
22

23 Part 9. ULDC, Art.1.1.2.I.28 [Related to Interlocal Agreement] (page 65 of 114), is hereby
24 deleted as follows:

25 CHAPTER I DEFINITIONS & ACRONYMS

26 Section 2 Definitions

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

28
29 28. **Interlocal Agreement** - Agreement between the BCC, the municipalities of PBC, and the
30 PBC School Board effective January 25, 2001, and recorded in the Official Records Book
31 12272, Page 973, Public Records, PBC, Florida;

32 [Renumber accordingly]
33
34

35 Part 10. ULDC, Art. 1.1.2.L.53 [Related to Local Government Development Order] (page 69 of
36 114) is hereby amended as follows:

37 CHAPTER I DEFINITIONS & ACRONYMS

38 Section 2 Definitions

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

40
41 ~~53. **Local Government Development Order** – a Development Order properly issued by PBC~~
42 ~~through procedures established by Code which establishes the specific use or uses of land,~~
43 ~~sets the density, and involves an active and specific consideration by PBC of particular~~
44 ~~detailed development concept. It shall include Affidavits of Exemption and Subdivision~~
45 ~~approval. It typically involves the submission and review of a master plan, site plan, or~~
46 ~~building plans, but may not necessarily involve such. It shall not include land use~~
47 ~~designations established by a Local Government's Comprehensive Plan. It does not include~~
48 ~~comprehensive general rezoning/district boundary changes initiated by PBC. It typically~~
49 ~~involves a petition of the land owner for his property alone and not adjoining properties. It~~
50 ~~does not include vegetative removal, clearing, grading or demolition permits.~~

51 [Renumber accordingly]
52
53

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 11. ULDC, Art. 1.1.2.P.87 [Related to Project] (page 83 of 114) is hereby amended as
3 follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

7 87. Project -

- 8 a. Land use or group of land uses involving the development of a particular parcel of land at
9 a particular density which was granted a ~~valid local government development order~~
10 Development Order, or which substantially complies with applicable provisions of the
11 PBC Subdivision Code as determined by the Director of the Land Development Division
12 of the PBC Engineering Department.
- 13 b. For the purposes of Art. 12, a land use or group of land uses, or land development
14 activity or activities, or amendment thereto, which require the issuance of a Development
15 Order(s). All Public Civic Sites dedicated as part of a PUD or otherwise obtained by a
16 governmental agency for public use shall be considered a Project separate from the PUD
17 for the purposes of reviewing the traffic impacts of the Civic Sites under this Article.
- 18 c. For the purposes of Art. 12, a land use or group of land uses, or land development
19 activity or activities, or amendment thereto, which require the issuance of a Development
20 Order. [Ord. 2006-036]

21
22
23 Part 12. ULDC, Art.1.1.2.V.3 [Related to Valid] (page 106 of 114), is hereby deleted as follows:

24 CHAPTER I DEFINITIONS & ACRONYMS

25 Section 2 Definitions

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

- 27 ~~3. Valid – for the purposes of Art. 13, Impact Fees, a development order or other authorization~~
28 ~~which was legally issued, and that has not expired, lapsed, or been abandoned, revoked, or~~
29 ~~canceled; or is not subject to such by the passage of time or the conduct of the owner or~~
30 ~~developer, and on which or for which all conditions of approval are satisfied that must be~~
31 ~~satisfied by the terms or conditions of approval.~~

32 [ReNUMBER accordingly]

33
34
35 Part 13. ULDC, Art. 2.A.1.Q.3 [Related to Implemented Development Orders] (page 17 of 56), is
36 hereby amended as follows:

37 CHAPTER A GENERAL

38 Section 1 Applicability

39 Q. Development Order Abandonment

40 3. Implemented Development Orders

41 Certain implemented ~~dDevelopment eOrders~~ qualify for administrative abandonment. Other
42 implemented ~~dDevelopment eOrders~~ require Public Hearing abandonment by the Board
43 ~~(BCC or ZC)~~ that approved the ~~dDevelopment eOrder (BCC or ZC)~~. [Ord. 2009-040]

44
45
46 Part 14. ULDC, Art. 2.E.2.D.1 [Related to Scheduling of Status Reports (pages 40-41 of 56), is
47 hereby amended as follows:

48 CHAPTER E MONITORING

49 Section 2 Procedures

50 D. Failure to Comply with Conditions or Time Requirements other than for a DRO Imposed
51 Condition of Approval

52 1. Scheduling of Status Reports

53 If a property owner fails to comply with a time requirement and has not received a time
54 extension, staff shall advertise a status report public hearing for the ~~agenda of the body~~
55 Board (BCC or ZC) ~~which that~~ approved the Development Order ~~subject development order~~

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 ~~(BCC or ZC)~~. If a property owner violates a condition of approval, staff may advertise a status
3 report public hearing for the ~~agenda of the body Board (BCC or ZC) which that~~ approved the
4 ~~Development Order subject development order (BCC or ZC)~~. The hearing shall be held within
5 90 days of the filing of the notice required by Article 2.E.2.A, Suspension of Development
6 Orders. Staff may delay the scheduling of the status report public hearing if, prior to the most
7 recent deadline for compliance, the property owner files for an amended or new ~~development~~
8 ~~order Development Order~~ which may affect the time requirement or any condition being
9 violated. If the new ~~petition application~~ is approved and the time requirement has not been
10 affected, or if the ~~petition application~~ is denied, staff will place the status report on a BCC or
11 ZC agenda within 65 days ~~of the approval of the new application~~. Staff will not delay
12 scheduling of ~~the staff status~~ report when ~~there has been a failure the property owner fails~~ to
13 comply with ~~a Development Order Condition of Approval that is required for compliance with~~
14 ~~Traffic Performance Standards, concurrency reservation or development order conditions~~
15 ~~which are required for the Development Order for to comply with Art. 12.C.1, Traffic Impact~~
16 ~~Study.~~

17
18 **Part 15. ULDC, Art. 2.F.3.B.5.b [Related to Review for Adequate Public Facilities] (page 49 of**
19 **56), is hereby amended as follows:**

20 **CHAPTER F CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARD)**

21 **Section 3 Review for Adequate Public Facilities**

22 **B. Procedure for Review of Application for a Concurrency Reservation**

23 **5. 90 Day Negotiation**

24 **b. Joint Review**

25 The timing and review of an application shall be consistent with the timing and review
26 procedures outlined in Article 2, DEVELOPMENT REVIEW PROCESS, for the requested
27 Development Permit ~~Order~~. Approval of the Development Permit ~~Order~~ shall not be
28 granted until Concurrency is approved.
29
30

31 **Part 16. ULDC, Art. 3.B.10.E.3.b.1) and 2) [Related to Review procedures of PBIA-O] (page 29-**
32 **of 195), is hereby amended as follows:**

33 **CHAPTER B OVERLAYS**

34 **Section 10 PBIAO, Palm Beach International Airport Overlay**

35 **E. Review Procedures**

36 **3. Industrial Rezoning in Residential FLUA Designations**

37 **b. Rezoning Criteria**

38 Lands may be rezoned to the IL district, except for those areas described as non-
39 conversion areas, provided one of the following conditions are met: **[Ord. 2004-051]**

40 1) Lands that support existing residential development or that have a ~~valid~~
41 ~~development order Development Order~~ for residential development may be rezoned
42 to the IL or PIPD district, if they:

43 a) are at least five acres; and, **[Ord. 2004-051]**

44 b) abut a R-O-W identified on the County's Thoroughfare Identification Map; or

45 c) are at least ten acres; and, **[Ord. 2004-051]**

46 d) do not abut a R-O-W identified on the County's Thoroughfare Identification Map;
47 or **[Ord. 2004-051]**

48 2) Lands that are currently vacant or do not have a ~~valid development order~~
49 ~~Development Order~~ may be rezoned to the IL or PIPD district provided the parcel is
50 contiguous on no more than two sides to existing residential development and they

51 a) are at least five acres, and, **[Ord. 2004-051]**
52
53
54

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56

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

- 1
2 Part 17. ULDC, Art. 3.E.1.A.2.a [Related to Previous approvals] (pages 102 of 195), is hereby
3 amended as follows:
- 4 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)
- 5 Section 1 General
- 6 A. General
- 7 2. Applicability
- 8 a. Previous Approvals
- 9 Previously approved planned developments with a ~~valid development order~~ Development
10 Order that does not conform to provisions in this Code shall be considered conforming in
11 accordance with Art. 1.E, Prior Approvals. Nonconforming uses shall comply with 1.F,
12 Nonconformities, and any other applicable requirements, unless stated otherwise herein.
13 [Ord. 2009-040]
- 14
15
- 16 Part 18. ULDC, Art. 4.B.1.A.106-1.e [Related to Renewable Energy Facility, Solar] (page 79 of
17 166), is hereby amended as follows:
- 18 CHAPTER B SUPPLEMENTARY USE STANDARDS
- 19 Section 1 Uses
- 20 A. Definitions and Supplementary Standards for Specific Uses
- 21 106-1.Renewable Energy Facility, Solar
- 22 e. Collocation with Existing Electric Power Facilities
- 23 Solar facilities located on a site with an existing electric power facility shall be approved
24 pursuant to the approval process indicated in the appropriate use matrix, and shall not be
25 subject to a ~~legislative dDevelopment eOrder a~~ Amendment pursuant to Article 2.B.2.F,
26 Development Order Amendment. [Ord. 2009-040]
- 27
28
- 29 Part 19. ULDC, Art. 4.C.4.Q.9.e [Related to Communication Tower, Commercial] (pages 133 of
30 166), is hereby amended as follows:
- 31 CHAPTER C COMMUNICATION TOWER, COMMERCIAL
- 32 Section 4 Standards
- 33 Q. Additional Standards and Requirements
- 34 9. Consultant Services
- 35 e. the applicant shall reimburse PBC for the consultant fees prior to the ~~issuance~~
36 certification of the application for public hearing process or approval of the application by
37 the DRO. final development order.
- 38
39
- 40 Part 20. ULDC, Art. 4.D.4.B.1, [Related to Previously Approved Development Orders] (pages
41 139-140 of 166), is hereby amended as follows:
- 42 CHAPTER D EXCAVATION
- 43 Section 4 Prohibitions and Exemptions
- 44 B. Exemptions
- 45 The following excavation activities shall be exempt from the requirements of this Section:
- 46 1. Existing Lakes
- 47 Existing mined lakes approved prior to June 16, 1992 that have a valid development order
48 which complies with the criteria below shall be exempt from the requirements of this Section.
49 If an amendment is proposed that deviates from the original approval, then a ~~development~~
50 order amendment Development Order Amendment shall be requested pursuant to Article
51 2.B, PUBLIC HEARING PROCEDURES, and shall comply with the provisions in Article 1.F,
52 NONCONFORMITIES.
- 53 a. Regulated by a National Pollutant Discharge Elimination System Permit; or
54 b. Regulated by a Florida Department of Environmental Protection (DEP) industrial
55 wastewater operation permit; or

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

- 1 c. Located within an approved residential, commercial, industrial or mixed-use development
2 and function as a stormwater management facility pursuant to:
3 1) A surface water management construction permit issued by the SFWMD; or,
4 2) A conceptual permit issued by the SFWMD that delineates proposed littoral slopes of
5 the excavated lake(s) conducive for planting; or
6 3) An applicable ~~County land development~~ Land Development Permit permit depicting
7 proposed littoral and upland slopes of a mined lake. As long as the existing
8 excavated lake continues to meet the water quality standards contained in Chapter
9 62-302, F.A.C.

10
11
12 **Part 21. ULDC, Art. 4.D.5.D.5 [Related to Excavation Necessary to Implement a Final**
13 **Development Order] (page 144 of 166), is hereby amended as follows:**

14 **CHAPTER D EXCAVATION**

15 **Section 5 Excavation Standards**

16 **D. Type II Excavation**

17 **5. Use Approval and Procedures**

18 Prior to initiating excavation activity, approval shall be required in accordance with this
19 Section. **[Ord. 2008-037]**

20 **d. Excavation Necessary to Implement a ~~Final~~ Development Order**

21 If an excess of ten percent of fill is proposed to be removed from a site and no unusual
22 conditions exist justifying removal of more than ten percent of the excavated material, as
23 specified in Art. 4.D.5.D, Type II Excavation, then the excavation shall be considered a
24 Type III A mining operation. This exception applies only to sites located within the Urban
25 Service Area or a site in the rural service area which has a ~~valid development order~~
26 Development Order approved prior to the effective date of this ordinance. The applicant
27 shall apply for a Class A Conditional use approval for a Type III A excavation pursuant to
28 the standards of Art. 2.B.2, Conditional and Requested Uses Development Order
29 Amendments and Unique Structures, and shall comply with the following standards: 1)
30 Art. 4.D.8.A, Operational Standards and Requirements, 2) Littoral; 3) Upland
31 Reclamation Standards in Art. 4.D.8.E, Maintenance and Monitoring; 4) Maintenance and
32 Monitoring requirements for excavated areas, and littoral plantings in Art. 4.D.8.E,
33 Maintenance and Monitoring; 5) Buffer requirements in Art. 4.D.5.E, Type III Excavation;
34 and 6) Setbacks shall be provided pursuant to Type II setback requirements in Art.
35 4.D.5.D.3, Separations and Setbacks.

36
37
38 **Part 22. ULDC, Art. 5.G.3.K.5.d [Related to TDR: Receiving Area Procedure] (page 86 of 93), is**
39 **hereby amended as follows:**

40 **CHAPTER G DENSITY BONUS PROGRAMS**

41 **Section 3 Transfer of Development Rights Program**

42 **K. TDR: Receiving Area Procedure**

43 **5. Standards**

- 44 d. If the transfer is between two private parties, at the time the transfer is approved, the
45 sending area from which the transfer will occur shall be subject to a conservation
46 easement and shall be identified on the Zoning Map. Pending recording of the
47 conservation easement, no ~~development~~ Development Order approvals ~~or development~~
48 ~~permits will shall~~ be issued for the sending area or receiving area;

49
50
51 **Part 23. ULDC, Art. 9.B.3.C.9, [Related to Archaeological and Historic Preservation, Review**
52 **Guidelines for Certificate of Appropriateness] (page 12 of 18), is hereby amended as**
53 **follows:**

54 **CHAPTER B HISTORIC PRESERVATION PROCEDURES**

55 **Section 3 Procedures**

56 **C. Review Guidelines for Certificate of Appropriateness**

- 57 9. The HRRB may approve, modify or deny an application for a Certificate of Appropriateness.
58 For purposes of granting a Certificate of Appropriateness, the HRRB shall have access to the

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EXHIBIT M

DEVELOPMENT ORDER – DEVELOPMENT AGREEMENT – DEVELOPMENT PERMIT
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

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designated site. If the HRRB approves the application, a Certificate of Appropriateness shall be issued. The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other ~~e~~Development ~~p~~ Permits, ~~e~~ Orders and ~~a~~ Approvals required by PBC. A ~~building permit or other~~ ~~e~~Development ~~p~~ Permit, ~~order or approval~~ shall be invalid if it is obtained without the Certificate of Appropriateness required for the work. Construction for which a Certificate of Appropriateness is issued shall commence within 18 months from the date of issuance, and said certificate shall expire if 25 percent of the approved improvements have not been completed within 24 months from the date of issuance. The HRRB may not approve extensions for Certificates of Appropriateness. If the HRRB denies the application, a Certificate of Appropriateness shall not be issued. The HRRB shall state its reasons for denial in writing and present these written reasons to the applicant within ten calendar days of the HRRB's denial.

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EXHIBIT N

STATE ROAD - 7 ECONOMIC DEVELOPMENT OVERLAY (SR-7 EDO)
SUMMARY OF AMENDMENTS
Updated 06/24/10

1
2 Part 1. ULDC, Art 3.B, Overlays (page 81 of 195), is hereby amended to add new Art. 3.B.17,
3 SR-7 Economic Development Overlay, as follows:

4 CHAPTER B OVERLAYS

5 SECTION 17 SR-7 ECONOMIC DEVELOPMENT OVERLAY

6 A. PURPOSE AND INTENT

7 The purpose of the SR7 EDO is to provide a framework that will increase the available amount of
8 developable land area necessary to attract skilled trades companies, and provide for economic
9 activities that diversify those already found in the vicinity. The primary intent is to encourage the
10 establishment of industries that provide professional and technical types of jobs for the local
11 population, provide land for the establishment of skilled trades companies, while potentially
12 reducing the volume of employment related east – west commuter trips for area residents.
13 Alternatively, the SR7 EDO establishes protections for existing uses within the overlay, and other
14 development protections to mitigate any adverse impacts to residents.

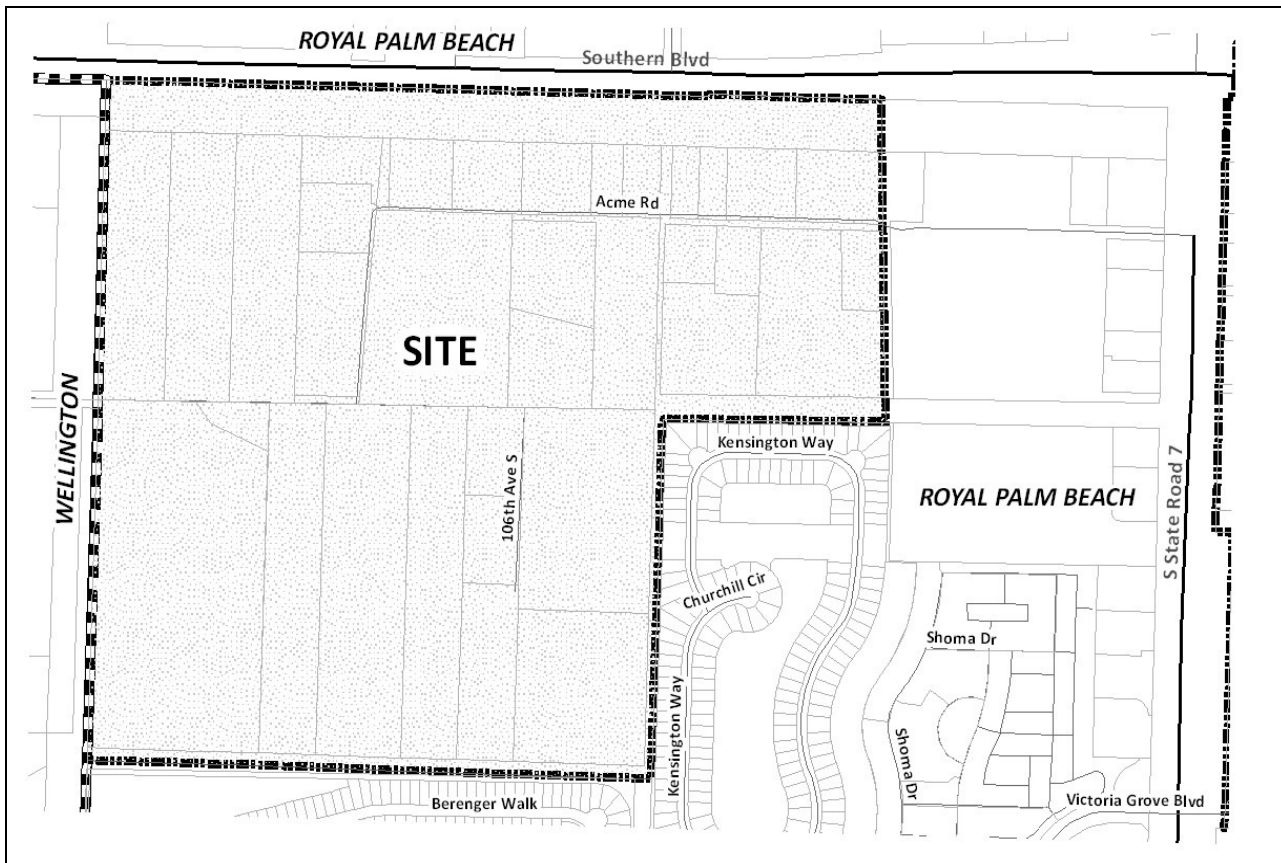
15 B. APPLICABILITY

16 This Section shall apply to all new development within the defined boundaries of the SR-7 EDO,
17 unless exempted otherwise herein.

18 1. BOUNDARIES

19 The SR7 EDO consists of an within unincorporated PBC approximately 174.4 acres in size
20 generally bounded on the north by the SFWMD West Palm Beach Canal (State Road
21 80/Southern Boulevard); to the South and Southeast by the Victoria Grove subdivision; to the
22 east by the lots 72-42-43-27-05-009-0101 and 72-41-43-36-01-000-0010 (aka Lowes Home
23 Center subdivision); and, to the west by an un-named canal and the Village of Wellington.
24 See Figure 3.B.17.B, Map of SR7 EDO Boundaries.
25

FIGURE 3.B.17.B – MAP OF SR-7 EDO BOUNDARIES



[ORD. 2010-...]

26
27 2. PREVIOUSLY APPROVED USES

28 All uses that were legally established or approved prior to the effective date of FLUE
29 Objective 1.10, SR-7 Economic Development Overlay, shall be vested from the requirements
30 of this Section if they continue to operate as approved. Expansion shall be permitted where
31 in compliance with all other ULDC requirements. This shall not be deemed to vest any prior
32 approvals from the requirements of Art. 1.E, Prior Approvals, or Art. 1.F, Nonconformities.

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EXHIBIT N

STATE ROAD - 7 ECONOMIC DEVELOPMENT OVERLAY (SR-7 EDO)
SUMMARY OF AMENDMENTS

Updated 06/24/10

1 **C. SR-7 EDO MINIMUM DENSITY REQUIREMENTS**

2 Each SR-7 EDO application shall be required to provide residential units, including workforce
3 housing program (WHP) units. The minimum required density shall be 20 percent of the
4 maximum density for the underlying LR-2 FLU designation as indicated in Table 3.E.1.B, PUD
5 Density (i.e. 0.4 x total gross acreage of each project). The minimum percentage of required
6 workforce housing units shall be calculated in accordance with Art. 5.G.1, Workforce Housing
7 Program.

8 **D. APPLICATION REQUIREMENTS**

9 Each application for a SR7 EDO project shall comply with the following:

10 **1. PLANNED INDUSTRIAL PARK DEVELOPMENT (PIPD) REZONING**

11 Each application shall rezone to the PIPD district.

12 **2. PRE-APPLICATION CONFERENCE (PAC)**

13 Each application shall require a PAC in accordance with Art. 2.A.1.E, Pre-Application
14 Conference.

15 **E. DESIGN PRINCIPLES**

16 A SR-7 EDO application shall outline the potential for industrial and commercial jobs that will be
17 generated by the proposed uses. Special consideration shall be given to mitigate any adverse
18 impacts to adjacent development, while providing for the needs of the workforce and related
19 business activities.

20 **1. LOCATION LIMITS FOR SUPPORT USES**

21 Where permitted, commercial uses shall be located internally to the overlay and designed to
22 primarily serve residents, workers and associated business affiliates within the SR-7 EDO.
23 These uses shall be designed to minimize internal vehicle usage, with an enhanced
24 pedestrian circulation system that provides weather protection by use of landscaping or other
25 canopy structures. This requirement may be addressed by providing access to adjacent SR-
26 7 EDO projects, provided a cross access agreement, or other similar safeguard approved by
27 the Planning Division, is established to ensure that access shall be maintained in perpetuity.

28 **2. PIPD THRESHOLDS – MINIMUM LOT SIZE**

29 The minimum 40 acre lot size requirement may be reduced for any SR-7 EDO PIPD
30 application that shares a common lot line with a PIPD, or combination of PIPDs, having a
31 land area totaling 40 acres or more.

32 **3. ACCESS**

33 Access shall be provided in accordance with any R-O-W located and dimensioned by the
34 FLU amendment, and the following:

- 35 a. One access point shall be located at the intersections of Southern Boulevard and 103rd
36 Avenue North;
- 37 b. One access point shall be located at the northeastern boundary of the overlay to provide
38 access onto Southern Boulevard;
- 39 c. Internal vehicular circulation within the overlay shall be designed so that primary access
40 is from Southern Blvd. with existing secondary access to SR-7 limited to serving existing
41 uses or emergency vehicles;
- 42 d. No SR-7 EDO projects shall be approved without establishing a minimum of one access
43 point to Southern Boulevard for the SR-7 EDO area; and,
- 44 e. Each SR7 EDO project shall provide minimum legal access built to minimum local
45 commercial road standards. All property owners shall convey R-O-W for a local
46 commercial road through their property, on an alignment approved by the County
47 Engineer.

