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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1 - GENERAL PROVISIONS:** CHAPTER E, PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; CHAPTER I; DEFINITIONS & ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES:** CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS:** CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); **ARTICLE 4 - USE REGULATIONS:** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; **ARTICLE 5 - SUPPLEMENTARY STANDARDS:** CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS & RECREATION – RULES AND RECREATION STANDARDS; **ARTICLE 6 - PARKING:** CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; **ARTICLE 7 - LANDSCAPING:** CHAPTER B, TYPES OF PLANS; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; **ARTICLE 14 - ENVIRONMENTAL STANDARDS:** APPENDIX 9, NATURAL AREAS; APPENDIX 10; PROHIBITED VEGETATION REMOVAL SCHEDULE; 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.

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

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

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

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

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

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

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

1 Section 1. Adoption

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

- 4 ▪ Ordinance Title
- 5 ▪ Exhibit A - Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]
- 6 ▪ Exhibit B - Art. 1.F.2.C, Residential Development Regulations [AR District]
- 7 ▪ Exhibit C - Art. 2.B.2.H.2, EAC [Expedited Application Consideration]
- 8 ▪ Exhibit D - Art. 6.A.1.D.14, Design and Construction Standards [Parking]
- 9 ▪ Exhibit E - Art. 6, Parking [Loading Space Reduction]
- 10 ▪ Exhibit F - Art. 7, Landscaping [Alternative Landscape Plan Update]
- 11 ▪ Exhibit G - Article 14, Environmental Standards
- 12 ▪ Exhibit H - Design Standards Alternative
- 13 ▪ Exhibit I - Zoning District Consistency with Future Land Use Atlas
- 14 ▪ Exhibit J - Overlay Updates
- 15 ▪ Exhibit K - Parks and Recreation
- 16 ▪ Exhibit L - Height Measurement for Fences, Walls and Hedges
- 17

18 Section 2. Interpretation of Captions

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

21

22 Section 3. Repeal of Laws in Conflict

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

25

26 Section 4. Severability

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

31

32 Section 5. Savings Clause

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

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Section 6. Inclusion in the Unified Land Development Code

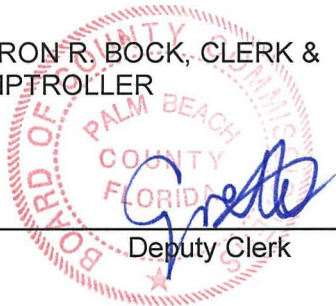
The provisions of this Ordinance shall be codified in the Unified Land Development Code and may be reorganized, renumbered or re-lettered to effectuate the codification of this Ordinance.

Section 7. Providing for an Effective Date

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

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 22 day of September, 2016.

SHARON R. BOCK, CLERK & COMPTROLLER



By: _____
Deputy Clerk

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

By: Mary Lou Berger
Mary Lou Berger, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 27 day of September, 2016.

EXHIBIT A

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

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

5 **ARTICLE 1, GENERAL PROVISIONS**

6 **CHAPTER E PRIOR APPROVALS**

7 **Section 1 General**

8 **C. Modification of Prior Approvals**

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

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

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

17 **2. Modification to a Prior Approval with Nonconformities**

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

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

32 **3. Mobile Home Park Exception**

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

Notes:

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EXHIBIT B

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

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

ARTICLE 1, GENERAL PROVISIONS

CHAPTER F NONCONFORMITIES

Section 2 Nonconforming Lot

C. Residential Development Regulations

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

1. Minimum Setback Requirements

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

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

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

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

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

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

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

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

2. Building Coverage

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

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

Table with 2 columns: Non-Conforming Lot Size, Maximum Building Coverage. Rows include lot sizes like > 2.5 acres (15%), 20,000 s.f. - 2.5 acres (20%), 14,000 s.f. - 19,999 s.f. (30%), and ≤ 13,999 (40%).

