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**TITLE: FIRST READING  
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15,  
HEALTH REGULATIONS**

**SUMMARY:** The proposed ordinance will account for minor revisions, scrivener's errors, omitted text, and specific amendments in Art. 15, Health Regulations, of the Unified Land Development Code (The ULDC).

- ❑ Ordinance Title
- ❑ Exhibit A Article 15, Health Regulations

**Staff Recommendation:** Staff recommends approval of First Reading and to advertise for Adoption Hearing of ULDC Art. 15, Health Regulation on August 23, 2018.

**LDRAB/LDRC:** The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) and the Land Development Regulation Commission (LDRC) on May 23, 2018. All proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

**BCC Public Hearings:** June 25, 2018, Request for Permission to Advertise for First Reading on July 26, 2018: Approved, 7-0.

**MOTION:** To approve on First Reading and Advertise for Adoption Hearing of ULDC Art. 15, Health Regulations on August 23, 2018: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SITTING AS THE ENVIRONMENTAL CONTROL BOARD, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-068, AS AMENDED, AS FOLLOWS: **ARTICLE 15 – HEALTH REGULATIONS;** CHAPTER A, (ENVIRONMENTAL CONTROL RULE I) ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS); PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

**ULDC AMENDMENT ART. 15, HEALTH REGULATIONS  
REASONS FOR AMENDMENTS SUMMARY  
BCC Zoning Hearing**  
Updated 06/26/18

**COVERPAGE**

**ARTICLE 15 – HEALTH REGULATIONS ORDINANCE**

**EXHIBIT A – Article 15.A.5, Application Data for an OSTDS: single Lot or Parcel**

| <b>Part</b> | <b>Article</b>   | <b>Reasons</b>  |
|-------------|--|---|
| 1.          | <b>ULDC Art. 15.A.5,<br/>Application Data<br/>for an OSTDS:<br/>Single Lot or<br/>Parcel</b> | [Health Department] the definition of “addition” which was updated by Ordinance 2017-002 and inadvertently deleted by Ordinance 2017-023. The definition is necessary to clarify the type of construction that constitutes an addition to an existing structure. This definition is constantly used as reference by staff working on building permit revisions. |



1           **Section 4. Providing for a Savings Clause**

2           All development orders, permits, enforcement orders, ongoing enforcement actions, and  
3 all other actions of the Board of County Commissioners, the Environmental Control Hearing  
4 Board, the Environmental Appeals Board, all other County decision-making, enforcement, and  
5 advisory boards, Special Masters, Hearing Officers, and all other County officials, issued  
6 pursuant to the regulations and procedures established by prior Palm Beach County land  
7 development regulations, shall remain in full force and effect.

8           **Section 5. Interpretation of Captions**

9           All headings of articles, sections, paragraphs, and sub-paragraphs used in this  
10 Ordinance are intended for the convenience of usage only and have no effect on the  
11 interpretations of the provisions of this Ordinance and may be renumbered or re-lettered to  
12 effectuate the codification of this Ordinance.

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

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

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

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

20

21           **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach  
22 County, Florida, on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

SHARON R. BOCK, CLERK &  
COMPTROLLER

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

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

By: \_\_\_\_\_  
Melissa McKinlay, Mayor

23

24           APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney

25

26           EFFECTIVE DATE: Filed with the Department of State on the \_\_\_\_\_ day of  
27 \_\_\_\_\_, 20\_\_\_\_\_.

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# EXHIBIT A

## ARTICLE 15.A.5, APPLICATION DATA FOR AN OSTDS: SINGLE LOT OR PARCEL SUMMARY OF AMENDMENTS

- 1  
2 Part 1. ULDC Art. 15.A.5, Application Data for an OSTDS: Single Lot or Parcel (page 5 of 24), is  
3 hereby amended as follows:
- 4 CHAPTER A (ENVIRONMENTAL CONTROL RULE I) – ONSITE SEWAGE TREATMENT AND  
5 DISPOSAL SYSTEMS (OSTDS)
- 6 Section 5 Application Data for an OSTDS: Single Lot or Parcel
- 7 A. The application and supporting data required for approval of an OSTDS for a single lot or parcel of  
8 property shall be submitted to the Health Department by the owner or his authorized representative,  
9 or a contractor licensed under F.S. Chapter 489 in accordance with Chapter 64E-6, FAC. The  
10 completed application form shall be submitted together with the following: **[Ord. 2011-017]**
- 11 1. A site plan of the property drawn to scale, showing the following:
- 12 a. Property boundaries with dimensions;
- 13 b. Easements;
- 14 c. Location of all existing and proposed buildings;
- 15 d. Location of all wells;
- 16 e. Location and layout of treatment receptacle and drainfield;
- 17 f. Unobstructed area available for the installation of the OSTDS;
- 18 g. Potable and non-potable water lines;
- 19 h. Driveways;
- 20 i. Parking areas;
- 21 j. Walkways;
- 22 k. Swimming pools;
- 23 l. Storm water drainage system;
- 24 m. Surface water such as ponds, (existing or proposed), lakes, streams, ditches, canals or  
25 wet areas;
- 26 n. Location and elevation of soil profiles;
- 27 o. Benchmark on or adjacent to the property;
- 28 p. Location of wells, onsite sewage treatment and disposal facilities or other pertinent features  
29 on adjacent properties if the features are within 200 feet of the proposed onsite sewage  
30 treatment system or well; and
- 31 q. The site plan shall also indicate the presence of any marsh area, mangroves, cypress and  
32 wetland vegetation on the property or on adjacent properties.
- 33 2. For residences, a floor plan showing the number of bedrooms and the building area of each  
34 dwelling unit.
- 35 3. In cases where there is an extreme variation in the elevation of the lot, a topographical map of  
36 the property must be submitted.
- 37 4. At least two soil profiles delineating the textural classification and Munsell color of the native  
38 soil at the beginning and end of the soil absorption area to a minimum depth of six feet or  
39 refusal in accordance with USDA Soil Classification Methodology, and
- 40 5. The existing water table elevation and the estimated wettest season water table elevation.
- 41 B. The owner shall be held responsible for all information supplied to the Department. The application  
42 and supporting data serve as the basis for the issuance of a construction permit. In the event of a  
43 change in any material fact given in the application which served as a basis for issuing a  
44 construction permit, the owner shall immediately file an amended application detailing such  
45 changed conditions. If the new conditions are in compliance with the standards in this Article, the  
46 construction permit shall be amended. If the new conditions are not in compliance with the  
47 standards of this Article, the permit shall be revoked.
- 48 C. **New Construction, Additions or Repairs**
- 49 1. **For new construction and additions,** ~~the~~ supporting data must be prepared by an engineer  
50 and land surveyor registered in the State of Florida, as specified in Rule 64E-6, F.A.C. The site  
51 plan must be prepared by a professional land surveyor registered in the State of Florida. The  
52 soil classification and system design shall be performed by a professional engineer registered  
53 in the State of Florida with training in soils. When fill soils are used, the Department may require  
54 that soils be classified by a certified soils engineering testing laboratory registered in the State  
55 of Florida.
- 56 2. **For repairs, an existing site plan can be used. The soils profile can be performed by a**  
57 **contractor licensed under F.S. Chapter 489 in accordance with Chapter 64E-6F.A.C.**
- 58 ....

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### Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to: ]**.

*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.

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