48 **4. INTERCONNECTIVITY**

49 SR-7 EDO applications shall consider the overall framework necessary to allow for the
50 development of all parcels within the overlay, to include sufficient R-O-W to allow for access
51 to Southern Boulevard, and development of any needed utilities.

- 52 a. Projects abutting the SFWMD C-51 Canal shall provide an east-west street that shall be
53 constructed to minimum County standards on an alignment acceptable to the County
54 Engineer;
- 55 b. Projects that include parcels fronting on the SFWMD C-51 Canal shall provide a means
56 of access to adjacent parcels that do not abut this canal. Access shall comply with
57 minimum legal access required by Art. 11 for a local commercial street and be the
58 minimum R-O-W necessary to establish frontage and accommodate any requisite
59 connections to additional parcels within the overlay;
- 60 c. The alignment of access roads shall be clearly depicted on all plans; and,
- 61 d. An irrevocable cross access agreement, to include provisions for utility connections, shall
62 be provided to all property owners entitled to the interconnectivity standards above, and
63 where appropriate shall indicate that cross access may be extended to additional parcels
64 within the overlay. This requirement may be supplanted where similar access rights are
65 dedicated by plat, subject to Engineering approval.

66 **5. PERIMETER BUFFERS**

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EXHIBIT N

STATE ROAD - 7 ECONOMIC DEVELOPMENT OVERLAY (SR-7 EDO)
SUMMARY OF AMENDMENTS

Updated 06/24/10

1 Where non-residential uses are located abutting parcels having existing residential uses or
2 having a rural residential FLU designation, the following shall be required:

- 3 a) Required buffer width and number of trees, palms and shrubs shall be increased by 50
4 percent; or
5 b) Alternatively, increased buffer width and planting requirements within the EDO shall not
6 be required where adjacent to properties within the SR-7 EDO (shall not apply to
7 perimeter buffers abutting parcels outside of the SR-7 EDO) if notarized affidavits are
8 provided from adjacent property owners, or designated agents, releasing the applicant
9 from these requirements.

10 **6. HEIGHT LIMITATIONS**

11 Buildings located within 50 feet of the SR-7 EDO outer boundary shall be limited to a
12 maximum of 35 feet in height and consist of no more than two stories.

13 **F. USE REGULATIONS**

14 This section shall regulate primary or collocated uses that shall be permitted within an SR-7 EDO
15 project. Limited commercial, civic, and recreational uses are permitted only where intended to
16 serve workers within the overlay, inclusive of any associated business affiliates.

17 **1. PERMITTED USES**

18 Table 3.B.17.F, SR-7 EDO Permitted Use Schedule, identifies uses permitted within the
19 overlay.

20 **2. ACCESSORY USES**

21 Accessory uses shall be permitted in accordance with Art. 5.B, Accessory and Temporary
22 Uses. Any proposed use that exceeds the limitations of an accessory use shall only be
23 permitted if allowed above and where in compliance with the requirements of this code.

24 **3. OUTDOOR USES**

25 Outdoor storage, speakers, manufacturing and processing shall be prohibited.

26 **4. DRIVE-THROUGH USES**

27 Drive-through uses are prohibited within the SR-7 EDO.

28 **5. GENERAL RETAIL SALES**

29 Shall be prohibited as a principal use.

30 **6. RESTAURANTS**

31 Where permitted by a FLU amendment, restaurants shall be limited to a maximum of 15,000
32 square feet of rentable space.

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EXHIBIT N

STATE ROAD - 7 ECONOMIC DEVELOPMENT OVERLAY (SR-7 EDO)
SUMMARY OF AMENDMENTS
Updated 06/24/10

- 1 Part 3. ULDC, Art 3.E.5, Planned Industrial Park Development (pages 140 and 142 of 195, is
2 hereby amended, as follows:
- 3 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)
- 4 SECTION 5 PLANNED INDUSTRIAL PARK DEVELOPMENT (PIPD)
- 5 A. GENERAL
- 6
- 7 3. CONFLICTS
- 8 If a conflict exists between this Section and other Sections in this Code, the provisions of this
9 Section shall apply to the extent of the conflict, with exception to the SR-7 EDO.
- 10 B. OBJECTIVES AND STANDARDS
- 11 1. DESIGN OBJECTIVES
- 12
- 13 b. Be designed as a predominantly industrial development, with exception to the SR-7 EDO,
14 which shall allow for larger percentages of business or professional office uses, or other
15 similar uses that are identified in Art. 3.B.17, SR-7 EDO;
- 16
- 17 E. PODS
- 18 3. RESIDENTIAL POD
- 19
- 20 a. Use Regulations
- 21 Uses shall be permitted in accordance with the provisions for a PUD Residential Pod ,
22 indicated under Table 3.E.1.B-22-PDD Use Matrix, except for a SR-7 EDO; and Art.
23 4.B.1.A, Supplemental Standards Art.-4, Use Regulations. [Ord. 2004-040] [Ord. 2008-
24 003]
- 25
- 26
- 27
- 28 Part 4. ULDC, Art 4.B.1.A, Supplemental Standards (page 21 of 166), is hereby amended, as
29 follows:
- 30 CHAPTER B SUPPLEMENTAL USE STANDARDS
- 31 SECTION 1 USES
- 32 A. DEFINITIONS AND SUPPLEMENTARY STANDARDS FOR SPECIFIC USES
- 33
- 34 21. BROADCAST STUDIO
- 35 An establishment primarily engaged in broadcasting visual or aural programs by radio or
36 television to the public including cable and other television services. May also produce taped
37 television or radio program materials. Included are commercial, religious, educational, and
38 entertainment based television and radio stations.
- 39 a. **SR-7 EDO**
- 40 Accessory broadcast towers or antennae are prohibited.
- 41
- 42 55. FINANCIAL INSTITUTION
- 43 An establishment engaged in deposit banking. Typical uses include commercial banks,
44 savings institutions, and credit unions, including outdoor automated teller machines and
45 drive-thru only facilities.
- 46
- 47 c. **SR-7 EDO**
- 48 Drive through uses are prohibited.
- 49
- 50 109.RESTAURANT, TYPE I
- 51 An establishment equipped to sell food and beverages in one of the following methods:
52 drive-through sales to patrons in automobiles for take out who place orders through a window
53 or remote transmission device; or sales to patrons for take out or dining in, that includes three
54 or more of the following: food or beverage choices are advertised on a menu board;
55 countertop sales where payment is made prior to consumption; disposable containers and
56 utensils; limited service dining facilities with no hostess or waiters; and self service or
57 prepackaged condiments. Traffic generation rates are normally in the range of 130 to 500
58 trips per day, per 1,000 square feet of GFA, or as otherwise identified by the Institute of
59 Traffic and Engineering. [Ord. 2006-004]
- 60
- 61 f. **SR-7 EDO**
- 62 Drive through uses are prohibited.

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EXHIBIT N

STATE ROAD - 7 ECONOMIC DEVELOPMENT OVERLAY (SR-7 EDO)
SUMMARY OF AMENDMENTS
Updated 06/24/10

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114.RETAIL SALES, GENERAL

-
f. SR-7 EDO
Shall be prohibited as a principal use.

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EXHIBIT O

HISTORIC PRESERVATION
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1
2 Part 1. ULDC Art. 1.F.1.B, Applicability [Related to Nonconformities] page 16 of 114), is hereby
3 amended as follows:

4 CHAPTER F NONCONFORMITIES

5 Section 1 General

6 B. Applicability

7 This Chapter applies to nonconforming lots, structures, uses and site elements. In determining
8 whether such nonconformities will be regulated by the provisions of this Chapter, the following
9 shall apply:

- 10 1. Nonconforming status shall not be provided for any: lot, structure, use, or site element, which
- 11 was illegally created, commenced, constructed or unlawfully continued, or commenced after
- 12 the restrictions, became applicable.
- 13 2. Nonconforming status shall only be authorized upon demonstration by the applicant that a lot,
- 14 structure, use or site element was created, commenced or constructed, and not merely
- 15 contemplated, unless permitted by this Code.
- 16 a. For a nonconforming use, affidavits alone are not sufficient evidence to establish
- 17 nonconforming status. The applicant must demonstrate that the use was in continuous
- 18 operation during business hours and not an occasional use of the property. The applicant
- 19 will be required to submit a Vested Use Recognition Form established by the Zoning
- 20 Director to confirm the use is vested.
- 21 3. An accessory nonconforming use shall not become the principal use.

22 4. Exemption for all Designated Historic Sites/Structures by the BCC
23 Limitations for maintenance, renovation and natural disaster damage repair shall not apply to
24 conforming uses for nonconforming structures, site elements or lots that have been granted
25 waivers from all applicable nonconformities by the BCC in accordance with Art. 9.B.4.B,
26 Waiver of the Code Provisions, for historic sites.

27
28
29 Part 2. ULDC Art. 9.B.4.B.1 [Related to Waiver of the Code Provisions] (page 13 of 18), is
30 hereby amended as follows:

31 CHAPTER B HISTORIC PRESERVATION PROCEDURES

32 Section 4 Regulations Affecting Historic Sites

33 B. Waiver of the Code Provisions

34 1. General

35 The HRRB may recommend that the BCC approve a waiver of Code requirements for
36 designated historic resources or contributing properties to a designated historic district. The
37 waiver may occur concurrently with the designation process or may be requested regarding
38 any property subject to the historic site or district designation. Waivers may include: setbacks,
39 lot width, depth, area requirements, height limitations, open space requirements, vehicular
40 requirements, design compatibility requirements, nonconforming provisions pursuant to Art.
41 1.F.1.B.4, Exemption for Historic Sites and other similar development regulations other than
42 changes in permitted uses, density increases, or waiver of environmental or health standards.

43 a. Findings

44 Before granting a waiver of Code requirements, the HRRB shall recommend and the
45 BCC must shall make a finding that all of the provisions 1 thru 5 have been satisfied:

- 46 1)a-that the waiver will be in harmony with the general appearance and character of the
- 47 community;
- 48 2)b-that the waiver will not be injurious to the area involved or otherwise detrimental to
- 49 the public health, safety or welfare;
- 50 3)e-that the project is designed and arranged on the site in a manner that minimizes aural
- 51 and visual impact on the adjacent properties while affording the owner(s) a
- 52 reasonable use of their land; and
- 53 4)d-the waiver is the minimum necessary to allow reasonable use of the property while
- 54 preserving maintaining the historic attributes of the property.
- 55 5) existing uses and structures proposing maintenance, renovation and natural disaster
- 56 damage repair shall receive special consideration from the nonconforming limitations
- 57 when maintaining a designated historic site or building.

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EXHIBIT P

TRADITIONAL MARKETPLACE DEVELOPMENT (TMD)
SUMMARY OF AMENDMENTS
(Updated 06/24/10)

1 Part 1. ULDC Art. 1.C.4. Measurement [Related to Building Transparency] (page 14 of 114), is
2 hereby amended as follows:

3 CHAPTER C RULES OF CONSTRUCTION AND MEASUREMENT

4 Section 4 Measurement

5
6 **K. Building Transparency**
7 For the purpose of determining a building's transparency requirement, the following calculation
8 shall be utilized: the height of the first story of the building, a minimum height of 12 feet above
9 finished grade, multiplied by the length of the façade and the applicable transparency percentage.
10 The window or glass door openings including frames and mullions shall be allowed to be included
11 in the calculation.
12 [ReNUMBER accordingly]

15 Part 2. ULDC Art. 3.F.4.D.4.c Standards for Perimeter Frontages (page 188 of 195) and Art.
16 3.F.4.D.9.a, Building Transparency (page 190 of 195), are hereby amended as follows:

17 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

18 Section 4 Traditional Marketplace Development (TMD)

19 D. Development Standards for all TMDs
20 The following standards apply to TMDs located in all tiers: [Ord. 2005 – 002]
21 4. Frontages and Residential PDRs

22 c. Standards for **Buildings abutting** Perimeter Frontages
23 Exterior façade of buildings that abut arterial or collector streets ~~frontages on the~~
24 ~~perimeter of a TMD~~ shall be designed to provide views of building entrances or; display
25 windows, ~~plazas and squares from adjacent arterial and collector streets.~~

26
27 9. Building Design
28 a. Transparency
29 ~~A minimum of 75 percent of A~~ all commercial ground floor first story façades ~~on a Primary~~
30 ~~Frontage, 50 percent of commercial ground floor façades on a Secondary Frontage, and~~
31 ~~25 percent of the façade on commercial buildings on a Perimeter Frontage,~~ shall consist
32 of be transparent glass, ~~that~~ providing views into a commercial use or window display.
33 Calculation of transparency shall be pursuant to Art.1.C.4.K, Building Transparency.

34 1) **Percentage**
35 a) Primary Frontage – 60 percent.
36 b) Secondary Frontage – 50 percent.
37 c) Perimeter Frontage – 25 percent. [Ord. 2005 – 002]

38 2) **Exemption**
39 Indoor movie or any type of theater shall be exempt from the Secondary and
40 Perimeter Frontage transparency requirements.

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EXHIBIT Q

**URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)**

1
2 **Part 1. ULDC Art. 1.F.1.A, Purpose and Intent (page 16 of 114,)**, is hereby amended as follows:

3 **CHAPTER F NONCONFORMITIES**

4 **Section 1 General**

5 **A. Purpose and Intent**

6 **....**
7 In addition, this Chapter addresses projects within the Redevelopment Areas in Art.3.B (IRO,
8 ~~LWRCCO, URA-PRA, URAO~~ and WCRAO) where new developments and redevelopments are
9 regulated by form-based design standards.

10
11
12 **Part 2. ULDC Table 1.F.1.F, Non-conformities – Percentage and Approval Process for**
13 **Expansion (page 17 of 114,) and Table 1.F.1.G, Nonconformities, Percentage and**
14 **Approval Process for Maintenance, Renovation and Natural Damage Disaster Repair**
15 **(page 18 of 114), is hereby amended as follows:**

16 **Table 1.F.1.F, Nonconformities – Percentage and Approval Process for Expansion**

Improvement Classification	Major Nonconforming Use in a Conforming Structure (1)	Minor Nonconforming Use in a Conforming Structure (1) (2)	Conforming Use in a Nonconforming Structure	Nonconforming Site Element (4 3)
Expansion				
Non-Government and Government
IR-O, PRAs, LWRCCO-O, WCRAO (3)				
Notes:				
....				
3. A higher percentage shall be allowed for Redevelopment Areas and Overlays to encourage infill and redevelopment that requires built forms to regulate uses. All improvements must comply with applicable Sections of Art.3.B, Overlays.				
3-4. Refer to Art.1.F.5, Nonconforming Site Elements for additional information.				

18
19 **Table 1.F.1.G – Nonconformities, Percentage (1) and Approval Process for**
20 **Maintenance, Renovation and Natural Disaster Damage Repair**

Improvement Classifications	Major Nonconforming use (1) (2)	Minor Nonconforming use (1) (2)	Conforming Use in Nonconforming Structure (1)	Nonconforming Site Elements
Non-Government				
Maintenance	≤ 20%; By Right	≤ 30%; By Right	≤ 20%; By Right	Comply with applicable Code to greatest extent possible through applicable review approval process. (5)
Renovation				
Natural Disaster Damage Repair				
Government (3)			OR	
Maintenance	≤ 30%; By Right	≤ 45%; By Right	> 20% ≤ 30%; DRO	
Renovation				
Natural Disaster Damage Repair				
PRAs, LWRCCO URAO WCRAO, IR-O (4)				
Maintenance	≤ 20%; By Right	≤ 30%; By Right	≤ 30%; By Right	
Renovation	OR	OR	OR	
Natural Disaster Damage Repair				>20% ≤ 30%; DRO
Notes:				
....				

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 3. ULDC Art. 1.I, Definitions and Acronyms (page 29 of 114), is hereby amended as
3 follows:

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

7

8 2. Alley –

9 a. ~~a~~ A R-O-W providing a secondary means of access to property that ~~and~~ is not intended
10 or used for principal traffic circulation.

11 b. for the purposes of the Priority Redevelopment Areas, may provide for primary vehicular
12 access to a building, parking and service areas.

13 80. **Arcaded Sidewalk** – a covered pedestrian walkway contiguous to a street, plaza or square
14 that is open to the public and includes usable floor area above the roof of the arcade.
15 ~~For the purposes of Art. 3.B.15, WCRAO, Westgate Community Redevelopment Agency~~
16 ~~Overlay, an arcaded sidewalk shall require usable floor area above the roof of the arcade.~~
17 **[Ord. 2006-004]**

18

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

20

21 52. **Build-to-Line** ~~or Zone~~ – an alignment establishing ~~established~~ a certain location for a
22 building distance away from either the R-O-W for a public street or the curb line along internal
23 streets which the front elevation of a building must be built for a TMD, TND Neighborhood
24 Center, LCC, WCRAO, ~~or~~ IRO or PRA project.

25

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

27

28 14. **Fenestration** – windows, doors and openings in a building façade or wall allowing light and
29 views between interior and exterior.

30

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

32

33 61. **Lot Frontage** -

34

35 b. For the purposes of TDD, WCRAO, ~~or~~ IRO, LCC or PRA projects where a build-to-line is
36 required, and vehicular access may be from the side or rear of the property, the property
37 line used to meet the build-to-line requirements shall be the lot frontage. **[Ord. 2006-004]**
38 **[Ord. 2010-005]**

39

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

41

42 43. **Mixed Use** –

43 a. ~~For the purposes of Art. 3.B.15, Westgate Community Redevelopment Agency Overlay~~
44 ~~(WCRAO), means~~ the combination of residential and one or more non-residential uses
45 that are functionally integrated.

46 b. for the purposes of Art. 13, means a group of different uses of land within a tract of land
47 or a building for which applications for development permits are sought.

48

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

50

51 10. **Neighborhood** – a defined and compact geographic area consisting of residences which
52 may include non-residential uses to serve the daily needs of the residents, such as shops,
53 workplaces, recreational areas and civic uses (schools, places of worship), that are
54 accessible by interconnecting streets.

55

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

57

58 34. **Parking Garage/Structure** –

59 a. for the purposes of Art. 4, a building or other structure that provides temporary parking for
60 motor vehicles, for profit, where some or all of the parking spaces are not accessory to
61 another principle use ~~and subject to:~~

62 b. a building or structure that provides parking for motor vehicles as an accessory use to a
63 principal use.

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

33. Pedestrian Circulation Zone – for the purposes of the Priority Redevelopment Areas, a continuous unobstructed space reserved for pedestrian movement,

49. Planting/Amenity Zone – for the purposes of the Priority Redevelopment Areas, accommodating streets and, landscaping or hardscaped areas, providing a transition between vehicular travel lanes and pedestrian circulation zones.

78. Principal Entrance - the main point of pedestrian access into a building or storefront.

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

87. **Store Front** - for the purposes of Art. 3, the front of a retail establishment facing a street, plaza, square or other public use area, where the primary main-building entrance is located.

117. **Streetscape** – for the purposes of the IRO, WCRAO, PRAs, LCC and TDDs, the visual elements of a street, adjoining buildings, street furniture, trees, pedestrian areas and open spaces, that combine to form the street's character.

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

50. **Transect** – a distinct category of physical form ranging from the most urban to the least urban. Generally, the classifications range from highest to lowest density or intensity and are: urban core, urban center, general urban, suburban, rural and natural.

~~50. **Transect Zones** – For the purposes of the IRO, a distinct category of physical form ranging from the most urban to the least urban. The IRO requires the application of one or more of four transect zones: Core, General, Edge and Open Space.~~

Section 3 Abbreviations and Acronyms

IRO Infill Redevelopment Overlay

LWRCCO Lake Worth Road Commercial Corridor Overlay

PRA Priority Redevelopment Area

UC Urban Center

UI Urban Infill

URAO Urban Redevelopment Area Overlay

SD Specialized Development

Part 4. ULDC Art. 2.A.1.E, Pre-Application Conference (pages 8 and 9 of 56) and Art. 2.A.1.G.3.d, Master Plan (page 10 of 56), is hereby amended, as follows:

CHAPTER A GENERAL

Section 1 Applicability

E. Pre-Application Conference (PAC)

1. Plan Review

The applicant shall specify in the application whether the PAC is requested for a conceptual site plan review. A conceptual master site plan shall be required for ~~the an~~ Infill Redevelopment Overlay (IRO), ~~or~~ Lifestyle Commercial Center (LCC) or applications for rezoning or conditional use approval for Development Orders in the Priority Redevelopment Areas (PRAs) project. [Ord. 2005 – 002] [Ord. 2010-005]

3. Additional LCC, ~~and IRO~~ and PRA Requirements

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

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Table 2.A.1.E, Conceptual **Master Site** Plan Requirements for PAC

Conceptual Master Site Plan Requirements	IRO	LCC	PRAs
Intensity or density	✓	✓	✓
Transect zones assigned to all land. All land must be assigned one of the four transect zones described in Art.3.B.16.F, no land may be assigned two or more transect zones. Transect zone boundaries shall follow proposed lot lines or be clearly dimensioned for parcels developed under one entity.	✓		✓
Vehicular and pedestrian circulation, including location of access points and interconnectivity to adjacent parcels, perimeter streets, internal street network including alleys.	✓	✓	✓
For IRO, General outline of building placement and building type, including any tenants 65,000 square feet or larger.	✓		
For LCC, any freestanding or any tenants 65,000 square feet or larger.		✓	
Pedestrian streetscape realm for all perimeter street frontages <u>or required frontage types.</u>	✓		✓
Pedestrian area for main street(s).		✓	
Proposed <u>and or</u> required mix of uses, including live/work or residential units, identifying whether or not such is horizontally or vertically integrated.	✓	✓	✓
Location of any requested uses, and outdoor uses such as restaurant or bank drive through facilities, gasoline pumps and related queuing areas, outdoor dining areas, and required outdoor daycare areas, among others. Where applicable, additional detail shall be required to demonstrate how such uses will be located behind buildings, or shielded from adjacent residential uses or perimeter streets.	✓	✓	✓
Location of parking, loading and service areas (dumpsters, etc.).	✓	✓	✓
Required public open space or usable open space.	✓	✓	✓
Demonstrate consistency with the master plan or design guidelines adopted under the Future Land Use Atlas amendment ordinance, if applicable.		✓	
<u>Green Building Incentive Program: Where applicable, include any site improvements that will be used towards an application for bonus height.</u>			✓
[Ord. 2010-005] [Ord. 2010-...]			

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G. Application Procedures
3. Plan Requirements
d. Master Plan

1) Preliminary Master Plan (PMP) for Public Hearing Approval

The BCC shall approve a PMP for the following PDDs: PUD, RVPD, MHPD, PIPD; ~~and~~ PDDs with a MLU or EDC future land use designation; and, an application for a rezoning to the IR, UC, UI or SD districts. [Ord. 2009-040]

a) Preliminary Site Plan (PSP) or Subdivision Plan (PSBP) Options

For a PUD application with no proposed subdivision, the applicant may submit a PSP prior to certification for public hearing process, which includes but not limited to: layout of lots and buildings, ingress/egress, recreation areas, exemplary design standards, if applicable, etc. for the purpose of a BCC review at the hearing. For a PUD application proposing to subdivide, the applicant may submit a PSBP pursuant to Preliminary Subdivision Plan. [Ord. 2009-040]

b) IR, UC, UI or SD District Requirements

A Preliminary Master Plan shall include all of the requirements for a Conceptual Master Plan.

Part 5. ULDC Art. 2.A.1.Q, Development Order Abandonment (page 17 of 56), is hereby amended, as follows:

CHAPTER A GENERAL

Section 1 Applicability

Q. Development Order Abandonment

1. General

A Development Order development order for a conditional use or similar Development Order development order granted under Ordinance 1957-003, Ordinance 1973-002, ~~or~~ Ord. No.1992-002 or Ord. No. 2003-067, as amended, may be abandoned according to the procedures in this Section.