3. Floor Area Ratio

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

43. Accessory Structures

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

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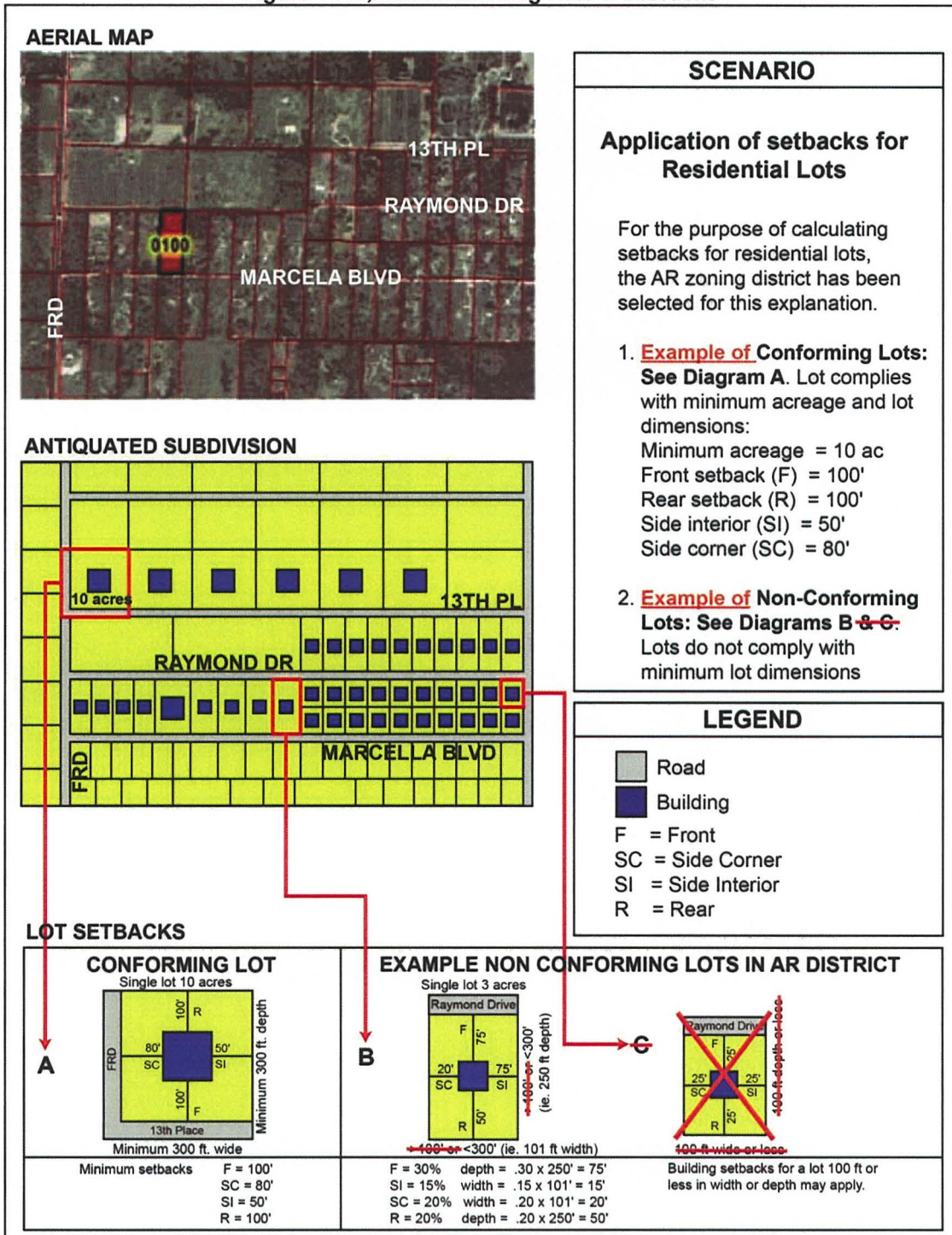
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EXHIBIT B

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

Figure 1.F.2, Nonconforming Lots & Setbacks



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

D. Accessory Dwellings

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

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

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EXHIBIT B

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

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

ARTICLE 5, SUPPLEMENTARY STANDARDS

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

1. General

d. Setbacks, Accessory Structure

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

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

a) Townhouse

....

b) ZLL

....