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 6. ULDC Art. 2.D.1, Development Review Officer (pages 29 through 32 of 56), and Ord.
3 2010-005 page 43 of 94), is hereby amended, as follows:

4 CHAPTER D ADMINISTRATIVE PROCESS

5 Section 1 Development Review Officer

6
7 **B. Application Types**

8 1. The following types of development shall require approval of a master plan, site plan or
9 subdivision plan by the DRO prior to the issuance of a building permit, commencement of any
10 related land development activity, utilization of any use or approval granted by the BCC or
11 ZC, or utilization of any use requiring approval by the DRO:

12
13 ~~d. All proposed Development Orders within the UC, UI or SD districts, excluding any~~
14 ~~improvements permitted under Art. 1.E, Prior Approvals or Art. 1.F, Non-conformities;~~
15 **[ReNUMBER Accordingly.]**

16 **G. Administrative Review**

17
18 **1. Amendments to BCC/ZC Approvals**

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

25
26 j. Modification to ~~an IRO or URAO Master Plans~~, provided that there are no conflicts with
27 prior conditions of approval, any improvement or amenity used to garner support for a
28 project, or testimony from Public Hearing(s). **[Ord. 2010-005]**

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30
31
32 Part 7. ULDC Art. 3.A.1.B.1, Overlays (page 13 of 195), is hereby in it's entirety, as follows:

33 CHAPTER A GENERAL

34 Section 1 Districts

35 **B. Overlays and Zoning Districts**

36 **1. Overlays**

37
38 ~~LWRCCO, Lake Worth Road Commercial Corridor Overlay~~
39
40

41
42 Part 8. ULDC Art. 3.B.7, Overlays (page 20 of 195), is hereby deleted in entirety.

43
44
45 Part 9. ULDC Art. 3.B, Overlays (page 81 of 195), is hereby amended to add a new Section
46 titled Art. 3.B.17, Urban Redevelopment Area Overlay, as follows:

47 CHAPTER B OVERLAYS

48 Section 17 Urban Redevelopment Area Overlay (URAO)

49 **A. Purpose and Intent**

50 The purpose and intent of the Urban Redevelopment Area Overlay (URAO) is as follows:
51 1. Implement the concepts of the July 2007 Palm Beach County Urban Redevelopment Area
52 Planning Study and Corridor Master Plan, prepared by the Treasure Coast Regional Planning
53 Council, inclusive of the 2009 Planning Division addendum;
54 2. Implement the Urban Redevelopment Area (URA) Objectives and Policies of the Plan, with
55 an emphasis on Priority Redevelopment Area (PRA) Policies;
56 3. Utilize Smart Growth and Form Based Coding principles to establish standards that create a
57 predictable regulatory framework and built form that improves the aesthetics of the
58 streetscape and establishes, enhances the pedestrian realm and encourages redevelopment
59 of the PRAs;

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- 1 4. Encourage a compact, mixed use and walkable development form, with an emphasis on
- 2 safety, comfort and ecological responsibility;
- 3 5. Create an interconnected pedestrian-friendly street network that establishes parallel,
- 4 alternate vehicular routes between the PRAs and creates new blocks that are a walkable
- 5 scale;
- 6 6. Advocate walking, cycling, mass transit or other modes of transportation as viable
- 7 alternatives to automobile use by encouraging the development of commercial, civic and
- 8 recreational uses that provide for the daily needs of residents within walking distance;
- 9 7. Promote mixed use development that balances housing with employment, commercial, and
- 10 civic uses;
- 11 8. Provide a variety of housing types to support residents of diverse ages, incomes, family
- 12 sizes, ethnicities and lifestyles;
- 13 9. Promote sustainability by integrating the social, economic and ecological needs of the
- 14 community with overall regional, state and national policy advocating management of
- 15 resources for future generations;
- 16 10. Redevelop retail uses along the PRA corridors along stipulated street frontages; and,
- 17 11. Simplify and facilitate the permitting process.

18 **B. Applicability**

19 **1. FLU Designation**

20 The requirements of the URAO shall only apply to parcels having an Urban Center (UC) or

21 Urban Infill (UI) FLU designation, with exception to general requirements for interconnectivity

22 in the URA between complementary neighboring land uses, unless permitted otherwise under

23 Art. 1.E, Prior Approvals, Art. 1.F, Non-Conformities, or any other provisions herein.

24 **2. Boundaries**

25 The exact boundaries of the URA are depicted in Map LU 3.1 of the Plan, but can be

26 generally described as being bound by Community Drive to the north, the Lake Worth

27 Drainage District L-14 Canal to the south, I-95 to the east, and extending as far west as Jog

28 Road at some points. The UC and UI parcels are located within the Priority Redevelopment

29 Area, generally located along the east and west sides of Military Trail and Congress Avenue

30 and bordered by Southern Boulevard to the north and extend as far south as the Lake Worth

31 Drainage District L-8 Canal. Additional locations are along Lake Worth Road and 10th

32 Avenue North. The PRA boundaries are depicted in Maps LU 9.1 and 9.2 of the Plan.

33 **3. Other Overlays**

34 Development Orders with UC or UI FLU designation may not be used in conjunction with any

35 other overlays.

36 **4. Zoning District Requirements**

37 There are three Zoning districts permitted within the PRAs: Urban Center (UC), Urban Infill

38 (UI) and Specialized Development (SD) districts.

39 **a. UC and UI Districts**

40 As of August 2010, all parcels that opted in to the PRA and have a UC or UI FLU

41 designation, were rezoned to the corresponding UC and UI districts (Zoning applications

42 2010-00667 and 00668, respectively). Rezoning applications shall only be required for

43 parcels which initially opted out of the PRA, and have since processed or are applying for

44 a concurrent FLU amendment to the UC or UI FLU designation.

45 **b. SD District**

46 The SD district is an optional district to accommodate projects that cannot conform to the

47 mixed use requirements of the PRAs, or are generally desirable and contribute to the

48 furthering of County directions and characteristics of a livable community. Application for

49 a rezoning to the SD district shall be optional, and subject to the standards below:

50 **1) Permitted Deviations**

51 The following deviations from the requirements of Art. 3.B.17, URAO shall be

52 permitted within a SD district where approved by the BCC at time of a rezoning, or as

53 a DOA:

- 54 a) Minimum standards for building types (new or existing structures), including
- 55 requirements for two stories, frontage, build to line, and other general placement
- 56 standards; and,
- 57 b) Location and configuration of uses.

58 **2) Standards for Approval of Deviations**

59 When considering a Development Order application that includes any requests for

60 deviations, the BCC shall consider the extent to which development meets standards

61 a) through e) below.

- 62 a) The extent to which development of new buildings demonstrates similar mass
- 63 and disposition as illustrated in the PRA Master Plan.
- 64 b) Redevelopment or expansion of existing structures that do not meet the building
- 65 placement requirements of the PRAs shall utilize innovative site design elements,
- 66

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- 1 such as the introduction of plazas, squares, streets, or other urban configurations
- 2 to minimize any deviation from the purpose and intent of the URAO.
- 3 c) The density, intensity and maximum building height shall not exceed that which
- 4 would be allowed by the building types permitted in the applicable PRA Sub-area
- 5 Transect.
- 6 d) The extent to which buildings front a street or usable open space area, and
- 7 should not feature principal entrances accessible from parking lots.
- 8 e) Surface parking lots and outdoor uses shall be screened from view of streets,
- 9 usable open space areas, and abutting residential neighborhoods to the
- 10 maximum extent feasible by the use of a street-wall or incompatibility buffers.

11 **3) Specific Deviations– Congress Avenue**

12 The following deviations shall be allowed by right upon approval of a rezoning to the

13 SD:

- 14 a) Between the L-14 Canal and Melaleuca Lane/6th Avenue South – office and other
- 15 medical related uses are exempt from use restrictions for Mixed Use Type II
- 16 Buildings for the 2nd story; or,
- 17 b) Between Melalueca Lane/6th Avenue South and Lake Worth Road – residential
- 18 and commercial uses oriented to serve and support the educational and
- 19 residential needs of Palm Beach Community College are allowed and
- 20 encouraged.

21 **4) Conditions of Approval**

22 In granting approval of a rezoning to the SD District, the BCC may adopt conditions

23 of approval that address the goals and objectives of the PRA Master Plan and

24 implementing Policies of the Plan.

25 **5. Prior Approvals, Non-conformities and Continuation/Change of Uses**

26 The list of allowable uses permitted for any previously approved Development Orders that do

27 not comply with the requirements of this section shall be in accordance with Table 3.B.17.F –

28 PRA Permitted Use Schedule.

29 **C. Future Land Uses and Density/Intensity**

30 Deviations from this section shall be prohibited.

31 **1. Density and Intensity**

32 The maximum density and intensity for a PRA Development Order shall only be limited by

33 any applicable site development requirements of this code, the PRA TCEA (TE Policy 1.2-v

34 of the Plan), and the physical constraints of the site.

35 **2. Density Bonus Program Prohibitions**

36 The use of TDR, AFH or WHP density bonus incentives are not eligible within the PRAs.

37 **3. Required Workforce Housing Units**

38 Residential projects comprised of 10 units or more shall comply with Art. 5.G.1, Workforce

39 Housing Program.

40 **4. Mixed Use**

41 Only those projects that are subject to the requirements of the PRA TCEA may be required to

42 develop as mixed use.

43 **D. Application Requirements**

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

45 All PRA applications requiring DRO approval shall require a PAC pursuant to procedures in

46 Art. 2.A.1.E, Pre-Application Conference, with exception to amendments to prior approvals

47 and non-conformities that do not comply with the provisions of the URAO.

48 **2. Plan Requirements**

49 Required plans shall comply with Art. 2.A.1.G.3, Plan Requirements, and the following:

50 **a. Other Plans**

51 The DRO shall approve a Master Sign Plan, and a Regulating Plan or Alternative Design

52 Standards.

53 **3. Waivers**

54 An applicant may apply for a waiver from a specific regulation if listed in Table 3.B.17.G, PRA

55 Waivers.

56 **a. Standards**

57 An application for a waiver shall be submitted in a form specified by the Zoning Director.

58 When considering whether to approve, approve with conditions, or deny a waiver

59 request, the Zoning Director shall consider the following standards:

60 1) The waiver does not create additional conflicts with this Section of the ULDC, and is

61 consistent with the stated purpose and intent for the URAO;

62 2) The waiver will not cause a detrimental effect on the overall design and development

63 standards of the project, and will be in harmony with the general site layout and

64 design details of the development; and,

65 3) The alternative design option recommended as part of the waiver approval, if

66 granted, will not adversely impact adjacent properties.

67 **b. Appeal**

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An appeal of the Zoning Director's decision shall be made to the Zoning Commission pursuant to Art, 2.A.1.S.1, Non-Judicial Relief, in an application form specified by the Zoning Director.

E. PRA General Design Standards

PRA Development Orders shall be designed in a manner that establishes an enhanced pedestrian environment by providing a functional interface with perimeter streets, existing neighborhoods and adjacent uses. This is accomplished by regulating the following: building and parking disposition, building configuration, function and intensity, site layout; interconnectivity; provision of an enhanced streetscape and usable pedestrian amenities.

1. Built Form Regulates Uses Permitted

The PRA requirements are modeled after the concept of a form based code and seeks to establish a precise and predictable set of regulations to dictate the placement of buildings and site improvements with less emphasis on the regulation of uses. However, the PRAs also serve to implement the concepts of the TCRPC Corridor Plans by establishing limits on building height, mix of uses, and uses by floor, to ensure that development will serve the needs of residents while mitigating adverse impacts to existing neighborhoods.

2. Streets, Access and Interconnectivity

Blocks, streets and alleys are the fundamental components for creating traditional neighborhoods. Blocks are formed by streets which provide an interconnected pedestrian and vehicular circulation system, while regulating the physical and functional relationship between buildings and open space. To improve the pedestrian environment are detailed with pedestrian crossings, street trees, and traffic calming measures such as on-street parking. Regulating block sizes, vehicular access points, and the use of alleys to access parking and service areas are intended to disperse traffic to create a more pedestrian friendly oriented form of development. The alley is located behind buildings, to allow buildings to face and have access directly from the street. Alleys lessen necessary trips on the thoroughfare and provide a physical separation between the existing residential neighborhoods and redevelopment.

3. Frontage Classifications

Frontage classifications define the details of the pedestrian realm located between the public R-O-W or internal streets and the build facade. Three frontage types are established, as follows: Slip Street, Primary, and Secondary. The default location for the PRA Frontage Types shall be in accordance with Maps LU 9.1 and LU 9.2, Urban Redevelopment Area Regulating Plan.

a. Slip Street Frontage

The Slip Street is an optional designation for areas that were determined to have sufficient depth to accommodate landscaping along the existing thoroughfare, a one-way vehicular lane, a parallel parking lane, and a wide pedestrian zone. Applicants in areas designated for Slip Streets are encouraged to utilize this frontage type when identified on Maps LU 9.1 and LU 9.2, or in the following instances:

- 1. The parcel, or group of parcels, has 400 feet of frontage; or
- 2. The parcel, or group of parcels, is located between two side streets; or
- 3. The parcel, or group of parcels, is located adjacent to an existing slip street.

Applicants may opt to utilize the slip street in areas not designated for slip street, provided the parcel or group of parcels has at least 400 feet of frontage where a Primary Frontage type is identified.

FIGURE 3.B.17.F – TYPICAL EXAMPLE OF SLIP STREET FRONTAGE



[ORD. 2010-...]

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b. Primary Frontage

Primary Frontages are located along adjacent thoroughfares or new internal streets, and accommodate a wide pedestrian zone, lined by the main building façade and entrance(s).

FIGURE 3.B.17.F – TYPICAL EXAMPLE OF PRIMARY FRONTAGE



[ORD. 2010-...]

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c. Secondary Frontage

Secondary frontages are located along existing side streets that intersect the main commercial thoroughfare, or new internal side streets. Secondary frontages provide a planting strip for street trees and a pedestrian zone appropriate for less intense uses and building sides.

FIGURE 3.B.17.F – TYPICAL EXAMPLE OF SECONDARY STREET FRONTAGE



[ORD. 2010-...]

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4. PRA Transect Zones (TZ)

Transect Zones are distinct categories that define and organize density and intensity ranging from the most urban to the least urban. The URAO establishes the Urban Center (UC) and Urban Infill (UI) FLU designations for the PRAs, and further refines these designations using sub-areas as transect zones. Transect zones facilitate the development of urban forms while providing for gradual transitions in building scale and use intensity, rather than rigid distinctions. The default location for the URAO Transect Zones shall be in accordance with the PRA GIS Regulating Plan maintained by PZB.

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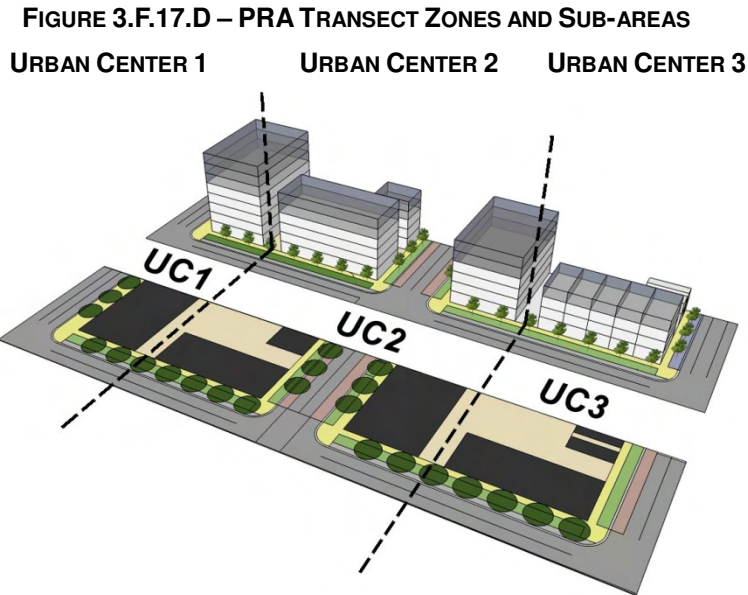
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a. **Urban Center (UC) Sub-area Transects**

The UC is designated at prominent intersections and is the most intense PRA district, typically comprised of larger interconnected commercial and buildings containing a wide variety of uses, of at least two stories in height that create a continuous street wall along designated street frontages. A well-balanced mix of residential, commercial, civic, and recreational uses is encouraged, but may also be a requirement of the PRA TCEA. The UC is broken down into three distinct Sub-areas, as follows:

1) **UC 1 Sub-area**

The most intense Sub-area accommodates the most intense types of uses and largest building scale permitted in the PRAs. Building heights shall be at least two stories and are permitted up to five stories by right, with green building incentives allowing up to eight stories for certain building types.

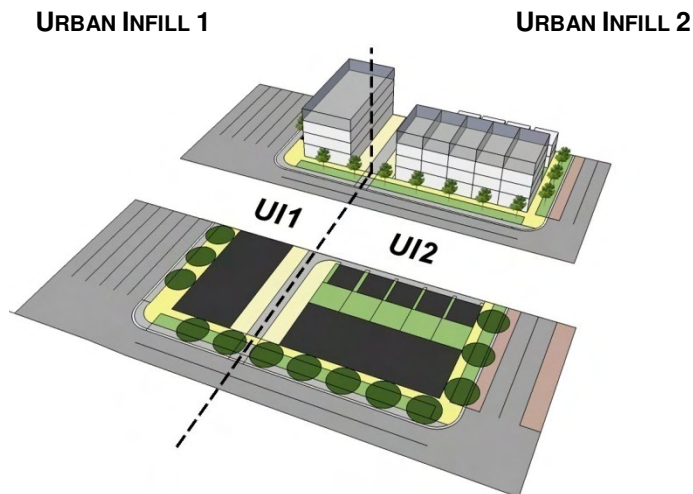
2) **UC 2 Sub-area**

This Sub-area allows for the same intensity of uses, but begins a physical transition to the UC 3 Sub-area. Buildings shall be at least two stories in height and are permitted up to four stories by right, with green building incentives allowing up to six stories for certain building types.

3) **UC 3 Sub-area**

The least intense UC Sub-area intended to provide for a transition between the more intense UC 1 and 2 Sub-areas, and abutting residential neighborhoods or adjacent UI Sub-areas. Buildings shall be at least two stories in height and are limited to a maximum of three stories by right.

FIGURE 3.F.17.D – PRA TRANSECT ZONES AND SUB-AREAS



[ORD. 2010-...]

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b. Urban Infill (UI) Sub-area Transects

The UI accommodates mixed use redevelopment along the corridors, while providing a transition to the adjacent, existing residential neighborhoods. The UI is broken down into two distinct sub-areas, as follows:

1) UI 1 Sub-area

A moderately intense Sub-area accommodating commercial, mixed use, and residential uses. Building heights up to three stories are permitted by right, with green building incentives allowing up to four stories for some building types.

2) UI 2 Sub-area

The least intense UI Sub-area providing for a gradual transition between the UI 1 Sub-area and adjacent residential areas. Buildings shall be at least two stories in height and are limited to a maximum of three stories by right.

c. TZ Sub-area Deviations

The DRO shall have to authority to allow deviations to the location and boundaries of the default UC or UI Sub-area Transects illustrated in the PRA GIS Regulating Plan, where in compliance with the standards of Table 3.B.17.E, PRA Sub-Area Transect Standards.

TABLE 3.B.17.E – PRA SUB-AREA TRANSECT STANDARDS

PARCEL STANDARDS	TRANSECT ZONE				
	UC 1	UC 2	UI 1	UC 3	UI 2
MINIMUM SETBACK FROM ABUTTING RESIDENTIAL [ORD. 2010-...]	400 ft.	200 ft.	200 ft.	N/A	N/A

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5. Building Types

Six general building types are permitted in the PRAs; however the variation of building height by transect zones in effect yields a wider range of buildings. Permitted building types are determined by Sub-area Transect, and deviations shall be prohibited unless except where permitted by the Specialized Development district.

a. Mixed Use

A two to six story mixed use building having retail or other non-residential uses at street level, residential units or office uses located on the second floor, and exclusively residential uses on the remaining floors.

b. Block Building

A two to eight story building limited to the UC Sub-areas, accommodating a predominant single use such as offices, other type of employment center, or residential uses. The provision of ground floor retail or non-residential uses serving the needs of building tenants is encouraged.

c. Liner Building

A two to six story building limited to the UC 1 and 2 Sub-areas, used to conceal parking garages, offices or other non-residential structures from view of streets or residential neighborhoods. Liner buildings shall have retail or other non-residential uses at street level, with residential or office uses in the upper floors, may be attached to or have rear alley access between the structure to be concealed, and shall be the same height or greater than the use to be concealed.

d. Civic Building

An architecturally distinctive building comprised of or appearing to be between two to six stories, of which a minimum of sixty percent of building area is used to accommodate public or private civic uses. Limited retail or non-residential uses in the form of storefronts or second floor offices serving the needs of the community or building tenants are encouraged. Residential uses providing for workforce of affordable housing are also encouraged. A civic building may also front a plaza, courtyard or square.

e. Row house

A two to four story town house, or multi-family building built with similar characteristics, with accessory structures, vehicular access and parking located to the rear of the building.

f. Apartment Building

A two to four story multi-family residential building. The principal entrance is typically recessed from the sidewalk via a courtyard, forecourt or other similar means. A limited amount of ground floor retail or non-residential uses may be permitted to provide for the needs of tenants where fronting usable open space areas or a primary street frontage.

6. Parking and Loading

Parking and loading for each tenant shall be located behind buildings or a street wall. Parking shall only be permitted in front of buildings in the form of on-street parking.

7. Streetscape and Usable Open Space

Examples of required PRA streetscape improvements include:

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- 1 a. A pedestrian oriented streetscape along all street frontages;
- 2 b. Plazas, squares and other forms of usable open space in front of or adjacent to buildings;
- 3 c. Additional sidewalks or pathways to establish a complete pedestrian circulation network
- 4 that links all uses and parking lots to perimeter street frontages; and,
- 5 d. Accommodations for Art.

6 **8. Landscape and Open Space Transitional Elements**

7 Landscaping in the PRA shall be in an urban form that compliments the intended intensity
8 and density of the PRA corridors, with an emphasis on the use of materials and design that
9 enhances pedestrian areas, allows for improved visual surveillance from building windows,
10 but also minimizes impacts to adjacent residential developments. Drainage retention areas,
11 preserves and other similar low intensity open space areas shall be located to provide a
12 transition between commercial uses and existing adjacent residential neighborhoods, or
13 parcels with a residential FLU designation, when possible.

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

15 **1. General Uses Permitted by Building Type or Floor**

16 Table 3.B.17.F, General Uses Permitted by Building Type or Floor, identifies permitted
17 building types by Sub-area Transect, building height, and allowable uses by floor, to ensure
18 development will serve the needs of residents while mitigating adverse impacts to existing
19 neighborhoods. This section shall only apply to uses in the PRAs. See Art. 3.B.17.F.7, for a
20 listing of specific uses permitted and related approval processes.

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TZ		URBAN CENTER												URBAN INFILL													
		UC1						UC2						UC3				UI1				UI2					
ELEVATION	PLAN VIEW	1	2	3	4	5	6	7	8	1	2	3	4	5	6	1	2	3	4	1	2	3	4	1	2	3	4
		SUB-AREAS		UC1						UC2						UC3				UI1				UI2			
FLOOR		UC1						UC2						UC3				UI1				UI2					
MIXED USE		UC1						UC2						UC3				UI1				UI2					
BLOCK (1)		UC1						UC2						UC3				UI1				UI2					
LINER (2)		UC1						UC2						UC3				UI1				UI2					
CIVIC (3)		UC1						UC2						UC3				UI1				UI2					
APARTMENT		UC1						UC2						UC3				UI1				UI2					
ROWHOUSE		UC1						UC2						UC3				UI1				UI2					
[Ord. 2010-...]		UC1						UC2						UC3				UI1				UI2					

USE CLASSIFICATION KEY: R = RESIDENTIAL | C = COMMERCIAL, OTHER | O = COMMERCIAL, OFFICE | CV = PUBLIC AND CIVIC

NOTES:

1. A block building shall be a predominantly single use building, devoted to employment, office or residential uses. Other permitted uses shall also be allowed.
2. Internal building located behind liner building may be a parking garage, or any use permitted in the TZ Sub-area – with no limits for uses by floor.
3. A minimum of 60 percent building square footage shall be for governmental, institutional or other civic use. 40% or less may apply Mixed Use Building uses by floor.
4. Non-residential uses shall be uses permitted shall be permitted for first floor primary frontages, or other frontage facing usable open space area such as plazas and squares.

gs LEED silver: Building floor only permitted where in compliance with Green Building Incentive Program.
gg LEED gold: Building floor only permitted where in compliance with Green Building Incentive Program.