c) Exceptions

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

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

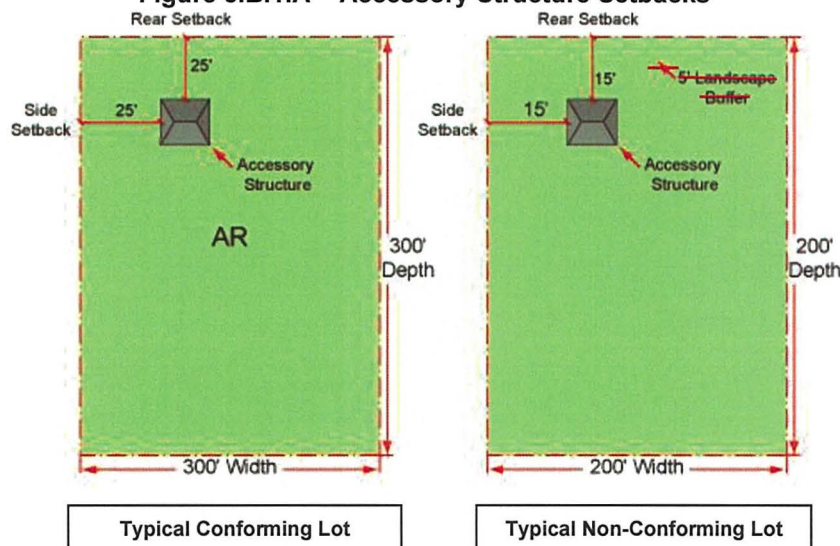
(3) Encroachment into easements shall be in accordance with Article 5.F.2.A, Easement Encroachment.

2) AR District

a) Conforming Lot Dimensions

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

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



AR District

b) Nonconforming Lot Dimensions

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

(1) General

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

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EXHIBIT B

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

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(2) U/S Tier

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

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

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

c) Minimum Setback from Easements Accessory Structure

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

3) Prohibition in Landscape Buffers

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

43) Nonresidential Districts

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

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

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

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EXHIBIT C

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

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

ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

CHAPTER B PUBLIC HEARING PROCESS

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

H. Development Order Amendment

1. General

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

2. Expedited Application Consideration (EAC)

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

a. Criteria

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

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

b3. Procedures

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

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

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EXHIBIT D

ART. 6.A.1.D.14, DESIGN AND CONSTRUCTION STANDARDS [PARKING]
SUMMARY OF AMENDMENTS

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

4 ARTICLE 6, PARKING

5 CHAPTER A PARKING

6 Section 1 General

7 D. Off-Street Parking

8 14. Design and Construction Standards

9 a. Dimensions

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

12 1) Residential

13 a) Individual Parking Space

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

17 b) Common Parking Lots

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

20 2) Nonresidential

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

28 a) General

29 The term "general" applies to parking spaces designated to serve ~~all commercial~~
30 non-residential uses ~~except retail~~ and residential uses with shared parking lots.
31

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

32
33 **b) Accessible**

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

36 **[Renumber accordingly]**
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EXHIBIT D

ART. 6.A.1.D.14, DESIGN AND CONSTRUCTION STANDARDS [PARKING]
SUMMARY OF AMENDMENTS

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

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

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EXHIBIT E

ART. 6, PARKING [LOADING SPACE REDUCTIONS]
SUMMARY OF AMENDMENTS

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

5 ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

6 CHAPTER D ADMINISTRATIVE PROCESS

7 Section 1 Development Review Officer (DRO)

8 G. Modifications to Prior Development Orders

9 1. Modifications to BCC or ZC Approvals

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

- 16
17 o. Requests to modify a Type II Waiver or a Type II Variance when the amendment request
18 is more conforming to Code requirements; ~~or~~ [Ord. 2012-027] [Ord. 2015-031]
19 p. To add Type II electronic message signs; ~~or~~ [Ord. 2015-031]
20 q. The number of loading spaces may be proportionately reduced, if the space is not
21 needed as a result of a reduction in size or change in use. [Relocated from Art.
22 6.B.1.H.7.a.1), Change in Use]

23
24
25 Part 2. ULDC Art. 2.D.6.B, Applicability [Related to Type I Waivers] (pages 46 of 87), is hereby
26 amended as follows:
27

28 ARTICLE 2 DEVELOPMENT REVIEW PROCEDURES

29 CHAPTER D ADMINISTRATIVE PROCESS

30 Section 6 Type I Waiver

31 B. Applicability

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

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

Table with 1 column and 5 rows. Row 1: Type I Waiver Summary List. Row 2: Row 3: ~~Eliminate or Reduce Loading Standards~~. Row 4: ~~Reduction in Number of Minimum Required Loading Spaces [uses < 10,000 square feet]~~. Row 5: ~~Reduction of Loading Space Width or Length [for uses that require limited loading]~~. Row 6: Row 7: [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-016]