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2. Access and Frontage

Access shall be limited to minimize curb cuts to streets to improve traffic flow and reduce pedestrian-vehicular conflicts. Where available, access from rear alleys is required.

a. External

One access point shall be permitted for each 160 linear feet of street frontage. Access shall be in the form of a street or alley, unless exempted otherwise herein. Parcels with

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secondary street frontages shall be required to provide rear alley access or a wider street, unless bounded by a street along the rear property line.

b. Internal

No more than one access point or alley shall be permitted for each 160 linear feet of street frontage to allow for access to parking and loading, drive through facilities, or other similar uses. A maximum of two access points shall be permitted per block face.

c. Small Parcel Exception

Parcels with less than 160 feet of frontage shall be permitted to establish one access point along a perimeter street; however, alley access shall be encouraged as the primary means of vehicular access where feasible.

3. Block Standards Design

Blocks shall be created by utilizing streets and alleys to provide continuous pedestrian and vehicular circulation, interconnectivity and accessibility in PRA projects. Cul-de-sacs and other dead-end streets shall not be permitted unless it can be demonstrated that physical constraints prohibit practical alternatives. Any new blocks shall comply with the following:

a. Applicability

Blocks are required for projects five or more acres in size, or where the subdivision of land is proposed, excluding lot recombination.

b. Minimum Dimensions

TABLE 3.B.17.F. - BLOCK DIMENSION REQUIREMENTS (1)

TRANSECT ZONE	BLOCK FACE (2)		BLOCK PERIMETER	
	AVERAGE	MAXIMUM	AVERAGE	MAXIMUM
UC	300 – 500 ft.	600 ft.	1,500 – 1,800 ft.	2,500 ft.
UI			1,200 – 1,500 ft.	1,800 ft.

NOTES:

- Exceptions may be permitted only where PBC DEPW requirements preclude required vehicular access points necessary to complete the block structure.
- A block face greater than 400 ft. shall provide for an alley, lobby, or other mid-block pedestrian pass through connecting to another street, alley, parking structure or other internal block use.

Deviations shall be prohibited.
[ORD. 2010-...]

c. Block Frontage

All blocks shall have frontage on a perimeter or internal street. Streets shall be used to interconnect blocks. When using alleys to meet block requirements, they shall only be permitted along the side or rear of a block where streets are not required.

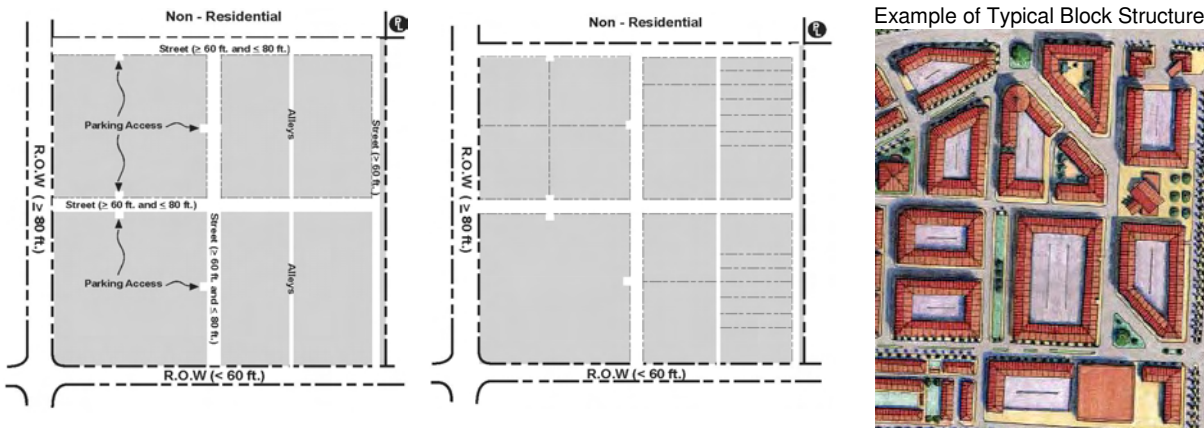
d. Subdivision

Any subdivision of land shall comply with all lot dimensions applicable to the UC, UI or SD district, with exception to townhouse lots.

e. PDD Subdivision Alternative

A PRA Development Order may apply for an exemption from subdivision recordation requirements and subdivide by fee title conveyance of individual lots in accordance with the approval process and requirements of Art. 11.A.6.B, Subdivision of Commercial and Industrial Building Sites.

Figure 3.B.17.F – Typical Example of PRA Blocks, Streets and Subdivision



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4. **Street Standards**

This code addresses the design of perimeter and internal streets and establishes related standards to ensure that pedestrian amenities and walkways, buildings and other improvements are properly and safely situated.

a. **Perimeter Street Frontages**

Perimeter streets are defined in accordance with the frontage types of the GIS Regulating Plan, as slip street, primary or secondary frontages.

1) **Slip Streets**

The slip street establishes a pedestrian oriented parallel street with on-street parking accommodations immediately abutting a commercial corridor.

- a) Vehicular traffic shall be one way, in the direction of the closest lanes on the abutting R-O-W;
- b) The street shall be a minimum of 12 feet wide, or as required by the County Engineer;
- c) Vehicle stacking and interaction with any access points shall be as required by the County Engineer; and,
- d) On-street parking shall only be required on one side of the street.

2) **Primary Street Frontages**

Shall comply with streetscape standards.

3) **Secondary Street Frontages**

Shall comply with streetscape standards.

b. **Internal Streets**

The design for the street and on-street parking shall comply with Figure 3.F.2.A, TDD Commercial Street, or the TMD design exception summarized in Art. 3.F.4.D.2.a.1), Design Exception as illustrated in Figure 3.F.4.D, Typical Example of TMD Commercial Street with Angled Parking. Internal streetscapes shall be designed as either Primary or Secondary Frontages. Internal streets may include access ways designed to comply with minimum street standards.

c. **Alleys**

Alleys shall provide primary access to parking lots, service areas, residential garages or driveways. A continuous network of alleys shall serve as the primary means of vehicular ingress/egress to individual parcels. Alleys shall provide rear access to all buildings except for Block and Liner Buildings. Alleys shall conform to the requirements of Art. 3.F.2.A.a.1, Alleys.

5. **Interconnectivity Standards**

Interconnectivity to adjacent residential parcels is encouraged, but not required. Interconnectivity shall be required between similar uses. In addition, the following shall apply. Deviations shall be prohibited unless stated otherwise herein.

a. **Street Connections**

Parcels required to or proposing to establish a block structure, shall provide interconnectivity where any new internal intersections abut adjacent parcels.

b. **Parallel Alley**

All parcels with frontage on a commercial corridor shall provide an alley running parallel to the corridor. The alley shall be generally located along the rear property line, or at a point that allows interconnectivity to shallower abutting lots. Where new blocks are not required or proposed, alleys may be incorporated as drive aisles within parking lots. In the event the adjacent parcel is undeveloped, a stub out shall be provided to accommodate future connections.

c. **Gates**

The use of gates or other similar barriers is prohibited. Exceptions are permitted for the following: dumpsters, loading areas, and private garages or parking lots.

d. **Cross Access Agreement**

When interconnectivity is required, an irrevocable cross access easement shall be provided prior to final DRO plan approval.

6. **Building Standards**

The provisions of this section shall be applied in conjunction with any other applicable ULDC standards or limitations for buildings or structures, unless stated otherwise herein.

a. **Building Placement**

The Building Placement PDR Tables herein provide the dimensional requirements for PRA building placement. All building types excluding outdoor uses and related structures shall comply with the following:

1) **General**

- a) All buildings shall be a minimum of two stories, except civic buildings, or other buildings approved as a Special Development district.
- b) To maximize the street frontage of buildings and minimize the visibility of parking areas from the street, a building should be articulated so that the longest side fronts the street. When located at an intersection, the façade with the greatest

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1 length shall be considered the front. This standard does not preclude two or
2 more facades from being designated as front facades.

3 c) Taller buildings should not cast a shadow line on existing neighborhoods. To
4 avoid this, building height should be compatible with adjacent development,
5 which may require reducing building heights or stepping back upper stories in
6 certain instances.

7 **2) Corners**

8 Where a parcel is located at the intersection of two streets, at least one building shall
9 be placed at the corner meeting the build-to-lines for both streets.

10 **3) Building Hierarchy**

11 Building placement shall follow an established order, with initial buildings required to
12 meet minimum placement and frontage requirements along the most intense
13 perimeter streets. Additional buildings may be located on interior main streets, but
14 shall be ordered so as to create a consistent streetscape. Frontage requirements
15 must be addressed for the most intense perimeter streets first.

16 **4) Civic Buildings**

17 If civic buildings are proposed they shall be located in visually prominent centralized
18 locations, easily recognizable and accessible to the public.

19 **5) Parking Structures**

20 Parking structures may be allowed within a block provided they are located in the
21 interior of a block and are completely screened by buildings with habitable uses on all
22 stories. Parking structures located on a secondary frontage shall be completely
23 screened by habitable uses on at least the first story. Parking structures are allowed
24 to face an alley without meeting the requirement for habitable screening on the alley
25 façade.

26 **c. Building Property Development Regulations**

27 The primary façade of all buildings shall front a street and shall be designed in
28 compliance with the following:

29 **1) Perimeter Street Building Frontage**

30 Building frontage is the percentage of the total width of a lot which is required to be
31 occupied by the primary façade of a building.

32 **2) Perimeter Frontage Exceptions**

33 Buildings located on secondary frontages, except for Row Houses, are not required
34 to meet minimum building frontage requirements. Frontage requirements may be
35 reduced for lots with no rear or side access to required parking as necessary to
36 accommodate a drive isle for ingress/egress.

37 **3) Internal Building Frontage**

38 Internal buildings shall only be permitted when located facing an internal street
39 frontage, unless exempted herein.

40 **4) Setback Measurement**

41 Setbacks shall be in accordance with Table 3.B.17.F, PRA Liner Building
42 Configuration PDRs, and the following:

43 **a) Perimeter Streets**

44 Setbacks shall be measured from the edge of ultimate R-O-W, or from the
45 property line, whichever is applicable.

46 **b) Internal Streets**

47 Setbacks shall be measured from the proposed building frontage façade to the
48 outside edge of curb.

49 **c) Row Houses**

50 Building placement setbacks shall be used to establish the location of fee simple
51 townhouse lots. Additional building setbacks may be permitted. This may also
52 be applied to multi-family buildings that are constructed to row house standards.

53 **d) Side Setback Reduction**

54 If permitted, a zero side setback reduction shall comply with the following:

55 (1) Windows, doors or other openings shall not be permitted. No portion of a
56 building, including roof eaves, gutters and soffits may encroach onto adjacent
57 parcels;

58 (2) Openings, attachments, or any item requiring maintenance other than
59 cleaning and painting, when visible, shall not be permitted; and,

60 (3) A maintenance easement a minimum of two feet in width shall be provided to
61 ensure access to exposed portions of the building.

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1

TABLE 3.B.17.E. – PRA MIXED USE, BLOCK, CIVIC AND APARTMENT BUILDING PDRS

BUILDING PLACEMENT		MIN.	MAX. (1)
A.	Slip Street Frontage	45 ft.	50 ft.
	Primary Frontage	20 ft.	25 ft.
	Secondary Frontage	10 ft.	20 ft.
B.	Non-Residential	6 ft. (2)	N/A
C.	Residential (PRA)	6 ft. (2)	N/A
	Residential (non PRA) (5)	30 ft.	N/A
D.	Between rear parking and alley	5 ft. (3)	N/A
BUILDING FRONTAGE % (4)		MIN.	MAX.
G.	Slip Street and Primary	65%	100%
INDIVIDUAL BUILDING LENGTH		MIN.	MAX.
G.		N/A	300 ft.
COURTYARD % OF FOOTPRINT (OPTIONAL)		MIN.	MAX.
H.		N/A	25%
COURTYARD DIMENSIONS (OPTIONAL)		MIN.	MAX.
H.		30 ft.	N/A
PEDESTRIAN PASS THRU (4)(6)		MIN.	MAX.
I.	Separation	100 ft.	300 ft.
	Width	10 ft.	N/A



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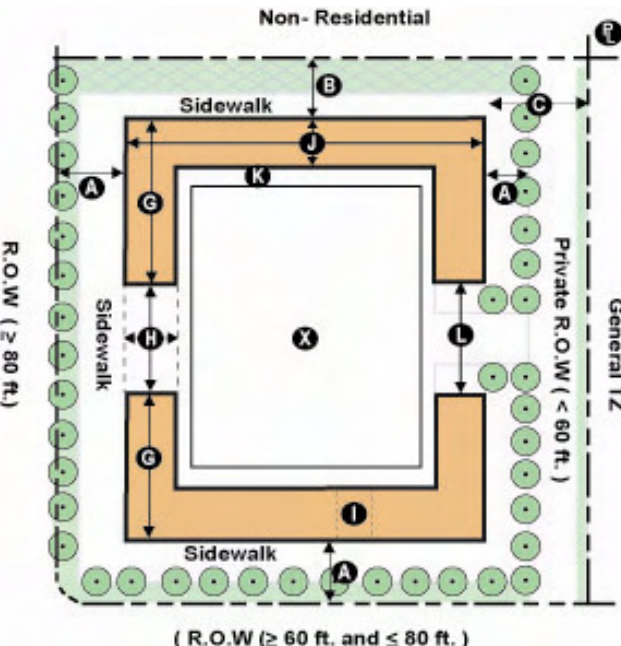
NOTES

- Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines, corner clips, or other similar need as may be required by the County Engineer.
- May be reduced to 0 ft. where in compliance with provisions for side setback reduction.
- Shall be exempt for parcels eligible to use parking drive isles to comply with alley requirements.
- Shall be based upon length of applicable property line. Where multiple buildings are proposed, the applicable length shall be the result of the overall length divided by the number buildings.
- Means adjacent residential parcels that are not located within a development using PRA regulations.
- Maximum pedestrian pass thru requirement does not apply for buildings with a length of 300 ft. or less.

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TABLE 3.B.17.F. – PRA LINER BUILDING CONFIGURATION PDRS

BUILDING PLACEMENT		MIN.	MAX. (1)
A.	Slip Street Frontage	45 ft.	50 ft.
	Primary Frontage	20 ft.	25 ft.
	Secondary Frontage	10 ft.	20 ft.
B.	Non-Residential	6 ft. (2)	N/A
C.	Residential (PRA)	6 ft.	N/A
	Residential (Non-PRA) (7)	30 ft.	N/A
D.	Between rear parking and alley	5 ft. (3)	N/A
BUILDING FRONTAGE % (4)		MIN.	MAX.
G.	Slip Street and Primary	65%	100%
INDIVIDUAL BUILDING LENGTH		MIN.	MAX.
G.		200 ft.	400 ft.
COURTYARD % OF FOOTPRINT		MIN.	MAX.
H.		N/A	10%
COURTYARD DIMENSIONS (OPTIONAL)		MIN.	MAX.
H.		15 ft.	30 ft.
PEDESTRIAN PASS THRU (4)(5)		MIN.	MAX.
I.	Separation ⁴	100 ft.	300 ft.
	Width	10 ft.	20 ft.
LINER AND INTERIOR STANDARDS		MIN.	MAX.
J.	Depth	30 ft.	100 ft.
(6)	Length	75 %	100 %
K.	Separation	N/A	N/A
L.	Parking Access	N/A	10%
X.	Internal Use	N/A	N/A



[Ord. 2010-...]

NOTES

- Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines, corner clips, or other similar need as may be required by the County Engineer.
- May be reduced to 0 ft. where in compliance with provisions for side setback reduction.
- Shall be exempt for parcels eligible to use parking drive isles to comply with alley requirements.
- Percentage shall be based upon length of applicable property line. Where multiple buildings are proposed, the applicable length shall be result of the overall length divided by the number buildings.
- Maximum pedestrian pass thru requirement does not apply for buildings with a length of 300 ft. or less.
- Liner dimensions shall apply to all façades used to conceal a large footprint tenant that front a perimeter-street, slip-street, primary-street, and usable open space. Additional standards may apply to parking garage structures.
- Means adjacent residential parcels that are not located within a development using IRO regulations.

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TABLE 3.B.17.F. – PRA ROWHOUSE LOT AND BUILDING CONFIGURATION PDRS

LOT PLACEMENT	MIN.	MAX. (1)
A. Required Frontage	45 ft.	50 ft.
Primary Street Frontage	15 ft.	25 ft.
Secondary Street Frontage	10 ft.	15 ft.
B. Non-Residential	6 ft.	N/A
C. Residential (PRA)	6 ft.	N/A
Residential (non PRA) (4)	30 ft.	N/A
F. No minimum or maximum	n/a	n/a
BUILDING FRONTAGE % (2)	MIN.	MAX.
G.	70%	96%
INDIVIDUAL BUILDING LENGTH	MIN.	MAX.
G.	32 ft.	250 ft.
WING STANDARD (3)	MIN.	MAX.
M. Wing Width	N/A	50%
BUILDING SETBACKS (3)	MIN.	MAX.
N. Rear Setback to Alley	5 ft.	N/A
O. Front/End Setbacks	5 ft.	10 ft.

[Ord. 2010-...]

NOTES

1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines, corner clips, or other similar need as may be required by the County Engineer.
2. Percentage shall be based upon length of applicable property line. Where multiple buildings are proposed, the applicable length shall be result of the overall length divided by the number buildings.
3. Townhouse, including wings, garages or accessory dwellings shall comply with minimum common wall requirements unless set back from the side PL a minimum of five feet; and, shall comply with Art. 3.D.2.C, Prohibited Openings and Attachments except for any first floor that is set back a minimum of ten feet from the PL.
4. Means adjacent residential parcels that are not located within a development using IRO regulations.

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d. Building Height

1) Exterior Height

- a) All building frontages abutting a required, primary, secondary or side street shall be exempt from Art. 3.D.1.E.2, Multifamily, Nonresidential Districts and PDDs.
- b) Maximum building height shall be in accordance with the maximum floor limitations of Table 3.B.17.F, General Uses Permitted by Building Type or Floor, and the following:

TABLE 3.B.17.F - MAXIMUM BUILDING HEIGHT

FLOOR #	2	3	4	5	6	7	8
MAXIMUM HEIGHT	35 ft.	45 ft.	60 ft.	75 ft.	90 ft.	105 ft.	120 ft.

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2) Green Building Incentive Program

The Green Building Incentive Program is intended to stimulate private sector investment to construct sustainable buildings by allowing for “bonus height” for projects meeting industry criteria and standards for certification. Where applicable, bonus height shall only be permitted subject to the following:

a) Applicability

Allowable increases in building height are indicated in Table 3.B.17.F, Uses Permitted by Building Type or Floor.

b) Standard for Certification

The standard for certification shall be the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Green Building Rating System (LEED Silver or Gold/Platinum levels), or appropriate Florida Green Building Coalition designation standards, or other similar standard approved by the County.

c) Application Procedures

All applications for bonus height shall be submitted concurrently with an application for Public Hearing or DRO approval, as applicable. The application form and requirements shall be submitted on forms specified by the PBC Official responsible for reviewing the application.

d) Review Process

(1) Public Hearing Certification

If applicable, projects requiring BCC approval and including a request for bonus height shall provide a LEED scorecard accompanied by a detailed analysis of each credit and why the standard can or cannot be achieved.

(2) DRO Approval

Documentation indicating the project has been registered with the Green Building Certification Institute (GBCI) as a LEED project or other standard for

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1 certification as noted above. If applicable, bonus height requested at time of
2 BCC approval may be reduced if the GBCI registration is inconsistent with
3 the original LEED scorecard and proposed level of certification.

4 **(3) Monitoring**

5 During plan review and construction, the applicant's LEED certified inspector
6 or architect will provide documentation and submit quarterly reports to
7 Planning/Monitoring demonstrating compliance with the LEED standards and
8 scorecard and the approved site plan. If during construction, the developer is
9 unable to include required green building components, or if the
10 inspector/architect finds that the developer failed to include these
11 components, the County shall pursue enforcement, actions which may
12 include revocation of building permits, remand back to DRO to remove the
13 bonus height awarded, or release of surety to the County.

14 **(4) Amendments**

15 If during construction of the building, the developer is unable to include all of
16 the approved green building components previously identified in the GBCI
17 registration, the developer may be permitted to replace components not
18 provided with other green building components where documented as
19 approved by the GBCI for the project. Any amendment to an exterior
20 component shall require DRO approval.

21 **(5) Completion**

22 UGCI certification shall be obtained within two years of the date of issuance
23 of Certificate of Occupancy.

24 **e) Surety**

25 Prior to DRO approval of the site plan, the County (Planning Division) and the
26 developer shall enter into a development agreement requiring that the green
27 building components identified in the GBCI registration be constructed or
28 installed in the building and that any third-party inspection fees will be paid for by
29 the developer. Furthermore, the developer shall post a surety with the County.
30 The amount of the surety shall be based on the number of dwelling units
31 contained within the "bonus height" stories. Non-residential uses shall be based
32 upon the equivalent of one dwelling unit for each 1,000 square feet of non-
33 residential use area (measured by gross square footage). The number of
34 dwelling units shall be multiplied by the BCC's established price for TDRs at the
35 date of the application.

36 **(1) Default**

37 If the applicant fails to comply with the requirements above after CO, the
38 County may, at its discretion collect the surety and apply the funds to a TDR
39 contract to purchase an equivalent number of units to those proposed for the
40 original bonus height consideration.

41 **(2) Release of Surety**

42 If in compliance with the review process requirements above, upon receipt of
43 the GBCI certification by the County, the property owner shall submit a in
44 writing to the Planning Director a request that the posted surety shall be
45 returned.

46 **e. Special Civic Building Standards**

47 A single story civic building shall be designed and constructed to have the appearance of
48 a two to six story building for each facade fronting a street or usable open space area.
49 The façade shall be designed to appear as a minimum of two stories, with additional
50 floors based on the maximum height per floor indicated in Table 3.B.17.F, PRA Maximum
51 Building Height.

52 **f. Additional Architectural Design Standards**

53 Architecture shall be in accordance with Art. 5.C, Design Standards, unless specified
54 otherwise herein.

55 **1) Primary Entrances**

56 A primary entrance shall occur at a minimum of every 75 feet for primary facades.
57 The primary entrance for all 1st floor tenants must directly face a street, courtyard,
58 plaza, square or other form of usable open space fronting a street. Access for
59 tenants located on upper floors shall provide similar entrances, but may be permitted
60 to deviate from this requirement on sites less than one acre in size. Street access
61 may be in the form of common lobbies, elevators, stairwells, or other form of
62 consolidated access.

63 **2) Secondary Entrances**

64 Each tenant may be permitted to have additional entrances located at side or rear
65 facades facing a parking lot or other area, subject to the following limitations:

- 66 a) Shall not exceed the number of primary entrances; and,
67 b) Limitations shall not apply to service access or emergency exits.

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- 3) Fenestration**
Non-residential and multi-family building facades facing perimeter and primary streets or usable open space shall provide transparent windows covering a minimum of 35 percent of the wall area of each story as measured between finished floors, to allow transmission of visible daylight.
- 4) Storefronts**
The storefront is a first floor façade improvement required for all retail uses that face a street or usable open space area:
 - a) Storefronts shall extend across 70 percent of the commercial space;
 - b) Storefronts shall have transparent glazing of at least 70 percent of the façade area, comprised of storefront windows and doors;
 - c) Storefront windows shall have a base one and one-half feet to three feet high, with transparent glazed areas extending from the base to at least eight feet in height as measured from sidewalk grade.
 - d) A minimum of 50 percent of all required storefronts shall have an awning, gallery, or arcade shading the sidewalk.
- 5) Architectural Appurtenances**
Table 3.B.17.F, PRA Appurtenances by Building Type identifies where appurtenances shall be required, and what additional appurtenances are permitted. Where indicated by a checkmark, each building type shall be required to provide a minimum of one appurtenance.