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EXHIBIT E

ART. 6, PARKING [LOADING SPACE REDUCTIONS] SUMMARY OF AMENDMENTS

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

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

Use Type: Industrial	Parking	Loading <u>Standard</u> (1)
....		
Loading <u>Standard</u> Key:		
Standard "A"	One space for the first 5,000 square feet of GFA, plus one <i>space</i> [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 30,000 square feet of GFA.	
Standard "B"	One space for the first 10,000 square feet of GFA, plus one <i>space</i> [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 15,000 square feet of GFA.	
Standard "C"	One space for the first 10,000 square feet of GFA, plus one <i>space</i> [Relocated from Art. 6.B.1.D, Loading Space Ratios] for each additional 100,000 square feet of GFA.	
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.	
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.	
Notes:		

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

ARTICLE 6 PARKING

CHAPTER B LOADING STANDARDS

Section 1 Loading

C. Restrictions

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

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

1. Multiple Uses

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

2. Fractions

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

3. Floor Area

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

4. Unlisted Land Uses

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

D. Loading Space Ratios

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

1. Standards for Computing Loading Standards

a. Multiple Uses

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

b. Fractions

When calculation of the number of required off-street loading spaces results in a

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EXHIBIT E

ART. 6, PARKING [LOADING SPACE REDUCTIONS] SUMMARY OF AMENDMENTS

fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest full number.

c. Floor Area

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

d. Unlisted Land Uses

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

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

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

....
1. Standard "A"

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

2. Standard "B"

One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000 square feet of GFA.

3. Standard "C"

One space for the first 10,000 square feet of GFA, plus one space for each additional 100,000 square feet of GFA.

4. Standard "D"

One space for each 50 beds for all facilities containing 20 or more beds.

5. Standard "E"

One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.

....

H. Dimensional Standards and Design Requirements

7. Type I Waiver - Reduction of Loading Space Reduction Width or Length

The minimum required width and length may be reduced for uses that require limited loading, to not less than 12 feet and 18.5 feet, respectively, subject to submittal and approval of documentation such as: evidence of actual loading demand for the proposed use(s), as well as other available technical data, traffic engineering and planning information. [Ord. 2007-001] [Partially relocated from Art. 6.B.1.H.7.b, Reduction of Width and Length, below]

All required off-street loading spaces and their appurtenant aisles and driveways shall be deemed to be required space and shall not be encroached upon or reduced in any manner except upon approval by the DRO in the following circumstances: [Partially relocated to new Art. 6.B.1.C, Restrictions, above]

a. Reduction in Number of Spaces

1) Change in Use

The number of loading spaces may be proportionately reduced if the space is not needed as a result of a reduction in size or change in use. [Relocated to Art. 2.D.1.G.1, Modifications to BCC or ZC Approvals]

2) Type I Waiver - Eliminate or Reduce Loading Standards

For uses that contain less than 10,000 square feet of total GFA, the applicant may apply for a Type I Waiver to eliminate the loading space required or reduce the loading standards. [Ord. 2007-001] [Ord. 2012-027] [Partially relocated to new Art. 6.B.1.D.2, Reduction in Number of Minimum Required Loading Spaces, above]

b. Reduction in Width and Length

The minimum required width and length may be reduced to not less than 12 feet and 18.5 feet, respectively, subject to submittal and approval of documentation including but not limited to: evidence of actual loading demand for the proposed use(s), as well as other available technical data, traffic engineering and planning information. [Ord. 2007-001] [Partially relocated to renamed Art. 6.B.1.H.7, Reduction of Loading Space Width or Length, above]

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EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS

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

4 **ARTICLE 1, GENERAL PROVISIONS**

5 **CHAPTER 1 DEFINITIONS & ACRONYMS**

6 **Section 3 Abbreviations & Acronyms**

....
DO Development Order
....

7
8
9 Part 2. ULDC Art.1.I.2.P.47, Plan, Planting (Page 85 of 119) is hereby amended as follows:
10

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

15 ~~48~~ 47. **Plan** – the 1989 Comprehensive Plan of PBC, Florida, as amended.

16 ~~49~~ 48. **Planned Development** - a planned development district or a previously approved
17 planned development. A regulation containing the term "planned development" that the
18 regulation applies to a planned development district and a previously approved planned
19 development.

20 ~~50~~ 49. **Planned Development, District (PDD)** - a zoning district which is approved pursuant to
21 the policies and procedures of Art. 3.E, Planned Development Districts of this Code including:
22 PUD, Residential Planned Unit Development District; MXPDP, Mixed-Use Planned
23 Development District; MUPDP, Multiple Use Planned Development District; PIPDP, Planned
24 Industrial Park Development District; MHPDP, Mobile Home Park Planned Development
25 District; RVPDP, Recreational Vehicle Park Planned Development District; and LCC, Lifestyle
26 Commercial Center. [Ord. 2010-005]

27 ~~51~~ 50. **Planned Development, Previously Approved** – for the purposes of Art. 3 - a Planned
28 Development approved by rezoning, special exception or conditional use prior to the effective
29 date of this Code. Previously Approved Planned Developments include: Planned Unit
30 Developments (PUD); Traditional Neighborhood District (TND) Developments; Mixed-Use
31 Developments; Planned Neighborhood Commercial Developments (PNCD); Planned General
32 Commercial Developments (PGCD); Large Scale Community and Regional Shopping Center
33 Developments 30,000 square feet and 50,000 square feet; Planned Office Business Park
34 Developments (POBPD); Planned Industrial Park Developments (PIPD); Mobile Home Rental
35 Park, Condominium, and Conditional Use Developments; Recreational Vehicle Park
36 Developments (RVPDP); Sanitary Landfill, Resource Recovery Facility, Volume Reduction
37 Plant and Incinerator Developments; and other special exceptions, or conditional uses
38 approved prior to the effective date of this Code which support land uses regulated by Art.
39 3.E, Planned Development Districts (PDDs).

40 ~~52~~ 51. **Planting/Amenity Zone** – for the purposes of the Priority Redevelopment Areas,
41 accommodating streets and, landscaping or hardscaped areas, providing a transition
42 between vehicular travel lanes and pedestrian circulation zones. [Ord. 2010-022]

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

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52 (This space intentionally left blank)

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EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS

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

4 **ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES**

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

12

13 **d. Zoning Director**

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

17 1) Special Permit;

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

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

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

22 ~~5) Administrative Development Order Abandonment.~~
23

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

25 **CHAPTER A GENERAL**

26 **Section 1 Applicability**

27 **G. Application Procedures**

28 **3. Plan Requirements**

29 **h. ~~Other Types of Plans-Landscape Related Plans~~**

30 **~~1) Landscape Plans~~**

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

ARTICLE 7 – LANDSCAPING
 [ALTERNATIVE LANDSCAPE PLAN UPDATE]
 SUMMARY OF AMENDMENTS

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

Types of Landscape Plan	Additional Plan Requirements	Applicability	Approval of Plan(s)	Approval Authority
Planting Plan (6)	Identify number, location, height and species of required trees, palms, or pines and shrubs (4)	Single Family	(1)	Zoning Director assigned to Landscape Inspectors
		Two-unit Townhouse		
		A lot with two MF units		
		Vacant lots within 120 days of demolition		
Landscape Plan	Identify number, location, height and species of required trees, palms, or pines and shrubs. (4)	Non-residential developments	(1) (3)	Zoning Director assigned to Landscape Inspectors
		A lot with more than two MF units	(1) (3)	Zoning Director assigned to Landscape Inspectors
		Common areas of PUD	(1) (3)	Zoning Director assigned to Landscape Inspectors
		Variance	(1) (3)	ZC
		Type 2 Waiver	(1) (3)	BCC
		Type 1 Waiver	(1) (3)	DRO
ALP	Identify number, location, height and species of required trees, palms, or pines and shrubs. (4)	(2) (5)	(1) (3)	DRO

Ord.

Notes:

(1) Approval of Plan(s) must be completed prior to the issuance of a Building Permit, unless it is required to be approved at Final DRO by a Condition of Approval.

(2) Applicant may submit the ALP concurrent with the DO application to garner support of the Waiver request(s). The ALP may be required as a Condition of Approval by the ZC, BCC or DRO.

(3) Landscape Plan(s) and ALP (except Planting Plan) shall be signed and sealed by a Florida Licensed Landscape Architect prior to the approval of a Building Permit

(4) A Tree Disposition Chart may apply to all of the Landscape related Plans, where a Site has existing native vegetation, even if no Waivers or Variances are being requested. Refer to Technical Manual, Title 4.

(5) An ALP may be submitted by the Applicant concurrently with a Waiver request to modify Landscape standards. The DRO may determine that the Waiver for Landscape requirements pursuant to Art.7 could be shown on a Site, Subdivision or Regulating Plan in lieu of an ALP.