TABLE 3.B.17.F – PRA APPURTENANCES BY BUILDING TYPE

BUILDING TYPE	APPURTENANCES (1)								
	ARCADE (2)	GALLERY (2)	AWNING (2)	BALCONY (2)	BAY (3)	FORECOURT (3)	PATIO (3)	PORCH (3) (4)	STOOP (3) (4)
MIXED USE	✓ P	✓ P	✓ P	P	P	P			
BLOCK	✓ P	✓ P	✓ P	P	P	P			
LINER	✓ P	✓ P	✓ P	P	P	P			
CIVIC	P	P	P	P	P	P	P	P	P
APARTMENT	✓ P	✓ P	✓ P	P	P	P	P		
ROWHOUSE				P	P		✓ P	✓ P	✓ P
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NOTES:									
✓ Means that a minimum of one of the appurtenances checked shall be required for each building type.									
P Means that the appurtenance may also be permitted.									
(1) The clear height of appurtenances that project or hang from a building shall be at a minimum eight feet above the sidewalk elevation, unless specified otherwise.									
(2) Appurtenance may project into pedestrian circulation zone, subject to a minimum five foot setback from utility easements.									
(3) Shall not encroach into the pedestrian circulation zone, and may only encroach into the shy zone for upper stories.									
(4) Shall not encroach into the pedestrian circulation zone.									

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- Additional minimum standards shall apply to the following types of appurtenances.
 - a) Arcades and Galleries**
Arcades shall comply with Figure 3.B.15.G, WCRAO Arcades and Galleries.
 - b) Balcony**
A balcony above a storefront shall be a minimum of three feet in depth.
 - c) Forecourt**
 - (1) May be elevated up to 18 inches above ground level.
 - (2) 20 percent (maximum) of the front facade may be recessed beyond the build-to zone at a depth no greater than the length, unless the forecourt serves as an entry to a courtyard.
 - (3) Prohibited at all street corners.
 - d) Porch or Stoop**
 - (1) Required to be open, un-air-conditioned.
 - (2) Minimum three feet deep by four feet wide.
 - (3) Minimum elevation 18 inches above the adjacent sidewalk elevation.
- 6) Outdoor Uses**
Additional standards are established for non-residential outdoor uses, excluding passive recreation areas or other similar uses, to ensure compatibility with the streetscape, usable open space areas, and any abutting residential uses or parcels with a residential FLU designation.
 - a) Residential Setbacks**
Outdoor uses shall be setback a minimum of 200 feet from any abutting non-PRA residential use or parcel with a residential future land use designation, unless approved by the BCC as or in conjunction with a Conditional Use approval. This shall include vehicular access and parking for vehicular related uses such as gasoline sales, car washes, or drive through facilities.

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b) Screening

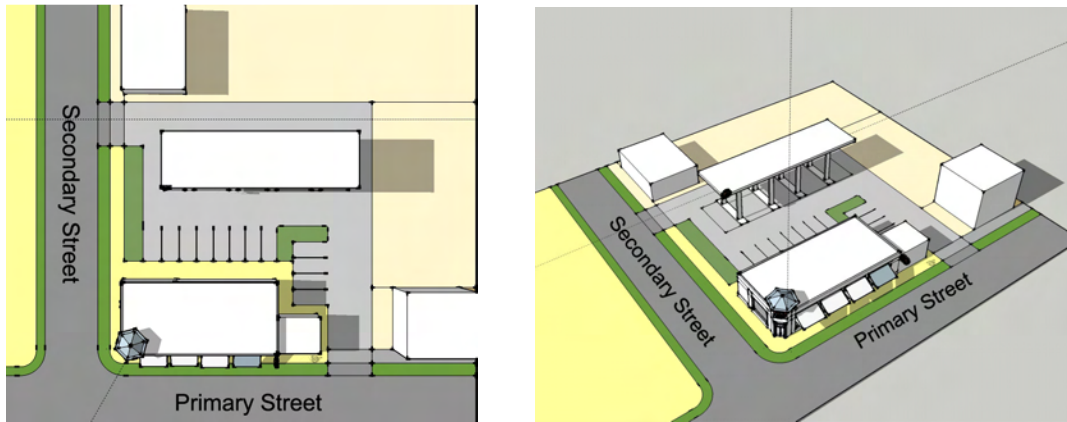
Outdoor uses shall be screened from all streets by the use of a streetwall comprised of either or a combination of the following:

- (1) Buildings or similar structures; or,
- (2) A five foot wide landscape strip that includes a four foot high concrete wall, a 30 inch high hedge, and multi-trunk or flowering trees planted 30 feet on center. Breaks to allow for pedestrian or vehicular access shall be permitted.

c) Drive-through Uses and Gasoline Service Facilities

- (1) Shall only be permitted in the Specialized Development District or where approved by the BCC as a Conditional Use approval.
- (2) All drive-through lanes and gasoline service areas, inclusive of pump islands, canopies, and queuing areas shall be located behind buildings that comply with minimum frontage standards, and shall be consistent with Figure 3.F.17.F, Typical Gasoline Service Facilities and Figure 3.F.17.F, Typical Drive-through Configurations. Exceptions shall be permitted for drive through facilities that are located inside a building or side façade where vehicular traffic exits onto a side street, subject to approval by the County Engineer, where designed similar to Figure 3.B.17.F, Typical Drive Through Configurations.

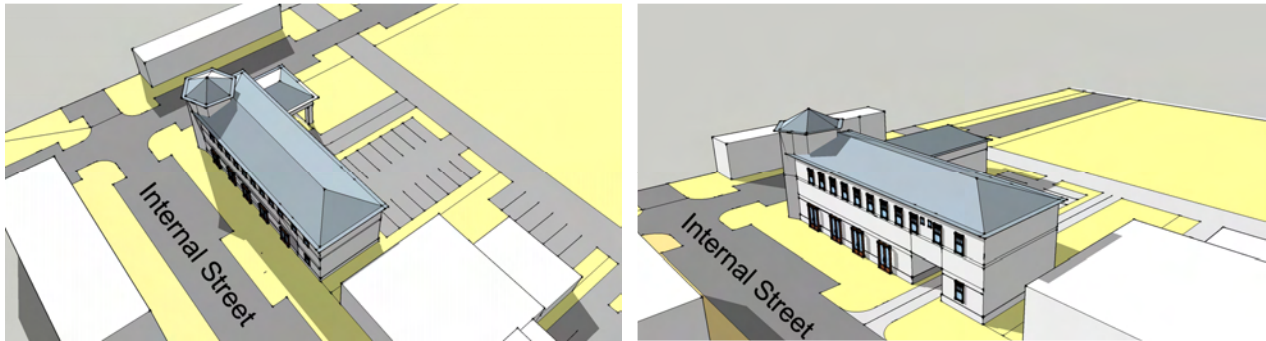
FIGURE 3.F.17.F – TYPICAL GASOLINE SERVICE FACILITIES



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FIGURE 3.B.17.F – TYPICAL DRIVE THROUGH CONFIGURATIONS



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7. PRA Use Standards

If permitted, only those uses that have been indicated on a DRO approved final FSP or FSBP are eligible to apply for building permits or a business tax receipt (BTR), with exception to uses permitted for non-conforming prior approvals. Deviations from the use limitations of this section shall be prohibited unless permitted under the provisions for a Specialized Development District. Table 3.B.17.F, PRA Permitted Use Schedule, identifies the uses permitted in the PRA by TZ sub-area, SD district, and for non-conforming prior approvals, and the required approval processes.

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EXHIBIT Q

**URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)**

TABLE 3.B.17.F – PRA PERMITTED USE SCHEDULE (1)

USE TYPE	TRANSECT SUB-ZONES							NOTE
	UC 1	UC 2	UC 3	UI 1	UI 2	SD (2)	NON-CONFORMING (3)	
RESIDENTIAL USES								
Townhouse		D	D	D	D	D		132
Multi-family	D	D	D	D	D	D		82
Accessory Dwelling			D	D	D	D		1
Congregate Living Facility, Type I	D	D	D	D	D	D		34
Congregate Living Facility, Type II	D	D	D	D	D	D		34
Congregate Living Facility, Type III	D	D	D	D	D	D		34
Garage Sale			D	D	D	D		60
Guest Cottage			D	D	D	D		66
Home Occupation	D	D	D	D	D	D		70
Kennel, Type I (Private)			D		D	D		73
Nursing Convalescent Facility	D	D	D	D	D	D		90
Security or Caretaker Quarters	D	D	D	D	D	D		119
COMMERCIAL USES								
Adult Entertainment	S	S		S		S		2
Auto Paint or Body Shop						A		17
Auto Service Station						A		18
Bed and Breakfast			D		D	D		20
Broadcast Studio	D	D	D	D	D	D	D	21
Building Supplies						A		22
Car Wash						A		25
Catering Services	D	D	D	D	D	D	D	26
Convenience Store	D	D	D	D	D	D		36
Convenience Store with Gas Sales						A		37
Dispatching Office	D	D	D	D	D	D		42
Dog Daycare	D	D	D	D	D	D	D	43
Financial Institution	L	L	L	L	L	L	L	55
Flea Market, Enclosed	D	D	D	D	D	D		57
Funeral Home or Crematory						A		59
Green Market	D	D	D	D	D	D		64
Hotel, Motel, SRO, Rooming and Boarding	D	D	D	D	D	D		72
Kennel, Type II (Commercial)				D		A		74-1
Kennel, Type III (Commercial Enclosed)	D	D		D		D		74-2
Laundry Services	D	D	D	D	D	D	P	78
Lounge, Cocktail	D	D	A	D	A	D		79
Medical or Dental Office	D	D	D	D	D	D	P	83
Office, Business or Professional	D	D	D	D	D	D	P	91
Parking Garage, Commercial	D	D	D	D	D	D		95
Pawnshop	A	A		A		A		97
Personal Services	D	D	D	D	D	D	P	98
Printing and Copying Services	D	D	D	D	D	D	P	100
Repair and Maintenance, General						A		107
Repair Services, Limited	D	D	D	D	D	D	P	108
Restaurant, Type I	L	L	L	L	L	L	L	109
Restaurant, Type II	D	D	D	D	D	D	D	111
Retail Sales, Auto	D	D		D		D		113
Retail Sales, General	D	D	D	D	D	D	P	114
Retail Sales, Mobile or Temporary	S	S	S	S	S	S	S	115
Self-Service Storage	A	A		A		A		120
Theater, Indoor	D	D	A	D	A	A		129
Vehicle Sales and Rental	L	L		L		L		135
Veterinary Clinic	L	L		L		D	L	136
Vocational School	D	D		D		P	P	137
NOTE:								
1. Further restrictions may depend on building type and floor location.								
2. Any project that wishes to operate a use with a drive-thru must receive a Specialized District designation.								
3. New uses permitted in non-conforming prior approvals.								
KEY								
P Permitted by Right (limited to new uses permitted for non-conforming prior approvals).								
S Permitted subject to Special Permit approval.								
D Permitted subject to DRO approval.								
A Permitted subject to Board of County Commission Approval.								
L Limited use - Permitted in the UC or UI districts only where allowed as a P or D under Supplementary Standards, and shall not include any drive through uses, or other similar outdoor vehicular related uses such as fueling stations or vehicle sales or rental display or storage.								

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

TABLE 3.B.17.F – PRA PERMITTED USE SCHEDULE (1)

USE TYPE	TRANSECT SUB-ZONES							NOTE
	UC 1	UC 2	UC 3	UI 1	UI 2	SD (2)	NON-CONFORMING (3)	
PUBLIC AND CIVIC USES								
Assembly, Nonprofit Institutional	D	D	D	D	D	D		14
Assembly, Nonprofit Membership	D	D	D	D	D	D		15
College or University ³	D	D	D	D	D	D		30
Day Camp	D	D	D	D	D	D		39
Day Care, General	D	D	A	D	A	D		40
Day Care, Limited	D	D	A	D	A	D		40
Government Services	D	D	D	D	D	D	D	63
Hospital or Medical Center	A	A		A		A		71
Place of Worship	D	D	D	D	D	D		29
School, Elementary or Secondary	D	D	D	D	D	D		118
RECREATIONAL USES								
Entertainment, Indoor	D	D	D	D	D	D	L	45
Fitness Center	D	D	D	D	D	D	L	56
Gun Club, Enclosed	A	A		A		A		67
Park, Passive	D	D	D	D	D	D		93
Park, Public	D	D	D	D	D	D		94
Park, Neighborhood	D	D	D	D	D	D		92
Special Event	S	S	S	S	S	S		124
AGRICULTURAL USES								
Community Vegetable Garden	D	D	D	D	D	D		32
Farmers Market	D	D		D		D		52
UTILITIES AND EXCAVATION								
Communication Cell Sites on Wheels (COWS)	S	S	S	S	S	S		31
Communication Panels, or Antennas, Commercial	A	A	A	A	A	A		31
Utility, Minor	D	D	D	D	D	D		134
Water or Treatment Plant						A		139
INDUSTRIAL USES								
Film Production Studio						A		54
Laboratory, Industrial Research	D	D	A	D	A	A		76
Machine or Welding Shop						A		80
Medical or Dental Laboratory	D	D		D		A		84
Transportation Facility						A		133
[Ord. 2010-...]								
NOTE:								
1. Further restrictions may depend on building type and floor location.								
2. Any project that wishes to operate a use with a drive-thru must receive a Specialized District designation.								
3. New uses permitted in non-conforming prior approvals.								
KEY:								
P Permitted by Right (limited to new uses permitted for non-conforming prior approvals).								
S Permitted subject to Special Permit approval.								
D Permitted subject to DRO approval.								
A Permitted subject to Board of County Commission Approval.								
L Limited use - Permitted in the UC or UI districts only where allowed as a P or D under Supplementary Standards, and shall not include any drive through uses, or other similar outdoor vehicular related uses such as fueling stations or vehicle sales or rental display or storage.								

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8. Streetscape Standards

Streetscape standards are established to improve both the physical and visual appearance of the streetscape while creating a pedestrian friendly environment for the areas located between building facades and abutting streets.

a. General Standards

The following standards shall apply to all streetscapes.

- 1) Required street trees shall be located in the planting amenity zone;
- 2) Required pedestrian sidewalks shall not be encumbered;
- 3) All paving materials for the pedestrian sidewalks shall be compliant with ADA accessibility standards, and shall be constructed of concrete acceptable to the Engineering Department;
- 4) Consistent paving patterns and materials for streetscapes are required for all individual projects, and are encouraged for parcels abutting a PRA Development Order;
- 5) Where a sidewalk or a path crosses curb cuts at ingress/egress points and internal drives, the pedestrian crossing shall be paved with a material that provides a different texture or a color contrast with the vehicular surface, but preferably consistent with the paving material of the path;

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS

(Updated 07/22/10)

- 1 6) Where a street tree planting area is required, improvements shall be in accordance
- 2 with the requirements of the planting/amenity zone;
- 3 7) Consistency in street tree species shall be encouraged within a block, if applicable,
- 4 and shall be reflective of the character of the surrounding area;
- 5 8) Where applicable, sidewalks located within a perimeter R-O-W may be incorporated
- 6 into the streetscape requirements of this section, subject to a sidewalk easement
- 7 agreement with the DEPW;
- 8 9) All paving materials in planting/amenity and pedestrian circulation zones shall be
- 9 constructed entirely of pervious/porous materials, allowing some storm-water to
- 10 percolate into the underlying soil and promote healthy street tree growth; and,
- 11 10) If an existing or proposed utility easement is located adjacent to subject roadways,
- 12 streetscape requirements shall be applied from the inner edge of the utility easement,
- 13 and shall be landscaped with appropriate groundcover, with exception to the
- 14 following:
- 15 a) Utility easements may be improved hardscaped or landscaped to be consistent
- 16 with required streetscape areas;
- 17 b) Utility easements may encroach into required streetscape areas up to a
- 18 maximum of five feet, subject to Engineering approval and consent from
- 19 easement holder; and,
- 20 c) Street trees may be located in utility easements subject to use of tree root barrier
- 21 approved by County Landscape and easement holder.

b. Streetscape Components

The area between a front facade and the vehicular lanes of required, primary, secondary and side streets shall include two distinct zones: planting/amenity zone and pedestrian circulation zone.

1) Planting/Amenity Zone

The planting/amenity zone shall be a minimum of five feet in width, and serves as the transition between the vehicular and pedestrian areas. Bus stop locations, lighting, benches, trash receptacles, art, street trees, groundcovers and pavers may be placed in these areas.

- a) Street trees shall be installed in accordance with 3.F.2.A.4.d, Street Trees. Exceptions to tree spacing may be permitted where necessary to accommodate bisecting utility easements, or other similar improvements;
- b) Street lights shall be required for all perimeter and internal streets in accordance with Art. 3.F.2.A.1.f.2, Lighting;
- c) Trees shall be planted in tree wells/grates with an approved groundcover or other acceptable treatment over the top to protect the roots, when planted along a street frontage.
- d) One bench shall be provided for every 50 linear feet of street frontage. Signage or advertising is prohibited on benches.
- e) A minimum of one trash receptacle shall be provided at each bench location.
- f) Moveable chairs and sidewalk cafes are strongly encouraged in the planting/amenity zone, but may not encroach into the pedestrian circulation zone.

2) Pedestrian Circulation Zone

The pedestrian circulation zone is a continuous unobstructed space reserved for pedestrian movement typically located adjacent to the planting/amenity zone. Minimum width shall be eight feet for slip street and primary frontages, and five feet for secondary frontages.

- a) The surface shall be constructed entirely of plain poured concrete.
- b) The pedestrian circulation zone shall function as a continuous unobstructed space along the street frontage, with the exception of an arcaded sidewalk and gallery.

3) Slip Street Planting/Amenity Zone

The following standards shall apply for all slip street frontages:

- a) A ten foot wide landscape planting area shall be required between a perimeter R-O-W and the slip street;
- b) Additional width may be permitted to accommodate utility easements or Engineering requirements, but shall not be increased otherwise;
- c) Street trees shall be planted in the landscape area in accordance with Art. 3.F.4.A.4.d, Street Trees, but shall be generally consistent with the tree species and spacing provided in the enhanced sidewalk area; and,
- (d) Ground treatment shall comply with the standards for the planting/amenity zone.

9. Civic and Usable Open Space Standards

A minimum of five percent of the gross acreage of all PRA projects shall be dedicated or provided as usable open space. Plaza's or squares that provide a concentrated focal point for pedestrians shall be the preferred method for providing usable open space, but credit may be given for required pedestrian streetscapes or other similar usable open space amenities

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS

(Updated 07/22/10)

such as playgrounds and greens. All required usable open space areas shall meet the minimum dimensions provided under Table 3.B.17.F, PRA Dimensions for Usable Open Space, unless exempted otherwise herein.

Table 3.B.17.F - PRA Dimensions for Usable Open Space

	Size Min.	Length Min.	Width Min.
Central Plaza or Square	10,000 s.f.	120 ft.	80 ft.
Other Plazas or Square	5,000 s.f.	60 ft.	40 ft.
Greens	0.25 acre	100	100
Playground	n/a	n/a	n/a

a. General

- 1) Required usable open space areas shall be provided prior to the issuance of CO for 50 percent any residential units within the subject site, if applicable.
- 2) At least 95 percent of the residences within the subject site must be within a 1/4 mile walk of usable open space.
- 3) Usable open space areas shall feature visible, open, and unimpeded pedestrian access from adjacent streets and sidewalks, allowing passersby to see directly into the open space.

b. Plazas and Squares

A plaza or square shall be defined by building facades or streets. It is primarily comprised of hardscape/pavers, with trees and containerized plants serving as the primary vegetative material.

c. Playground

Playgrounds shall be interspersed within residential areas, and may be placed within a block, adjacent to street frontage. Playgrounds may also be included in greens. There is no minimum or maximum size.

d. Greens

Greens are commonly developed with grassy lawn areas unstructured recreation, intended for less intensive foot traffic. It shall be defined by building facades or streets on two or more sides. The minimum size shall be 0.25-acre and the maximum shall be 6 acres. It may also be partially depressed below the street grade for the purposes of accommodating temporary storm-water retention.

- 1) Minimum 80 percent unpaved surface area (turf, groundcover, soil or mulch).
- 2) The remaining balance may be any paved surface up to a maximum 20 percent of the green.

e. Streetscape Credit

Projects that have net land areas of less than two and one-half acres in size may count all streetscape areas towards the usable open space requirement. All others may count up to fifty percent of streetscape areas towards usable open space requirements.

f. Street Frontage

If applicable, required usable open space areas shall front on a secondary or side street frontage and be located in a prominent or central area internal to the development. Frontage on a required or primary frontage shall not be permitted unless there are no secondary or side streets abutting or internal to the development.

g. Shade

A minimum of 15 percent of each plaza, square or other usable open space area shall be shaded by landscape material or shade structures at time of construction. Where applied to streetscape galleries, awnings or other building amenities may be counted towards shade requirement.

h. Pervious Areas and Landscaping

A minimum of 30 percent of all usable open space areas, excluding streetscape where applicable, shall be pervious, and covered with appropriate ground cover in accordance with Art. 7, Landscaping.

i. Pedestrian Amenities

- a) Required usable open space areas shall have a minimum of one linear foot of seating for each 200 square feet of overall area. Movable chairs are encouraged, and shall count as two-and one-half linear feet of seating area.
- b) One trash receptacle for each 5,000 square feet of each physically separated Civic Open Space.
- c) Art is encouraged to be placed within usable open space areas..
- d) One drinkable water fountain for each 5,000 square feet of each landscaped Civic Open Space.

10. Parking and Loading Standards

Parking and loading shall comply with Art. 6, Parking, unless otherwise stated below:

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS

(Updated 07/22/10)

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a. Location and Access

Parking may be provided in surface lots, attached/detached garages or outbuildings, or a parking structure. Parking and service areas shall be located along or at the rear of building(s) with exception to on-street parking, including required frontage streets.

1) On-street Parking

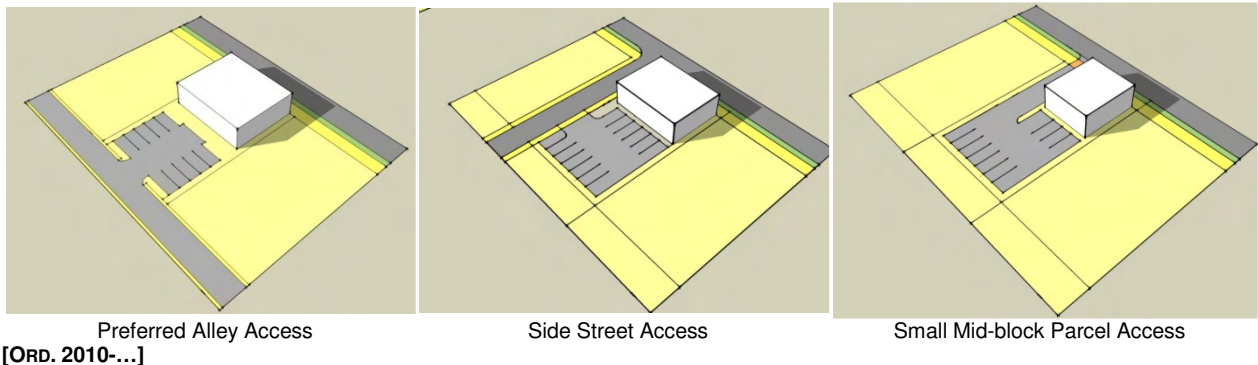
Parking in front of buildings shall only be permitted where on-street parking is allowed.

2) Parking Lots

It is the intent that parking lots shall be located behind buildings to screen from view from all street frontages and usable open space areas, unless specified otherwise herein. Exceptions shall be permitted for secondary streets. The perimeter of parking lots shall be framed by a street-wall using:

- a) Buildings; or,
- b) A five foot wide landscape strip that includes a minimum 30 inch high hedge or concrete street-wall, with canopy trees planted 30 feet on center. Breaks to allow for pedestrian access shall be permitted.
- c) Separation between parking and parallel alleys shall not be required for any project that does not have streets or blocks, and alleys may be incorporated into parking lots as standard drive isles.

FIGURE 3.B.17.F – TYPICAL PARKING LOCATION AND ACCESS



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3) Parking Garages

a) Liner Building Requirements

Parking garages shall not front a street unless constructed as a Liner Building, and shall comply with the following:

- (1) Parking structures located on Slip Street and Primary frontages shall be completely screened by buildings with habitable uses on all stories.
- (2) Parking structures located on a Secondary frontage shall be completely screened by buildings with habitable uses on at least the first story.
- (3) Parking structures facing alleys do not have a habitable use screening requirement on the alley façade.

b) Threshold

Parking for any use in excess of five spaces per 1,000 square feet of non-residential floor area shall be located in a parking structure/garage.