(6) May be approved by the Building Division. The amount of required plant material shall be indicated on the applicable Building Division submittal form and installed prior to issuance of Certificate of Occupancy.

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2)j. Sign Plans

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

....

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

CHAPTER D ADMINISTRATIVE PROCESS

Section 3 Type 1A and Type 1B Administrative Variances

D. Type 1B Administrative Variances

2. Non Residential Projects

A variance may be requested for the following: [Ord. 2008-003]

- a. Setback reduction greater than five percent but not exceeding 15 percent of the minimum requirement, [Ord. 2008-003]
- b. Reduction in the number of parking spaces not exceeding 15 percent of the minimum requirement; [Ord. 2006-036] [Ord. 2008-003]
- c. Relief from Article 5.B.1.A., Accessory Uses and Structures as follows: General; Fences, Walls and Hedges; Outdoor Storage; Outdoor Display; Entry Features; Fuel, Gas, or Chemical Storage Tanks; Dumpsters; Neighborhood Recreation Facility; Outdoor Recreation Amenities; Screen Enclosures; and Permanent Generators. [Ord. 2008-003] [Ord. 2013-001]
- ~~d. Easement encroachment into a required landscape that exceeds five feet. [Ord. 2008-003]~~

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EXHIBIT F

**ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS**

1
2 **Part 6. ULDC Art.2.D.6, Type I Waiver, (Pages 45 - 46 of 87) is hereby amended to read:**

3 **CHAPTER D ADMINISTRATIVE PROCESS**

4 **Section 6 Type I Waiver**

5 **A. Purpose**

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

13 **B. Applicability**

14 Requests for Type I Waivers shall only be permitted where expressly stated within the ULDC:
15 [Ord. 2011-016] [Ord. 2012-027]
16

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

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

17
18 **C. Standards**

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

- 24 1. The Waiver does not create additional conflicts with other requirements of the ULDC, and is
25 consistent with the stated purpose and intent for the Zoning district or Overlay; [Ord. 2010-
26 022] [Ord. 2011-016] [Ord. 2012-027]
- 27 2. The Waiver will not cause a detrimental effect on the overall design and development
28 standards of the project, and will be in harmony with the general site layout and design
29 details of the development; and, [Ord. 2010-022] [Ord. 2012-027]
- 30 3. The alternative design option recommended as part of the Waiver approval, if granted, will
31 not adversely impact adjacent properties. [Ord. 2010-022] [Ord. 2012-027]

32
33
34 **Part 7. ULDC Art.3.E.3.B.2.c, Landscape Buffers [Related to MUPD] (Page 173 of 232) is**
35 **hereby amended as follows:**
36

37 **ARTICLE 3, OVERLAYS & ZONING DISTRICTS**

38 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)**

39 **Section 3 Multiple Use Planned Development (MUPD)**

40 **B. Objectives and Standards**
41 **2. Performance Standards**

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EXHIBIT F

ARTICLE 7 – LANDSCAPING [ALTERNATIVE LANDSCAPE PLAN UPDATE] SUMMARY OF AMENDMENTS

1 c. **Landscape Buffers**

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

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

6
7
8 Part 8. ULDC Art.7.B, Types of Plan (Page 12 - 13 of 52) is hereby amended as follows:
9

10 **ARTICLE 7, LANDSCAPING**

11 ~~CHAPTER B – TYPES OF PLANS~~

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

18 ~~Section 1 – Planting Plan~~

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

23 ~~Section 2 – Landscape Plan~~

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

27 ~~Section 3 – Alternative Landscape Plan (ALP)~~

28 ~~A. Purpose and Intent~~

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

32 ~~B. Applicability~~

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

34 ~~1. Design Principles~~

35 ~~To qualify for consideration an application for an ALP shall demonstrate compliance with the~~
36 ~~following principles. [Ord. 2007-001]~~

37 ~~a. Innovative use of plant materials and design techniques in response to unique~~
38 ~~characteristics of the specific Tier and site. [Ord. 2007-001]~~

39 ~~b. Preservation or incorporation of existing native vegetation. [Ord. 2007-001]~~

40 ~~c. Use of a variety of plant material, including plants of color, form, and texture, in excess of~~
41 ~~minimum requirements. [Ord. 2007-001]~~