4) Row House

Parking for Row Houses shall only be permitted to the rear and shall meet the requirements for town house parking. Garage setbacks shall be in accordance with PDRs for Row Houses.

5) Service and Loading Areas

All service and loading areas shall be located along the rear or side of buildings, and shall not be visible from usable open space areas, streets or abutting residential neighborhoods. The service areas shall be located within the footprint of the building or immediately adjacent to the building. Required loading space areas may be waived, reduced in number or dimension, in accordance with Art. 6.B, Loading Standards, or by PRA waivers.

- 1) Waste and recycling containers shall be integrated within in the building or entirely screened from view.
- 2) Loading docks, service areas and trash disposal facilities shall not face usable open space areas, a street frontage or an abutting residential neighborhood unless screened from view or integrated within a building.
- 3) Trash collection and other services shall be accessed through the alley.

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS

(Updated 07/22/10)

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b. Parking Ratios

The required number of parking spaces shall correspond to broad uses and not to a specific use, and shall be responsive to the long term transition of tenants within a non-residential or mixed use development. The applicant may choose from the following parking requirements:

1) Non-residential

- a) Minimum: one space per 333 square feet of GFA (3/1000) excluding assembly, and 1 space per 5 seats for assembly uses;
- b) Where uses are not intended to allow for transition to other uses, the general parking standards outlined in Art. 6, Parking may be applied, provided that use limitations are identified on the DRO approved site plan;
- c) Reduction in required parking through use of a shared parking study, as defined in Art. 6, Parking; or,
- d) If eligible, credit may be given for any perimeter on-street parking spaces located along secondary streets, subject to approval by the County Engineer (use of this option may be limited to where the developer pays for required improvements), or for any new slip street or internal street parking developed.

2) Residential

Multi-family residential parking ratios may be reduced in accordance with Table 3.B.15.I, WCRAO Mixed Use Parking Deviations.

c. Bicycle Parking

One parking area shall be provided for every five units in multi-family housing and for every 20 vehicle parking spaces serving non-residential uses. Bicycle parking spaces shall be indicated on the site plan in visible, well-illuminated areas. For each bicycle parking space required, a stationary object shall be provided to which a user can secure the bicycle. The stationary object may either be a freestanding bicycle rack or a DRO approved alternative.

11. Landscape Standards

Landscaping shall be in accordance with Art. 7, Landscaping, unless stated otherwise herein:

a. Perimeter Buffers

1) Streetscape Exemptions

Required landscape perimeter buffers pursuant to Art. 7, Landscaping shall not be required where an PRA streetscape is required.

2) Compatibility Buffers

The PRAs shall be exempt from compatibility buffer requirements.

3) Alternative Incompatibility Buffer

The following incompatibility buffer option may be utilized subject to the following:

- a) Shall be a minimum of ten feet in width, and, easement encroachment shall be prohibited, with exception to drainage easements;
- b) An eight foot tall solid concrete block or panel wall shall be installed along the affected property line, with a setback a minimum of two feet to allow for maintenance of the exterior side of the wall. Setback may be increased as needed to accommodate required footers;
- c) The required wall shall be constructed of materials and with a design consistent with the principal building, and shall have the same architectural finish treatment and color on both sides of the wall.
- d) Exterior landscape areas shall have groundcover that is low maintenance and does not impede necessary access for maintenance;
- e) Canopy trees shall be planted along the internal side of the wall to be spaced a minimum of 20 feet on center;
- f) A hedge shall be installed in accordance with the standards for medium shrubs, as specified in Table 7.F.7, Shrub Planting Requirements; and,
- g) A drainage easement may be permitted within the buffer on the interior side of the wall to be used as a storm-water management system, subject to approval by Land Development.

b. Foundation Planting

The PRAs shall be exempt from foundation planting requirements.

c. Alternative Parking Lot Design Options

This section provides landscape or alternatives, or reductions for interconnectivity that allow for the use of innovative design or green building materials necessary for smaller sites or desired for larger projects. The following may be used individually or in combination:

1) Option 1

Projects that are one-half acres or less in size, with 20 or fewer parking spaces may relocate all interior landscape parking materials into one open space preserve;

2) Option 2

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS

(Updated 07/22/10)

1 Projects that are two acre or less in size may reduce required terminal island
2 landscape width to a minimum of five feet in width of landscape area;

3 **3) Option 3**

4 Landscape area and shrub requirements for terminal, interior and divider median
5 islands may be replaced with bio-swales and appropriate landscaping, provided that
6 required canopy trees can be accommodated. Alterations to required curbing may be
7 permitted subject to demonstration that vegetated areas are protected from vehicles
8 and that there will be no adverse impacts to pedestrians;

9 **4) Option 4**

10 Up to a maximum of 25 percent of required terminal, interior and divider median
11 landscape areas shall not be required provided those parking areas provide shade
12 by installing covered parking that utilizes materials with appropriate solar reflectance
13 index (SRI) depending on the pitch of the roof of the structure.

14 **5) Option 5**

15 Required terminal, interior and divider median landscape areas and required shrubs
16 shall not be required, subject to the following:

- 17 a) The number of required terminal, interior and divider median trees are doubled;
- 18 b) Trees are protected by curbing, wheel stops or other similar methods of
19 protection;
- 20 c) Green building standards for tree wells and related root growth areas are utilized;
- 21 d) All abutting parking spaces utilize pervious pavement that has an SRI of at least
22 29 to improve solar reflectance; and,
- 23 e) Land Development approval.

24 **6) Option 6**

25 No interior island required if parking spaces are abutting landscape buffers, street
26 walls or tree planting areas.

27 **d. Rear or Side Entrances**

28 Buildings with secondary entrances located on the side or rear facades shall either apply
29 the streetscape standards for a side street building frontage; or shall provide foundation
30 planting along a minimum of 50 percent of the applicable façade, with a minimum depth
31 of five feet, to be planted in accordance with Art. 7, Landscaping, with a sidewalk a
32 minimum of five feet in width as needed to separate pedestrians from abutting vehicle
33 use areas along the building façade.

34 **13. Signage Standards**

35 Signage shall be in accordance with Art. 8, Signage, unless stated otherwise herein.

36 **a. Freestanding Signage Prohibitions**

37 Freestanding signs, including outparcel identification signs, shall be prohibited, with
38 exception to Development Orders that include buildings located on internal streets that do
39 not have any frontage on a perimeter street, subject to the limits of Table 8.G.2.A or the
40 following, whichever is more restrictive:

- 41 1) Signs shall not exceed 150 square feet of sign face area, and shall be limited to 15
42 feet in height; and,
- 43 2) A maximum of one freestanding sign per right of way frontage shall be permitted.

44 **G. PRA Waivers**

45 The applicant may apply for waivers for development standards in accordance with Art.
46 3.F.17.D.3, Waivers and Table 3.B.17.G, PRA Waivers. Waiver requests shall be submitted
47 concurrently with any DRO application, and shall reviewed by the Zoning Director for denial,
48 approval or approval with conditions, prior to either DRO certification or approval. The following
49 table summaries the development standards that could be requested through a waiver process:
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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1

TABLE 3.B.17.G – PRA WAIVERS

REQUIREMENTS	MAXIMUM WAIVER	MINIMUM CRITERIA OF REVIEW
STREET STANDARDS		
Art. 3.B.17.F.4, Street Standards	Allow additional lanes, or minor increases in lane width.	- Where required to accommodate traffic, or where required by the DEPW or Palm Tran. - Minimum deviation required and remains generally consistent with TDD street standards. - Consistent with livable street standards that prioritize pedestrian safety.
BLOCK STANDARDS		
Table 3.B.17.F, Block Dimension Requirements	Allow smaller block sizes.	- Location of existing streets precludes meeting desired average block face or perimeter; or, - Demonstration that smaller blocks are necessary for traffic circulation, and do not adversely impact pedestrian circulation or requirement that parking be located behind the street wall.
INTERCONNECTIVITY STANDARDS		
Art. 3.B.17.F.5, Interconnectivity Standards	No interconnectivity requirement.	- Document prohibition by Federal, State, local or other laws that serve to establish limited access standards necessary to protect facilities such as water treatment plants, jails, or other similar facilities.
Art. 3.B.17.F.5.c, Gates	Allow use of gates within the development.	- Special circumstances between adjacent uses. - Specific user requirements within the PRA project requires the use of gates, provided such does not impact the continuity of required blocks, streets or alleys.
BUILDING STANDARDS		
Art. 3.B.17.F.6.b.3), Building Hierarchy	Allow deviations from perimeter placement.	- Internal streets shall be required to establish building frontage. - Necessary to allow for expansion of existing buildings or uses. - Will not result in inability of perimeter frontages to be developed in accordance with PRA requirements.
Art. 3.B.17.F.6.f.2), Primary Entrances	Allow 100% increase in distance.	- Façade is less than 150 feet in length.
USABLE OPEN SPACE STANDARDS		
Art. 3.B.17.F.9, Civic and Usable Open Space Standards	Allow for reduction.	- Lot less than 2.5 acres in size having insufficient frontage to accommodate usable open space in pedestrian streetscape areas.
PARKING STANDARDS		
Art. 3.B.17.F.10.a.6), Service and Loading Areas; and, Art. 6.B.1, Loading.	Waive or reduce required loading spaces, dimensions for width, length, maneuvering area, and location.	- Limitations due to access, lot size; location of residential uses; proximity to streets or alleys; or vehicular circulation. - Document that any loading alternatives will not adversely impact pedestrian or vehicular circulation, including alleyways, drive isles, handicapped accessibility, or other similar functional considerations. - Document that any loading alternatives will not conflict with DEPW or FDOT requirements.
Landscape Standards		
Art. 7.F.9, Incompatibility Buffer	Allow use of Compatibility Buffer in lieu of Incompatibility Buffer.	-- Where abutting any PRA residential building type, provided that such buildings provide screening from any commercial or civic uses. - Upon demonstration of site design that uses preserves, passive open space areas, drainage retention areas a minimum of 50 feet in width, or other screening a minimum of 6 feet in height to create buffers between non-residential uses and residential neighborhoods.
[Ord. 2010-...]		

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EXHIBIT Q

**URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)**

1
2 **Part 10. ULDC, Table 3.C.1.A, Future Land Use (FLU) Designation and Corresponding Standard**
3 **Zoning Districts (page 82 of 195), and is hereby amended as follows:**
4

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

FLU Designation	Zoning District					
....						
LR-1	AR ^{§2}	RE	RT	AP ²		
LR-2	AR ^{§2}	RE ^{§2}	RT			
LR-3	AR ^{§2}	RE ^{§2}	RT			
MR-5	AR ^{§2}	RE ^{§2}	RT ^{§2}	RS	RM	
HR-8	AR ^{§2}	RE ^{§2}	RT ^{§2}	RS	RM	
HR-12	AR ^{§2}	RE ^{§2}	RT ^{§2}	RS ^{§2}	RM	
HR-18	AR ^{§2}	RE ^{§2}	RT ^{§2}	RS ^{§2}	RM	
Commercial						
....						
<u>UC</u>	<u>UC</u>	<u>SD</u>				
<u>UI</u>	<u>UI</u>	<u>SD</u>				
....						
[Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-005] [Ord. 2010-...]						
Notes:						
1. Unless exempted otherwise by Art. 3.C.1.B, Standard District Exceptions and Limitations, or where a parcel is rezoned to a PDD or TDD, all new development such as any application for a rezoning, conditional use or subdivision of property shall require the subject site be rezoned to a shaded district.						
2. Typical Example of a "shaded district."						
3. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with Art. 3.C.1.B.1.						

5
6
7 **Part 11. ULDC, Art. 3.C.1, Future Land Use (FLU) Designation and Corresponding Districts**
8 **(page 86 of 195), and is hereby amended as follows:**

9 **CHAPTER C STANDARD DISTRICTS**

10 **Section 1 Future Land Use (FLU) Designation and Corresponding Districts**

11 **H. PRA, Priority Redevelopment Area Districts**
12 PRA districts shall be subject to the requirements of Art. 3.B.17, Priority Redevelopment Area
13 Overlay.
14 **1. UC, Urban Center District**
15 The UC district is the most intense PRA district, typically comprised of larger interconnected
16 commercial subareas with buildings containing a well-balanced mix of residential,
17 commercial, civic and recreational uses.
18 **2. UI, Urban Infill District**
19 The UI district accommodates mixed use redevelopment along the corridors, while providing
20 a transition to the adjacent, existing residential neighborhoods. The UI consists primarily of
21 residential uses, with non-residential uses encouraged on the 1st story of buildings.
22 **3. SD, Specialized Development District**
23 The SD district is an optional district to accommodate projects that cannot conform to the
24 mixed use requirements of the PRA's or are generally desirable and contribute to the
25 furthering of County directions and characteristics of a livable community. Development of
26 parcels in the SD district shall be in accordance with the standards of Art. 3.B.17, URAO,
27 unless permitted otherwise herein.

28 **[Renumber accordingly]**

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EXHIBIT Q

**URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)**

1
2 **Part 12. ULDC, Table 3.D.1.A – Property Development Regulations (page 87 of 195), and is**
3 **hereby amended as follows:**
4

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

Zoning District	Min Lot Dimensions			Density (6)		Max FAR (7)	Max Building Coverage	Min Setbacks (10)			
	Size	Width and Frontage	Depth	Min	Max			Front	Side	Side Street	Rear
....											
Commercial											
CN	0.5 ac.	100	100	-	-	-	25%	30	30	(8)	30
CC	1 ac.	100	200	-	-	-	25%	30	30	(8)	30
CG	1 ac.	100	200	-	-	-	25%	50	15	(8)	20
CLO	1 ac.	100	200	-	-	-	25%	30	15	(8)	20
CHO	1 ac.	100	200	-	-	-	25%	40	15	(8)	20
CRE	3 ac.	200	300	-	-	-	40%	80	50	80	50
IR	N/A	50	100	-	-	(8)	40%	(9)	(9)	(9)	(9)
<u>UI</u>	<u>N/A</u>	<u>50</u>	<u>100</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>N/A</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>
<u>UC</u>	<u>N/A</u>	<u>50</u>	<u>100</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>N/A</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>
<u>SD</u>	<u>0.5 ac.</u>	<u>100</u>	<u>100</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>N/A</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>	<u>(10)</u>
....											
[Ord. 2005 – 002] [Ord. 2005-041]											
Notes:											
....											
10. <u>Building setbacks shall be in accordance with Art. 3.B.17, Priority Redevelopment Area Overlay.</u>											
<u>[ReNUMBER accordingly.]</u>											

5
6
7 **Part 13. ULDC, Art. 4.B.1.A, General (page 21 of 166), and is hereby amended as follows:**

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

18. Auto Service Station

....
g. Priority Redevelopment Areas (PRAs)
Shall only be permitted in the SD district.

25. Car Wash

....
f. Priority Redevelopment Areas (PRAs)
Shall only be permitted in the SD district.

37. Convenience Store with Gas Sales

....
i. Priority Redevelopment Area (PRAs)
Shall only be permitted in the SD district.
....

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

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55. Financial Institution

Table 4.B.1.A – Financial Institution Development Threshold and Approval Process

Zoning District	Development Thresholds			Approval Process
	GFA		Drive-thru ⁽¹⁾	
CN and CLO	5,000 s.f. max	and	Not permitted <u>Prohibited</u>	DRO
<u>UC or UI</u>	<u>N/A</u>	<u>and</u>	<u>Prohibited</u>	<u>DRO</u>
CC and CHO; CL and CLO PDDs; COM Pod of PUD;	5,000 s.f. max	and	No drive thru lanes	Permitted by Right
<u>SD</u>	<u>N/A</u>	<u>and</u>	<u>≤ 3 drive thru lanes</u>	<u>Class A Conditional Use</u>
CC; and, CL and CLO PDDs, and COM Pod of PUD	5,000 s.f. max	and	≤ 3 drive thru lanes	DRO
CG; CH and CHO PDDs; PIPD COM Use Zone; and, TDDs	5,000 s.f. max	and	≤ 3 drive thru lanes	Permitted by Right
CC, CHO and CG; CL, CH, CLO and CHO PDDs; COM Pod of PUD; PIPD COM Use Zone; and, TDDs	> 5,000 s.f.	or	> 3 drive thru lanes	Class A or Requested Use
[Ord. 2007-013] [Ord. 2009-040]				
Notes:				
1. An ATM lane shall not be considered a drive thru lane for purposes of development thresholds.				

64. Green Market

g. Permanent Green Market LCC District and IRO Projects

A permanent Green Market shall be allowed to operate each weekend provided the area designated for the Green Market is not located in required parking and indicated on the final DRO site plan. A Green Market that is located within required parking spaces or access aisles for a temporary period of time, which shall be defined by anything exceeding one hour or several days, shall comply with the Special Permit requirements in Article 2.D.2.

107. Repair and Maintenance, General

f. Bay Door Orientation

Service bay doors shall not face any residential district, FLU designation, or use unless separated by an arterial or collector street. **[Ord. 2005 – 002]**

3) Infill Redevelopment Overlay (IRO) and Priority Redevelopment Areas (PRAs)

Bay doors shall not be oriented towards perimeter streets.

109. Restaurant, Type I

g. Priority Redevelopment Area (PRAs)
Drive through shall only be permitted in the the SD district.

135. Vehicle Sales and Rental

f. Priority Redevelopment Area (PRAs)
Outdoor sales or rental display or storage areas shall only be permitted in the SD district.

136. Veterinary Clinic

c. Infill Redevelopment Overlay (IRO) and Priority Redevelopment Area (PRAs)

A veterinary clinic shall not include outdoor runs. Boarding facilities shall comply with the standards for a type III commercial kennel.

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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 14. ULDC, Table 5.G.1.B, Workforce Housing Program (page 65 of 93, Ord. 2010-005), is
3 hereby amended as follows:
4

Table 5.G.1.B - Workforce Housing Program

Applicability		
Location:	Threshold	Required > or= to 10 residential dwelling units
	Tier or Overlay	U/S
	FLU (1)	LR-1, LR-2, LR-3, MR-5, HR-8, HR-12, HR-18, <u>UC and UI</u>
Density Bonus Incentive		
LR-1 thru LR-3		up to 30%
MR-5 thru HR-18 (2)		up to 100% (Pre-App required for > 30%)
<u>UC or UI</u>		<u>N/A</u>
Required % of WHP Units (3)		
Standard Density		5%
Maximum Density		16%
WHP Density Bonus		34%
<u>UC or UI</u>		<u>15%</u>
Required WHP Ranges (4)(6)		
Low (60-80%)		25%
Moderate 1 (> 80-100%)		25%
Moderate 2 (>100-120%)		25%
Middle (>120- or ≤ 140%)		25%
Provision of Units		
....		
[Ord. 2006-055] [Ord. 2007-013] [Ord. 2010-005]		
Notes:		
....		
(6) <u>UC or UI applications: Consideration may be given to additional affordable housing household incomes in developments requesting all or a portion of the 15% unit requirement within their proposal be based on the programmatic requirements imposed by a governmental agency providing affordable housing funding or by an entity with programmatic requirements (e.g., Habitat for Humanity or a Community Land Trust). The final determination is to be made by the Planning Director or designee.</u>		

5
6
7 Part 15. ULDC, Art. 7.C, MGTS Compliance [Related to Landscaping] (page 13 of 48), and is
8 hereby amended as follows:

9 **CHAPTER C MGTS TIER COMPLIANCE**

10 Landscape design shall comply with the relevant MGTS characteristics in both plant material selection
11 and overall landscape composition.

12 **Section 1 U/S Tier**

13 Landscaping in the U/S Tier should have a higher level of detail and more structure, such as pedestrian
14 accents, formal arrangements in perimeter landscape and buffers, street tree plantings, and inter-
15 connections between pedestrian and vehicular areas. The Revitalization and Redevelopment Overlay,
16 Priority Redevelopment Areas, and Westgate/Belvedere Homes Community Redevelopment Area,
17 among others, serve to promote infill redevelopment or more urbanized forms of development and allow
18 for commensurate forms of urban landscaping that accommodate CPTED principles, walk-ability and
19 other attributes of the urban environment. is located with the U/S Tier and recognizes the unique
20 opportunities and restrictions often encountered in development of infill parcels. Greater flexibility and
21 alternative landscape solutions are available to promote development within the boundaries of these
22 areas. However, it also recognizes the unique opportunities and restrictions that may be encountered for
23 parcels developing consistent with Art. 3.B.16, Infill Redevelopment Overlay, and recommends allowing
24 greater flexibility and alternative landscape solutions to be made available to these types of projects.
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EXHIBIT Q

URBAN REDEVELOPMENT AREA
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1

Table 7.C.3 – Minimum Tier Requirements

Code Requirements	U/S Tier	AGR and Glades Tiers	Exurban and Rural Tiers
Landscape Buffers ⁷			
....			
Interior Landscaping ⁷			
....			
Plant Standards ⁷			
....			
Foundation Planting ⁷			
....			
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040]			
Notes			
....			
5. Interior quantities for shrub planting shall be calculated based on gross lot area, excluding preservation areas and lake tracts. [Ord. 2009-040]			
6. TDDs, <u>LCC, IRO and PRA Development Orders</u> are exempt from foundation planting requirements for primary and secondary, <u>or other similar types of</u> building frontages, buildings along an alleyway or access-way to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004]			
....			

2

3

4

Part 16. ULDC Art. 17.C.1.B, Installation (page 19 of 26), is hereby amended, as follows:

5

CHAPTER C Appointed Bodies

6

Section 13 Zoning Commission

7

B. Powers and Duties

8

The ZC shall have the following powers and duties under the provisions of this Code:

9

....
8. to consider and render a final decision on appeals of denials for Zoning Waivers.

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EXHIBIT R

WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 1. ULDC, Art. 3.B.15.B.1, Nonconformities (page 36 of 195), is hereby amended as
3 follows:
4

5 CHAPTER B OVERLAYS

6 Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

7 B. General Development Standards

8 1. Nonconformities

9 Nonconforming uses, structures and lots shall be allowed to continue subject to the
10 provisions of Art. 1.F, Nonconformities and the following: [Ord. 2006-004]

11 a. Expansion of Existing Non-conforming Parking

12 The addition of parking that does not meet the location requirements of this Section, that
13 is included in the expansion of a non-conforming structure shall be permitted subject to
14 BCC approval of a Class A Conditional Use. [Ord. 2006-004]

15 b. Permitted Uses and Uses Subject to DRO Approval within Nonconforming
16 Structures

17 The WCRA Plan encourages rehabilitation of existing commercial and residential
18 properties to prevent and eliminate slums and urban blight, to promote physical and
19 economic revitalization of the neighborhoods and commercial areas, and to improve the
20 visual appearance of existing structures and the overall experience of the area. Uses
21 permitted by right and uses subject to DRO approval therefore may exceed the allowable
22 percentages of Table 1.F.1.G, Nonconformities – Percentage (1) and Approval Process
23 for Maintenance, Renovation and Natural Disaster Damage Repair, provided all the
24 standards below are met:

25 1) Exterior Building and Site Elements Improvements

26 A minimum 25 percent of the total maintenance, renovation, or natural disaster
27 damage repair improvement value shall be dedicated to exterior building and site
28 elements. Of that percentage, a minimum of ten percent shall be dedicated to façade
29 improvements abutting the ROW and a minimum ten percent shall be dedicated to
30 landscape improvements;

31 2) Limitation

32 The total maintenance, renovation, or natural disaster damage repair improvements
33 for the proposed use(s) may be allowed only if the proposed improvements will not
34 cause an increase in building square footage or generate additional parking unless
35 the additional parking requirements or design is required to bring the site into
36 compliance with the ULDC to the greatest extent possible; and,

37 3) Certification of Improvements

38 The detailed justification statement of compliance to the above standards and
39 calculations of the improvements, including the total improvement value for the
40 project, shall be signed and sealed by the architect of record for the project, and shall
41 be reviewed and certified by the Westgate CRA for compliance with this section prior
42 to submittal to the Building Division.

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EXHIBIT R

WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 2. ULDC, Table 3.B.15.E, WCRAO Sub-area Use Regulations (page 40 of 195), is hereby
3 amended as follows:
4

Table 3.B.15.E - WCRAO Sub-area Use Regulations

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	NOTE (2) ²
Residential Uses								
Multi-family	X	-	-	-	-	-	-	87
Commercial Uses								
Adult entertainment (3) ³	X	X	X	X	X	X	X	2
Auto Service Station	X	X	X	-	-	-	-	18
Convenience Store with Gas Sales	X	X	X	-	-	-	-	37
Day Labor Employment Serv.	X	X	X	X	X	X	X	41
Repair and Maintenance, General	X	X	X	-	-	-	-	107
Self-service Storage	X	X	X	X	-	-	-	120
Vehicle Sales and Rental	X	X	X	-	-	-	-	135
Office Warehouse	X	X	X	X	A (1) ⁺	A (1) ⁺	A (1) ⁺	138
Work/Live Space <u>Or Live/Work Unit</u>	X	P (4) ⁴	P (4) ⁴	P (4) ⁴	P (4) ⁴	P (4) ⁴	P (4) ⁴	141, 141-2
[Ord. 2006-004] [Ord. 2007-013] [Ord. 2009-040]								
Key								
X Prohibited in Sub-area. - Subject to Use Regulations of zoning district. P Permitted by Right [Ord. 2007-013] [2009-040] A Class A Conditional or Requested Use								
Notes:								
1. Limited to lots with a CH or IND FLU Designation and corresponding zoning district. [Ord. 2006-004] 2. A number in the NOTE column refers to Art 4.B, Supplementary Use Standards, which are applicable to the use. [Ord. 2006-004] 3. Adult entertainment shall also be prohibited as an accessory use to other principal uses within the sub-areas. [Ord. 2007-013] 4. Limited to lots with a CH or CL FLU Designation and corresponding zoning district. [Ord. 2007-013]								

5
6
7 Part 3. ULDC, Art. 3.B.15.F, Property Development Regulations (PDRs) (page 42 of 195), is
8 hereby amended as follows:
9

10 CHAPTER B OVERLAYS

11 Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

12 F. Property Development Regulations (PDRs)

13 1. Sub-area PDRs

14 a. NRM, NG and NC Side Setback Reduction

15 A building in the NRM, NG and NC sub-areas may be built along the interior side property
16 line with a zero setback, subject to the following for the façade built with a zero setback:
17 [Ord. 2006-004]

- 18 1) No windows, doors or other openings are permitted. No portion of building, including
19 roof eaves, gutters and soffits may encroach onto adjacent property. [Ord. 2006-
20 004]
- 21 2) No form of opening, attachment, or any item or method of construction requiring
22 maintenance other than cleaning and painting when visible, shall be permitted. [Ord.
23 2006-004]
- 24 3) A maintenance easement is granted allowing for a minimum of two feet for access to
25 any portion of a structure left exposed and requiring limited maintenance, such as
26 cleaning and painting. [Ord. 2006-004]
- 27 4) Height shall be limited to two stories and a maximum of 25 feet for properties in the
28 NRM and NG sub-areas abutting existing single-family uses. Additional height may
29 be permitted subject to the standard setback and any other setback requirements.
30 [Ord. 2006-004]

31
32 2. Build to Line and Frontages

33 a. Build to Line

34
35 b. Building Frontage

36 Building frontage shall be in accordance with the requirements for each Sub-area and
37 Figure 3.B.15.F, WCRAO Sub-area Building Configurations and Lot Placements, and

Notes:

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EXHIBIT R

WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

Figure 3.B.15.F, Required Building Orientation. Frontage requirements may be reduced for lots with no rear access to required parking to accommodate a drive ~~isle~~ aisle to the rear of the lot and required landscaping.

....

Part 4. ULDC, Table 3.B.15.F, WCRAO Sub-area PDRs (page 41 of 195), is hereby amended as follows:

Table 3.B.15.F – WCRAO Sub-area PDRs

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Lot Dimensions:							
Minimum Lot Depth	90'	-	-	-	-	-	-
Maximum Building Coverage	-	40%	40%	40% (2) [±]	40% (2) [±]	40% (2) [±]	45% (2) [±]
Setbacks:							
Front <u>or Side Street (1, 3)</u> ^{1,3}	-	Build to Line - 15'	Build to Line -15'	Build to Line -10'	Build to Line - C/MU: 10-25'	-	Build to Line - C 10' - 25'
Side ¹	-	10' (4) ⁴	10' (4) ⁴	10' (4) ⁴	15'	15'	15'
Side Street ^{1,3}	-	Build to Line	Build to Line	Build to Line	Build to Line	-	Build to Line
Rear (1, 4) ^{1,4}	-	25'	25'	25'	25'	25'	25'
Build-to-Line ⁴:							
Frontage ¹	-	15'	15'	10'	C/MU: 10-25'	-	C-10' - 25'
Minimum Building Frontage							
Frontage (1) ¹	-	60%	60%	80%	60%	-	C: 60%
Plazas and Squares							
Build to Line Exception (1, 5) ^{1,5}	-	20 50% of frontage, <u>minimum length or frontage of 20' and a maximum up to a depth of 20 25'</u>				-	-
Min Width ^{1,5}	-	20'	20'	20'	20'	-	-
Minimum Length ¹	-	20'	20'	20'	20'	-	-
Maximum Height (7)							
Stories (1) ¹	-	3	4	6	20	10	15
Feet (1, 7) ¹	-	36'	48'	72'	240'	120'	180'
Accessory dwellings	2 stories and 25'		-	-	-	-	-
Other							
Maximum Building Length (1, 6) ^{1,6}	-	300'	300'	300'	300'	-	-
Key							
-	PDRs not specified in this table shall be subject to the PDRs of the lot's zoning district.						
C	For Commercial Uses						
MU	For Mixed Uses						
[Ord. 2006-004]							
NOTES:							
1. Single-family dwellings shall not be required to comply with identified Sub-area PDRs. [Ord. 2006-004]							
2. Building coverage may be increased to 60% if all parking is provided offsite or in a parking structure. [Ord. 2006-004]							
3. Additional setbacks may apply per Art. 3.B.15.F.3, Sky Exposure Plane. [Ord. 2006-004]							
4. Side setbacks may be reduced to zero in accordance with Art. 3.B.15.F.1.a, NRM, NG and NC Side Setback Reduction. [Ord. 2006-004]							
5. Width may be reduced by 50 percent for buildings <u>with a building frontage</u> less than 80 feet in length <u>along the build to line</u> . [Ord. 2006-004]							
6. Mid-block separation a minimum of 20 feet in width is required at the first floor level for building length in exceeding 200 feet, and must be 50 feet or more from either end of the building. [Ord. 2006-004]							
7. <u>Minor increases in maximum height may be permitted subject to all of the standards of Art. 5.C.1.E.4.a – c and as exempted by Art. 3.D.1.E.4. and as defined by Art. 1.</u>							

Part 5. ULDC, Art. 3.B.15.G, Supplementary Standards (pages 46 thru 47 of 195), is hereby amended as follows:

CHAPTER B OVERLAYS

SECTION 15 WCRAO, WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY

G. Supplementary Standards

1. Accessory and Prohibited Uses

2. Fences, Walls and Hedges

Interior fences and walls in the NRM, NG and NC Sub-areas shall be decorative in nature, and shall not obstruct views of pedestrian access-ways, courtyards, or parking entrances.

Notes:

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EXHIBIT R

WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

Lots developed for single-family residential use may be exempted from this requirement.
[Ord. 2006-004]

....
3. **Architectural Guidelines**
a. **Porches and Balconies**

....
b. **Building Entrance Orientation**
All uses in the NRM, NG, NC and UG Sub areas shall have a principal entrance on the first floor oriented towards the street used as the primary frontage for the building. Buildings less than 100 feet in length or frontage or sites less than one acre in size may be exempted from this requirement. [Ord. 2006-004]

c. **Fenestration Details - Windows and Doors**
All mirrored or reflective glass, sliding glass doors and glass blocks shall be prohibited. Where required, glazing shall have a minimum 85 percent transparency. A minimum of six square feet of glazing per linear foot of façade shall be provided at a pedestrian scale, on the first floor frontage or side street frontage. ~~A minimum of two square feet of glazing per linear foot facade shall be required per floor, for all floors on the frontage or side street frontage.~~ [Ord. 2006-004]

d. **Arcades and Galleries**
Arcade or gallery dimensions shall be in accordance with Figure 3.B.15.G, WCRAO Arcade and Gallery Standards. Where arcades and galleries are required, galleries shall not exceed ~~25~~ 50 percent of the total building frontage. [Ord. 2006-004]

....

Part 6. **ULDC, Art. 3.B.15.H.1.b, Approval Process [Related to Density Bonus Programs] (page 48 of 195), is hereby amended as follows:**

CHAPTER B OVERLAYS

SECTION 15 WCRAO, WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY

H. Density Bonus Programs

1. Density Bonus Pool
b. Approval Process

The review process for a WCRAO Density Bonus Pool approval is based on the density bonus requested in accordance with Table 3.B.15.H, WCRA Density Bonus Pool Approval. Notice of all proposed projects shall be forwarded to the BCC administratively by the Division responsible for reviewing the application. [Ord. 2006-004]

Part 7. **ULDC, Art. 3.B.15, WCRAO, (page 52 of 195), is hereby amended to add new Art. 3.B.15.J, Landscaping, as follows:**

CHAPTER B OVERLAYS

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

J. WCRAO Landscape Deviations

1. Foundation Planting

A. Build to Line

Required foundation planting along any façade with a required build to line may be deleted. [Relocated from Art. 7.D.11.B, WCRAO Exemptions]

B. Foundation Planting Deviations

The following deviations shall be permitted subject to DRO approval of an ALP:

1) *The width of side foundation planting areas may be reduced from eight to five feet in width for buildings with a ten-foot side setback if the overall volume of reduced planting area is relocated on site or the required landscaping within the foundation planting area, at installation, be increased in height by 25 percent.* [Relocated from Art. 7.D.11.B, WCRAO Exemptions]

2) *Side foundation planting may be eliminated for buildings using a zero side setback.* [Relocated from Art. 7.D.11.B, WCRAO Exemptions]

3) *Side foundation planting may be relocated on site or the equivalent required landscaping within the site, be increased in height by 25 percent if the applicant can demonstrate that proposed building heights will adversely limit sunlight and viability of planting area.* [Relocated from Art. 7.D.11.B, WCRAO Exemptions]

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EXHIBIT R

WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

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2. Perimeter Buffer Width Reductions

A required R-O-W or incompatibility buffer width may be reduced by up to 50 percent in the NRM, NG, NC, UG and UI Sub-areas for commercial or mixed use projects, provided that a minimum five foot wide planting areas is provided with no encroachments, and that all other code requirements are met, unless indicated otherwise. A side interior perimeter buffer shall not be required when a zero side setback is used. [Relocated from Art. 7.F.10, WCRAO Exceptions]

3. R-O-W Planting Reductions

Shrubs and hedges shall not be required for any R-O-W buffer along the Westgate Avenue corridor from Congress Avenue to the L-10 Canal, provided that required trees are planted 20 feet on center. This provision may also be used along the frontage of any mixed use project in the NRM, NC, NG and UG Sub-areas. [Relocated from Art. 7.F.10, WCRAO Exceptions]

4. Parking Lots

Side interior perimeter buffers are not required where adjacent to a surface parking lot that shares a common border with and is interconnected to an adjacent surface parking lot, subject to DRO approval. [Relocated from Art. 7.F.10, WCRAO Exceptions]

[Renumber accordingly.]

Part 8. ULDC, Table 4.A.3.A, Thresholds for Projects Requiring DRO Approval (page 20 of 166), is hereby amended as follows:

Table 4.A.3.A – Thresholds for Projects Requiring DRO Approval

Zoning District	Number of Units or Square Feet
RM	16 du
CN	3,000 square feet
CLO	3,000 square feet
CC	8,000 square feet
CHO	8,000 square feet
CG	10,000 square feet
CRE	15,000 square feet
IL	20,000 square feet
IG	20,000 square feet
IPF	20,000 square feet 16 du
IR	Any project utilizing the Infill Redevelopment Overlay
WCRAO	All commercial or industrial development and residential development of more than two dwelling units.
[Ord. 2010-005]	
Notes:	
1.	Approval of a subdivision plan is required for all subdivision of land for which a plat or plat waiver has not been granted pursuant to Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS, Platting and Required Improvements or which exceeds the threshold above.
2.	Projects exceeding the thresholds above shall comply with Article 5.C, DESIGN STANDARDS.

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EXHIBIT R

WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 9. ULDC, Art. 7.D.11.B, WCRAO Exemptions (pages 22 of 48), is hereby amended, as
3 follows:
4

5 CHAPTER D GENERAL STANDARDS

6 Section 11 Foundation Plantings

7 B. WCRAO Deviations Exemptions

8 Parcels located in the WCRAO may deviate from foundation planting requirements pursuant to
9 Art. 3.B.15.J., WCRAO Landscape Deviations.

10 1. ~~Build to Line~~

11 ~~Required foundation planting along any façade with a required build to line may be deleted.~~
12 **[Relocated to new Art. 3.B.15.J, WCRAO Landscape Deviations]**

13 2. ~~Foundation Planting Deviations~~

14 ~~The following deviations shall be permitted subject to DRO approval of an ALP:~~ **[Relocated**
15 **to new Art. 3.B.15.J, WCRAO Landscape Deviations]**

16 a. ~~The width of side foundation planting areas may be reduced from eight to five feet in~~
17 ~~width for buildings with a ten-foot side setback if the overall volume of reduced planting~~
18 ~~area is relocated on site or the required landscaping within the foundation planting area,~~
19 ~~at installation, be increased in height by 25 percent.~~ **[Relocated to new Art. 3.B.15.J,**
20 **WCRAO Landscape Deviations]**

21 b. ~~Side foundation planting may be eliminated for buildings using a zero side setback.~~
22 **[Relocated to new Art. 3.B.15.J, WCRAO Landscape Deviations]**

23 c. ~~Side foundation planting may be relocated on site or the equivalent required landscaping~~
24 ~~within the site, be increased in height by 25 percent if the applicant can demonstrate that~~
25 ~~proposed building heights will adversely limit sunlight and viability of planting area.~~
26 **[Relocated to new Art. 3.B.15.J, WCRAO Landscape Deviations]**

27
28
29 Part 10. ULDC, Art. 7.F.10, WCRAO Exceptions (pages 39 of 48), is hereby amended, as follows:
30

31 CHAPTER F PERIMETER LANDSCAPE REQUIREMENTS

32 Section 10 WCRAO Deviations Exceptions

33 Parcels located in the WCRAO may deviate from perimeter landscape requirements pursuant to Art.
34 3.B.15.J, WCRAO Landscape Deviations.

35 A. ~~Perimeter Buffer Width Reductions~~

36 ~~A required R-O-W or incompatibility buffer width may be reduced by up to 50 percent in the NRM,~~
37 ~~NG, NC, UG and UI Sub-areas for commercial or mixed use projects, provided that a minimum~~
38 ~~five foot wide planting areas is provided with no encroachments, and that all other code~~
39 ~~requirements are met, unless indicated otherwise. A side interior perimeter buffer shall not be~~
40 ~~required when a zero side setback is used.~~ **[Relocated to new Art. 3.B.15.J, WCRAO**
41 **Landscape Deviations]**

42 B. ~~R-O-W Planting Reductions~~

43 ~~Shrubs and hedges shall not be required for any R-O-W buffer along the Westgate Avenue~~
44 ~~corridor from Congress Avenue to the L-10 Canal, provided that required trees are planted 20~~
45 ~~feet on center. This provision may also be used along the frontage of any mixed use project in~~
46 ~~the NRM, NC, NG and UG Sub-areas.~~ **[Relocated to new Art. 3.B.15.J, WCRAO Landscape**
47 **Deviations]**

48 C. ~~Parking Lots~~

49 ~~Side interior perimeter buffers are not required where adjacent to a surface parking lot that shares~~
50 ~~a common border with and is interconnected to an adjacent surface parking lot, subject to DRO~~
51 ~~approval.~~ **[Relocated to new Art. 3.B.15.J, WCRAO Landscape Deviations]**

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Notes:

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1 Part 1. ULDC Art. 1.I, Definitions and Acronyms (page 35 and 107 of 114), is hereby amended
2 as follows:

3 CHAPTER I DEFINITIONS & ACRONYMS

4 Section 2 Definitions

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

6
7 65. Allocation Plan, AGE – for the purposes of Art. 3, an AGE Allocation Plan means a graphic
8 and informational representation of an AGE FLU amendment Conceptual Plan, used to verify
9 compliance with transect zone acreage, density and intensity requirements. For each
10 development order application for a rezoning, requested or conditional use approval, the AGE
11 Allocation Plan includes the general location or layout of arterials and collector streets,
12 access points, location of proposed uses, Transect Zone requirements for acreage, density
13 and intensity, and any remnant parcels that are located within the boundaries of an AGE, but
14 was not included in the FLU amendment.

15 [Renumber accordingly.]

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

17
18 18. Village Center, AGE – for the purposes of Art. 3, an AGE Village Center means a TMD or
19 TND Neighborhood Center.

20 [Renumber accordingly.]

21
22
23 Part 2. ULDC Art. 1.I.3, Abbreviations and Acronyms (page 110 and 114 of 114), is hereby
24 amended as follows:

25 CHAPTER I DEFINITIONS & ACRONYMS

26 Section 3 Abbreviations and Acronyms

27
28 AGE Agricultural Enclave
29 AGEO Agricultural Enclave Overlay

30
31 VC Village Center
32

33 Part 3. ULDC Art. 2.A.1.G.3.h, Other Types of Plans, (page 12 of 56), is hereby amended as
34 follows:

35 CHAPTER A GENERAL

36 Section 1 Applicability

37 G. Application Procedures

38 3. Plan Requirements

39 h. Other Types of Plans

40
41 3) Agricultural Enclave Allocation Plan

42 The AGE Allocation Plan shall be required for any Development Order application for
43 a rezoning, requested or conditional use within an AGE, including any related
44 Development Order amendments, but excluding any exempted agricultural uses.
45 Approval of an Allocation Plan by the BCC shall be binding upon the landowners
46 subject to the Development Order, their successors and assignees. All other
47 required Plans, excluding exempted agricultural uses, shall be consistent with the
48 AGE Allocation Plan. For each development order application for a rezoning,
49 requested or conditional use approval, the AGE Allocation Plan includes the general
50 location or layout of arterials and collector streets, access points, location of
51 proposed uses, Transect Zone requirements for acreage, density and intensity, and
52 any remnant parcels that are located within the boundaries of an AGE, but was not
53 included in the FLU amendment. All subdivisions and plats shall be consistent with
the AGE Allocation Plan. The Allocation Plan shall include all land areas located
within an AGE and shall be consistent with the Conceptual Plan and New Urbanism
Guiding Principles adopted with a Site Specific AGE FLU amendment.

54 a) AGE Preliminary Allocation Plan

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1 The BCC shall approve an AGE Preliminary Allocation Plan for any application
2 for a rezoning.

3 **b) AGE Final Allocation Plan**

4 Any application for FSP or FSBP within the AGE shall require the submittal of an
5 AGE Final Allocation Plan for DRO approval. The AGE Final Allocation Plan
6 shall be consistent with the BCC approved AGE Allocation Plan, and all
7 modifications shall be approved by the BCC unless the proposed changes are
8 required to meet conditions of approval or are in accordance with the ULDC,
9 whichever is more restrictive.

10

11
12
13 **Part 4. ULDC 3.B, Overlays (page 81 of 195), is hereby amended to add new Section 3.B.18,**
14 **Agricultural Enclave Overlay (AGEO), as follows:**

15 **CHAPTER B OVERLAYS**

16 **Section 18 Agricultural Enclave Overlay (AGEO)**

17 **A. Purpose and Intent**

18 These regulations are intended to provide supplemental standards for PUD, TDD and PO district
19 applications within an Agricultural Enclave, as necessary to ensure compliance with related goals,
20 policies and objectives of the Plan, F.S. 163.3162, and a Site Specific AGE FLU amendment.
21 The AGE must include appropriate new urbanism concepts to achieve clustering, mixed use
22 development, the creation of village centers, and the transfer of development rights. The Plan
23 allows for an AGE to be rezoned as a TTD as contained in Art. 3.F.5, or developed as a single, or
24 series of, Development Orders.

25 **B. Boundaries**

26 The boundaries of an AGEO shall be consistent with an AGE Site Specific FLU amendment.

27 **C. Applicability**

28 The provisions of the AGEO shall apply to any application for a rezoning within an AGE.
29 Properties with an AGE FLU designation may only be rezoned to a TDD, PUD or PO district.

30 **1. Bona-fide Agricultural Uses**

31 Existing or new bona fide agricultural uses shall be permitted in the AR district or an area
32 within an approved Development Order for a rezoning, until such time as a specific area of
33 the AGE physically converts to the uses permitted by the applicable Development Order.

34 **D. Allocation Plan Requirements**

35 Any application for a Development Order for a rezoning, conditional or requested use approval, or
36 Development Order Amendment, within an AGEO shall be consistent with an AGE Site Specific
37 FLU amendment Conceptual Plan. The Conceptual Plan shall govern future development. Any
38 interpretation of the Conceptual Plan shall be made by the Planning Director. The first applicant
39 for a Development Order subject to the AGEO shall prepare the Allocation Plan in a form
40 established by the Zoning Director. Subsequent submittals shall include all previous approvals
41 and any concurrent applications. The AGE Allocation Plan shall include the following to ensure
42 compliance with an AGE Site Specific FLU Amendment.

- 43 1. The location and boundaries of the Natural, Rural and Suburban Transects;
- 44 2. An allocation chart delineating the percentages of Transect Zone acreages, range of density
45 and intensity for the overall AGE and each Development Order for: a rezoning, conditional or
46 requested use, or DOA;
- 47 3. General location of all civic sites and a summary chart for required or additional civic
48 acreages;
- 49 4. General location of existing or proposed arterials, thoroughfares and collector streets;
- 50 5. Location and description of any remnant parcels located within the overall boundaries of the
51 AGE not included in the Site Specific FLU amendment;
- 52 6. The following information shall be required for individual Development Orders for rezoning,
53 conditional or requested uses, or DOAs, as applicable:
 - 54 a. Density or intensity;
 - 55 b. Location of all internal and external access points;
 - 56 c. Identification of Suburban Transect Sub-zones.
 - 57 d. Identification of Natural Transect areas approved as part of an Interconnected System.

58 **E. AGE Transects**

59 The AGE requires the use of a series of Transect Zones that serve to cluster density, promote a
60 variety of neighborhoods and housing types, and to act as transition areas between development
61 within the AGE and adjacent existing neighborhoods and existing or proposed arterials and
62 collector streets.

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1. Density and Intensity

An AGE allows for the transfer of density between Transect Zones, and only allows for the use of density within the Rural and Suburban Transects. The limits for non-residential intensity shall not apply to civic or institutional uses where permitted by the applicable Zoning district. Minimum and maximum acreage, density and intensity shall be within the ranges permitted in the AGE Transect Zone Allocation Requirements table below, or in accordance with the AGE Site Specific FLUA where more restrictive.

Table 3.B.18.E – AGE Transect Zone Allocation Requirements

Transect	Total AGE Acreage		Density		Intensity (1)	
	Min	Max	Min	Max	Min	Max
Natural	40%	-	Prohibited		Prohibited	
Rural	20%	25%	1 unit/20 acres	1 unit/2 acres	(2)	
Suburban	-	40%	1 unit/2 acres	6 units/acre	(2)	
Neighborhood Edge Zone	-	20%	1 unit/2 acres	1 unit/acre		
Neighborhood General Zone	-	30%	1 unit/acre	3 unit/acre		
Neighborhood Center Zone Village Center	-	10%	4 units/acre (4)	-	(3)	
[Ord. 2010-...]						
Notes:						
1. Minimum and maximum intensity shall apply to any square footage located within a Village Center, but shall not apply to public or civic uses, or equestrian related uses where permitted by this Overlay and located in areas outside of a Village Center.						
2. Commercial uses shall be limited to Village Centers approved as part of a Site Specific FLU Amendment, or equestrian centers and accessory commercial recreation facilities associated with equestrian facilities.						
3. Shall be in the form of a TMD or TND neighborhood center where permitted by a Site Specific FLU amendment.						
4. Shall include a minimum of 20 percent of the total units permitted within an AGE.						

2. Natural Transect

The Natural Transect shall be comprised of active and passive recreation uses, pastures and uses including agriculture, preservation, conservation, wetlands, greenways, landscaping, landscape buffers, water management tracts and well-fields.

a. Interconnected System

All areas classified as Natural Transect shall be physically linked and used to define and connect different neighborhoods and zones. Where applicable, Natural Transects shall be interconnected by the use of pedestrian pathways, bike lanes or equestrian trails,

b. Location

The Natural Transect is required along the outermost perimeter of an AGE and the Rural Parkway. The Natural Transect may also be located within neighborhoods where developed as part of the Interconnected System. In order to be classified as Natural Transect, the width shall be pursuant to Table AGE Transect Zone, Natural Transect Width Requirements. Variances shall be prohibited from this Table.

Table 3.B.18.E – AGE Transect Zone, Natural Transect Width Requirements

Natural Transect	Minimum Width
AGEO Perimeter Boundary	100 feet (1)
Landscape Buffer adjacent to arterial street or Rural Parkway, or a street shown on the County's Thoroughfare Identification Map	50 feet measured from the edge of the ultimate R-O-W which shall include a pedestrian pathway, bike lane or equestrian trail (2)(3) (4)
Landscaping, Landscape Buffer adjacent to streets other than identified above	30 feet which shall include pedestrian pathway, bike lane or equestrian trail (3)(4)
Recreation	75 feet by 100 feet in length
Agriculture, Conservation, Greenways, Pastures, Preservation, Wetlands, Water Management Tracts Well fields,	100 feet
Notes:	
1.	Except where indicated pursuant to the Site Specific FLU Amendment Conceptual Plan
2.	Rural Parkways are identified by the Transportation Element of the Plan
3.	A minimum of eight feet in width for a single pedestrian pathway, bike lane or equestrian trail, or a minimum of 15 feet in width where a pedestrian pathway or bike lane is combined.
4.	Streets shall not be included in the Natural Transect, except for any unimproved portions dedicated as a parkway easement for non-vehicular pathways.

c. Overlap of Landscape Buffers

A required perimeter landscape buffer tract may be located within the Natural Transect, subject to all of the following:

Notes:

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

- 1) The Natural Transect is included within the Development Order and shall be dedicated to either a special district, other government agency or the Master Property Owners' Association pursuant to Art.5.F.1.B.2, AG Enclave (AGE) for the affected area;
- 2) No reductions to required plant material is requested unless approved as part of an ALP; and,
- 3) Required landscape materials shall be located between development areas and any pedestrian pathways, bike paths, equestrian trails, or other similar use areas.

3. Rural Transect

The Rural Transect shall consist of sparsely settled lands including agricultural uses and equestrian estates. Equestrian centers and accessory commercial recreation facilities for use by residents of the AGE shall be permitted.

a. Development Pattern

The following development pattern is encouraged in the Rural Transect: Provision of large lot configurations at the edge/perimeter of the Rural Transect where adjacent to the Natural Transect, with a transition to progressively smaller lot sizes concentrated around an identifiable centralized open space, Village Center, or other equestrian/agricultural use.

b. Civic

Civic and institutional uses shall be limited to public civic and institutional, and equestrian use only.

c. Recreation

Active recreation uses may include equestrian centers or related equestrian facilities. Equestrian uses shall be permitted in a TND or PUD in accordance with the Civic and AGR/P pod uses permitted in Table 3.E.1.B, PDD Use Matrix.

d. Village Centers

Any commercial uses shall be located in a Village Center, unless specified otherwise herein. Village Centers may be permitted in accordance with an AGE FLUA Conceptual Plan where developed as a TMD or TND Neighborhood Center.

4. Sub-urban Transect

The Suburban Transect consists of low to medium density residential areas with some potential for the mixing of uses.

a. Development Pattern

Clustering shall be established through the use of Sub-zones to achieve consistency with an AGE Site Specific FLUA Conceptual Plan.

b. Sub-Zones

1) Neighborhood Edge Zone

The Neighborhood Edge Zone allows for lower density large lot residential uses and shall be located along the outer perimeter of the Suburban Transect in accordance with the development pattern requirements above. The Neighborhood Edge Zone may abut the Natural Transect, Rural Transect, Neighborhood General Zone or Neighborhood Center Zone.

2) Neighborhood General Zone

The Neighborhood General Zone allows for single-family residential uses, but may also include small scale public and civic uses where appropriate. The Neighborhood General Zone may abut the Natural Transect, Rural Transect, Neighborhood Edge Zone or Neighborhood Center Zone.

3) Neighborhood Center Zone

The Neighborhood Center Zone allows for the clustering of all residential uses, mixed use and public and civic uses, and shall be pedestrian friendly, incorporating residential uses integrated in mixed use buildings which front usable open space areas accessible to the public. The Neighborhood Center Zone may abut the Neighborhood General Zone, Natural Transect where it consists of a Rural Parkway, or arterial streets.

a) Village Center

All commercial uses shall be located in a Village Center, unless specified otherwise herein. A portion of the Neighborhood Center Zone may be designed as a Village Center. The Village Center shall be approved as a TMD or TND Neighborhood Center that incorporates some residential uses in mixed use buildings.

5. Design Standards

An AGE Development Order for a rezoning shall comply with the following:

a. Neighborhood Design

Neighborhoods within the Suburban Transect shall be based on a street design that fosters alternative modes of transportation such as pedestrian pathways, bike lanes or equestrian trails. A minimum of 51 percent of residential units within the General Zone shall be located within a ½ mile radius of centrally located usable open space areas.

Notes:

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 08/26/10)

Residential units within the Neighborhood Center Zone shall be located within a ¼ mile radius of commercial, mixed use, public spaces or schools.

b. Internal Street Network

1) General

The Suburban Transect shall be developed with enhanced connectivity between neighborhoods, schools, civic uses, and commercial uses where appropriate. Streets shall be configured to provide efficient circulation systems for pedestrians, non-motorized vehicles and motorists, and serve to functionally integrate uses in each Sub-Zone.

2) Dead-End Streets or Cul-de-Sacs

The use of dead-end streets or cul-de-sacs within a PUD in the Suburban General Zone shall be limited to a maximum of 50 percent of all local streets, of which 40 percent shall be permitted by right and an additional ten percent shall only be permitted when in compliance with the standards of Art. 3.E.1.C.2.a.5)b) (1) and (2).

c. Recreation

Recreational amenities shall be required in accordance with the applicable Zoning standards for the district. A range of parks should be distributed within or near each neighborhood.

d. Storm-water Management

The storm-water management system shall be designed to provide connectivity with the linked open space network and buffers where appropriate.

e. Compatibility Buffers

Compatibility buffers shall not be required between PUDs or TDDs within the AGE.

f. Required Civic Location

Minimum civic area required for PUDs or TDDs may be relocated outside of the boundaries of a specific Development Order to central areas within the AGE where designated on the AGE Conceptual Plan and approved by the BCC.

Part 5. ULDC Art. 3.C.1.F.1, AR, Agriculture Residential District (page 85 of 195), is hereby amended, as follows:

CHAPTER C STANDARD DISTRICTS

Section 1 Future Land Use (FLU) Designation and Corresponding Districts

F. Residential Districts

1. AR, Agriculture Residential District

....

d. Agricultural Enclave (AGE)

The AR district shall be consistent with the AGE FLU designation for purposes of allowing existing bona-fide agricultural uses to continue or expand, or for new bona-fide agricultural uses.

....

Part 6. ULDC Table 3.E.1.B, FLU Designation and Corresponding Planned Development Districts, (page 102 of 195), is hereby amended, as follows:

Table 3.E.1.B – FLU Designation and Corresponding Planned Development Districts (1) †

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

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

[Ord. 2008-037] [Ord. 2009-040] [Ord. 2009-040] [2010-005]
Notes:
....

Notes:

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**EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 08/26/10)**

Part 7. ULDC Table 3.E.1.B, PUD Density , (page 103 of 195), is hereby amended, as follows:

Table 3.E.1.B - PUD Density

	AGR	RR	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18
MIN	0.5 du/ac	(1)	(3)	0.5 du/ac	1 du/ac	2 du/ac	3 du/ac	5 du/ac	5 du/ac	5 du/ac
MAX	1 du/ac	(2)		1 du/ac	2 du/ac	3 du/ac	5 du/ac	8 du/ac	12 du/ac	18 du/ac
[Ord. 2006-004]										
Notes:										
1. The minimum density in the RR FLU designation for a PUD are as follows: RR20 – 0.5 unit/20 acres; RR10 0.5 unit/10 acres; RR5 – 0.5 unit/5 acres; RR2.5 – 0.5 unit/2.5acres.										
2. The maximum density in the RR FLU designations for a PUD are as follows: RR20 – 1 unit/20 acres; RR10 – 1 unit/10 acres; RR5 – 1 unit/5 acres; RR2.5 - 1 unit/2.5acres.										
3. <u>Minimum and maximum density shall be in accordance with the specified Transect Zone and Sub-area of the AGE Site Specific FLUA Conceptual Plan.</u>										

Part 8. ULDC Table 3.E.2.C, PUD Minimum Thresholds (page 122 of 195), is hereby amended, as follows:

Table 3.E.2.C –PUD Minimum Thresholds (Acreage)

	AGR	RR	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18
MIN Minimum Acreage	40 (80/20)	100	<u>100 (Rural TZ)</u>	5	5	5	5	3	3	3
	250 (60/40)		<u>3 (Suburban TZ)</u>							

Part 9. ULDC Art. 3.E.2, Planned Unit Development (PUD) (page 133 of 195), is hereby amended to add new Art. 3.E.2.H, AGE PUD, as follows:

CHAPTER E. PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2. Planned Unit Development

H. Agricultural Enclave (AGE) PUD

An AGE PUD shall comply with the additional development standards of Art. 3.B.18, Agricultural Enclave Overlay (AGEO).

1. Notice to Property Owners

At the time of submitting the Zoning application for a Development Order, the applicant shall notify all landowners of the undeveloped property within the AGEO that is not subject to the Development Order, and all Property Owners' Association(s) of the developed parcels within the AGEO, subject to the following requirements:

- a. The Notice shall describe the applicant's request for a Development Order;
- b. The list of landowners and Property Owners' Association(s) shall be pursuant to the latest PBC Property Appraisal list;
- c. The Notice shall be sent to the landowners and Property Owners' Association(s) by certified mail within ten days of filing its applications; and,
- d. The applicant shall provide to the Zoning Division a copy of the Notice and written confirmation the Notice requirements have been satisfied.

[Renumber accordingly.]

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**EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)**

1
2 **Part 10. ULDC Table 3.F.1.E, TDD Corresponding Land Use (page 157 of 195), is hereby**
3 **amended, as follows:**
4

Table 3.F.1.E - TDD Corresponding Land Use

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

[Ord. 2010-...]

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:

1) A TMD or TND Neighborhood Center shall only be permitted where a Village Center is generally located on an AGE Site Specific FLUA Conceptual Plan.

5
6
7 **Part 11. ULDC Table 3.F.3.C, TND Land Use (page 175 of 195), is hereby amended, as follows:**
8

Table 3.F.3.C – TND Land Use

Land Use Mixes	Percent of Total Gross Area	
	Minimum	Maximum
Residential	-	-
Single Family	25	70
Zero Lot Line (ZLL)	-	50
Multi-Family/Townhouse	20	50
Neighborhood Centers	2	10
Civic (1) +	2	25
Open Space/ Recreation	5	-

[Ord. 2006-004]

Notes:

1. Civic uses may be collocated with the Neighborhood Centers.
2. ~~Not required in the Rural and Exurban Tiers unless mandated by a sector plan pursuant to the provisions of the Plan. [Ord. 2006-004]~~

9
10
11 **Part 12. ULDC, Table 3.F.1.F, Traditional Development Permitted Use Schedule (page 160 of**
12 **195), is hereby amended as follows:**
13

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

District	TND						TMD				NOTES
	Urban/Suburban (U/S)			Exurban/Rural			U/S	Ex/Rural	AGR		
Tier	Res	Neighborhood Center (NC)	Open Space/ Rec	Res	NC	Open Space/ Rec					Dev.
Pods											
Commercial Uses											
....											
Lounge, cocktail							R	<u>R</u>			79
....											

[Ord. 2005 – 002] [Ord. 2005-041] [Ord. 2006-004] [Ord. 2006-013] [Ord. 2008-037]

Notes:

P Permitted by right.
D Permitted subject to approval by the DRO.
S Permitted in the district only if approved by Special Permit.
R Requested Use.
[Ord. 2005-002]

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 Part 13. ULDC Art. 3.F.3.C.3, Minimum Development Thresholds (page 175 of 195), is hereby
3 amended, as follows:

4 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

5 Section 3 Traditional Neighborhood Development (TND)

6 C. Thresholds

7 3. Minimum Development Threshold

8 Any TND or single project of TNDs with more than 320 acres shall be developed as a TTD,
9 excluding AGE TNDs. [Ord. 2006-004]

10

11
12
13 Part 14. ULDC Art. 3.F.4.D.1, General Standards (page 182 of 195), is hereby amended, as
14 follows:

15 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

16 Section 4 Traditional Marketplace Development (TMD)

17 D. Development Standards for all TMDs

18 1. General Standards

19

20 a. Thresholds

21

22 2) Minimum Total Floor Area

23 The following MGTS thresholds shall apply to all non-residential development within
24 a TMD, unless stated otherwise herein:

25 a) U/S Tier

26 In the U/S Tier, 200,000 square feet is required, with a minimum of 125,000
27 square feet in the first phase.

28 b) Exurban/Rural Tiers

29 In the Exurban and Rural tiers, 125,000 square feet is required. Additional
30 development may be phased but shall not exceed a total of 200,000 square feet
31 for the Exurban and Rural Tiers.

32 (1) Agricultural Enclave (AGE) Exception

33 The minimum square footage for TMDs within an AGE shall be in
34 accordance with an AGE Site Specific FLUA Conceptual Plan.

35 c) AGR Tier

36 See Art. 3.F.4.E, Standards Applicable to AGR Tier, for AGR Standards.

37 d) Civic and Institutional Exception

38 Civic and Institutional uses are not subject to these floor area limitations. ~~The~~
39 ~~floor area standards for the Rural and Exurban Tiers are not applicable to the~~
40 ~~Central Western Communities Sector Plan area (Plan Map Series LU 3.1,~~
41 ~~Special Planning Areas Map), if governed by a Sector Plan pursuant to the~~
42 ~~provisions of the Plan. [Ord. 2005 – 002] [Ord. 2006-004]~~

43

44 b. Permitted Locations

45 1) Within the CL designations in Exurban, Rural and AGR Tiers. [Ord. 2005 – 002]

46 2) Within the CL/CH designations in the U/S Tier. [Ord. 2005 – 002]

47 3) Within an area designated as a Village Center within an AGE.

48 4) A TMD must have at least 200 feet of frontage along an arterial or collector street.
49 [Ord. 2005 – 002]

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

Part 15. ULDC Table 4.B.1.A, Maximum Permissible Occupancy in Type 3 Congregate Living Facilities (page 43 of 166), is hereby amended, as follows:

Table 4.B.1.A - Maximum Permissible Occupancy in Type 3 Congregate Living Facilities

FLU Category	Zoning District	Maximum Occupancy (Residents per Acre) (2)	
		Standard District	PDD or TDD (1) Planned Development [†]
AGR	AGR	PROHIBITED	0.23
RR	AR	PROHIBITED	0.23
RR20	AR	PROHIBITED	0.11
<u>AGE</u>	<u>N/A</u>	<u>N/A</u>	<u>(3)</u>
LR1	RE, RT	PROHIBITED	2.34
LR2	RT	PROHIBITED	4.68
LR3	RT	PROHIBITED	7.02
MR5	RS	PROHIBITED	11.70
HR8	RS, RM	14.04	18.72
HR12	RM	18.72	28.08
HR18	RM	18.72	28.08

[Ord. 2005 – 002]

Notes:

1. For the purpose of this Section, the required minimum acreage for a PDD consisting exclusive of a CLF may be reduced by 50 percent.
2. For CLF, one TDR unit is equivalent to 2.34 beds. [Ord. 2005 – 002]
3. The maximum density permitted shall be in accordance with the acreage of the subject site and the density assigned on the AGE Site Specific FLUA Conceptual Plan multiplied by 2.34 residents.

4) PDD Occupancy Bonus

a) No Double Counting Density

The gross area of a pod supporting a CLF in a planned development shall be deducted from the gross area of the planned development for the purpose of calculating the maximum density allowed in the PDD.

Part 16. ULDC Art. 5.A.3, Deviations for the PO Zoning District (page 7 of 93), is hereby amended, as follows:

CHAPTER A GENERAL

Section 3 Deviations ~~for the PO Zoning District~~

Deviations from the provisions of this Article may be permitted for ~~the following: development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC utilizing the following standards:~~ [Ord. 2007-013]

A. PO Zoning District

Development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC utilizing the following standards:

[Renumber accordingly.]

B. Agricultural Enclave (AGE)

Development within an AGE village center, civic sites, or Suburban Transect neighborhood center, general or edge may apply the requirements of the U/S Tier, where applicable.

Part 17. ULDC Art. 5.B.1.A.1.d.2), AR District (page 8 of 93), is hereby amended, as follows:

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1. Supplementary Standards

A. Accessory Uses and Structures

1. General

d. Setbacks, Accessory Structures

2) AR District and AGE Rural Transect

....

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

1
2 **Part 18. ULDC Art. 5.F.1, Maintenance and Use Documents (page 57 of 93), is hereby amended,**
3 **as follows:**

4 **CHAPTER F LEGAL DOCUMENTS**

5

6 **Section 1 Maintenance and Use Documents**

7 **A. Purpose and Intent**

8

9 **B. Applicability**

10 **1. General**

11 This Chapter shall apply to all developments subject to review by the DRO as delineated
12 elsewhere in this Code. Developments for which waivers of platting are administratively
13 obtained shall also comply with the requirements of this Chapter.

14 **2. AG Enclave (AGE)**

15 A Master Property Owner's Association shall be established in accordance with the
16 requirements of this section, for all Development Orders for a Rezoning, Requested or
17 Conditional use, or related Development Order Amendment subject to the requirements of
18 the AGEO. The Master Property Owner's Association shall be established concurrent with
19 the first AGEO Development Order approval, and shall be amended to include all subsequent
20 AGEO Development Orders, where applicable.

21

22 **F. Content Requirement for Documents**

23

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

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

26 **1) Legal Description**

27 **a) For Master Property Owner's Associations**

28 Where applicable, aAll property included within the Master Plan for a ~~d~~
29 Development Order, (no matter regardless of how many phases, in which it shall
30 be developed) shall be subjected to the terms of the declaration at the time the
31 first plat of the development is recorded. Property shall not be withdrawn from
32 the terms of the declaration unless it is also withdrawn from the Master Plan.
33 This shall also apply to any affected portion of an AGE Allocation Plan with a
34 Development Order for a Rezoning, Conditional or Requested Use, or related
35 Development Order Amendment subject to the requirements of the AGEO.

36 **b) For Sub-Associations**

37 All property included within a plat in which a sub-association is named in a
38 dedication/reservation shall be subjected to the terms of the declaration for that
39 sub-association at the time the plat is recorded.

40

41
42
43 **Part 19. ULDC Art. 7.C, MGTS Tier Compliance (page 14 and 15 of 48), is hereby amended, as**
44 **follows:**

45 **CHAPTER C MGTS TIER COMPLIANCE**

46 Landscape design shall comply with the relevant MGTS characteristics in both plant material selection
47 and overall landscape composition.

48

49 **Section 3 Exurban and Rural Tiers**

50 The Exurban and Rural Tiers primarily consist of larger residential lots and require the use of more
51 informal design patterns that incorporate reduced impervious areas; preservation of native vegetation,
52 lakes and other similar open space areas; and, more naturalistic landscaped areas. Non-residential uses
53 shall also provide for the increased use of landscape materials in perimeter buffers, parking areas and
54 building foundation plantings; dispersed parking with additional screening from adjacent streets and
55 residential uses; and, compliance with rural architectural design guidelines where applicable. **[Ord. 2009-**
56 **040]**

57 **A. Agricultural Enclaves (AGE) Exemption**

58 The landscaping standards for the U/S Tier may be applied to AGE Suburban Transect Village
59 Centers, Neighborhood Center and General Sub-zones.

60

Table 7.C.3 – Minimum Tier Requirements

Notes:

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EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)

Code Requirements	U/S Tier (8)	AGR and Glades Tiers	Exurban and Rural Tiers
Landscape Buffers ⁷			
Design	Linear design, formal 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			
Minimum Tree Quantities Residential Lot	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 – Non-Residential Lot	1 per 2,000 sq. ft.	1 per 1,500 sq. ft.	1 per 1,200 sq. ft.
Minimum Shrub Quantities Residential Lot 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 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)	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 Facade	40 percent	50 percent	60 percent
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040]			
Notes			
.....			
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.			

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Part 20. ULDC Art. 8.G, Signage (page 24 and 26 of 39), is hereby amended, as follows:

.....

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

	U/S Tier (3)	AG-R Tier	Exurban, Rural, and Glades Tiers (3)
Maximum Sign Area (per linear ft. of the wall to which the sign is attached)	1.0 sq. ft. along building frontage, a minimum of 24 square feet ¹	0.75 sq. ft. along building frontage, a minimum of 24 square feet ¹	0.5 sq. ft. along building frontage, a minimum of 24 square feet ¹
	0.5 sq. ft. along the side and rear walls		
	0.25 sq. ft. for walls facing a residential zoning district		
Minimum Horizontal and Vertical Separation Between Signs	3 ft.	3 ft.	3 ft.
Maximum Projection from Surface of Building ²	24 in.	24 in.	24 in.
Minimum Vertical Separation Between Sign and Roof Line	6 in.	6 in.	6 in.
Minimum Horizontal Separation Between Sign and Wall Edge	6 in.	6 in.	6 in.
[Ord. 2005-002] [Ord. 2009-040]			
Notes:			
1.	Projects that are not subject to an MSP approval under Art. 8.E.3, Master Sign Plan, the maximum wall sign area for the storefront shall be one and a half times the length of the storefront wall, building bay, or tenant space occupied by the retail business. [Ord. 2005-002]		
2.	Signs that project more than 24 inches are considered projecting signs, subject to Art. 8.G.1.C, Projecting Signs.		
3.	Development within the Suburban Transect Zone of an AGE may apply the U/S Tier standards.		

6
7

.....

Table 8.G.2.A - Freestanding Sign Standards

Notes:

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**EXHIBIT S
AGRICULTURAL ENCLAVE (AGE)
SUMMARY OF AMENDMENTS
(Updated 07/22/10)**

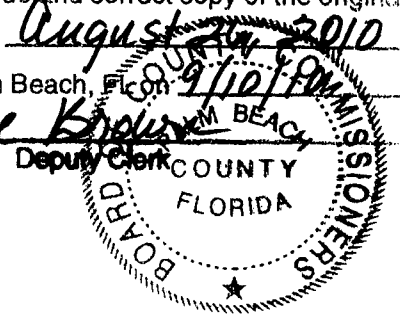
	U/S Tier (4)	AG-R Tier	Exurban, Rural, and Glades Tiers (4)
Maximum Number Per Project Frontage	3 ¹	2 ²	1 (with minimum 150 ft. frontage)
Maximum Sign Area (per lineal ft. of frontage)	1.0 sq. ft.	0.75 sq. ft.	0.5 sq. ft.
Maximum Sign Area (per individual sign)	200 sq. ft.	150 sq. ft.	100 sq. ft.
Minimum setback ³	5 ft.	10 ft.	15 ft.
[Ord. 2005 -- 002] [Ord. 2006-036]			
Notes:			
1.	Number per frontage based on the frontage of the entire project or development, (1 sign per 200 ft. or less, 2 signs per 201-300 ft., 3 signs maximum per 301 ft. or greater in U/S Tier only);		
2.	Number per frontage based on the frontage of the entire project or development (1 sign per 200 ft. or less, 2 signs per 201 ft. or more in the AGR Tier only).		
3.	Freestanding signs shall have a minimum setback of 75 feet from a residential zoning district.		
4.	Development within the Suburban Transect Zone of an AGE may apply the U/S Tier standards.		

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the original
filed in my office on August 26, 2010

dated at West Palm Beach, Florida 9/10/10
By: Diane K... ..
Deputy Clerk



Notes:

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

~~Stricken~~ indicates text to be deleted.

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

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