42 ~~d. Incorporation of naturalistic design principles, such as variations in topography,~~
43 ~~meandering or curvilinear plantings, and grouping of dominant plant materials (trees,~~
44 ~~large shrubs) in a manner consistent with existing native vegetation. [Ord. 2007-001]~~

45 ~~e. Integration of landscaping and pedestrian facilities in a manner consistent with the Tier in~~
46 ~~which the development is located. In U/S Tiers and in TDD's, this may include reduced~~
47 ~~ground-level planting within the R-O-W buffer if canopy shade trees along sidewalks are~~
48 ~~provided. [Ord. 2007-001]~~

49 ~~f. Use of additional shade trees to create a greater canopy effect. [Ord. 2007-001]~~

50 ~~g. A greater degree of compatibility with surrounding uses than a standard landscape plan~~
51 ~~would offer, provided the resulting landscape conforms with the design principles and~~
52 ~~guidelines of this Article. [Ord. 2007-001]~~

53 ~~h. Use of water-efficient irrigation systems and xeriscaping at appropriate locations. [Ord.~~
54 ~~2007-001]~~

55 ~~i. Incorporation of specific environmental attributes such as soil, hydrology, and vegetative~~
56 ~~communities unique to the site, and which are compatible with environmental features on~~
57 ~~adjacent properties. [Ord. 2007-001]~~

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~~2. Allowable Modifications to Standards~~

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

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

Specific Regulation	
Art. 7.F.2.A.1	Minimum Tree Quantities
Art. 7.F.7.B	Shrub Hierarchy
Art. 7.F.7.C	Planting Pattern
Art. 7.F.7.D	Clustering
Art. 7.F.8	Compatibility Buffer
Art. 7.F.9	Incompatibility Buffer
Art. 7.F.10.A.	Perimeter Buffer
Art. 7.F.10.A.1	R-O-W Buffer
Art. 7.F.10.A.2	Compatibility Buffers
Art. 7.F.10.A.3	Incompatibility Buffers
Art. 7.G.2.A	Terminal Islands
Art. 7.G.2.B	Interior Islands
Art. 7.G.2.C	Divider Median
Art. 7.G.2.D	Landscape Diamonds
Art. 7.G.2.E.1	Curbing
Art. 7.G.2.F	Parking Structures
Table 7.C.3.1	Minimum Tier Requirements (Only the following items listed in the table)
	Minimum Tree Height Perimeter
	Minimum Tree Height Interior
	Facades To Be Planted
	Percentage of Facade
[Ord. 2007-001]	

CHAPTER B APPROVAL PROCESS AND APPLICABILITY

Section 1. Approval Process for Landscape Plans

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

C Section 2.—Application Requirements

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

~~1. Design Principles~~

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

~~2. Required Findings~~

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

D. Approval

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

~~1. Required Findings~~

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

- ~~a. There are unique characteristics of the property, site design or use that warrant special consideration to modify or deviate from the requirements of this section and that these characteristics are not self-created. [Ord. 2007-001]~~
- ~~b. The ALP meets or exceeds the minimum requirements of this Section, while recognizing the unusual site design or use restraints on the property. [Ord. 2007-001]~~
- ~~c. Approval of the ALP will provide for both increased consistency and compatibility with adjacent projects located in the Tier. [Ord. 2007-001]~~
- ~~d. The ALP conforms to the requirements of Table 7.B. Standards That Can Be Altered and no exceptions to the limitations on the standards that may be modified are requested. [Ord. 2007-001]~~

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4.A.-Type I Waiver for Landscaping

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

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

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

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

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

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

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

3. Approval Process

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

a. Building Permit

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

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b. ~~DRO Approval~~

~~An application for an ALP for projects requiring DRO approval, including projects approved by the ZC or BCC, shall be submitted concurrently at time of application for DRO approval. The Zoning Division must approve the ALP prior to DRO approval, unless approved by the ZC or BCC. [Ord. 2007-001]~~

c. ~~Optional Submittal with a Zoning Application~~

~~If submitted with an application for a rezoning, conditional use, requested use, variance, or development order amendment, an applicant may opt to request that the ZC or BCC, whichever is applicable, approve the ALP. [Ord. 2007-001]~~

4. ~~D. Appeals~~

~~If an application for an ALP is denied by the DRO or Zoning Division, an applicant may appeal the decision through a Peer Review, as follows: The applicant may select a landscape architect licensed in the State of Florida to certify to the Zoning Division, that the proposed ALP is in compliance with this Article. The Zoning Division shall provide a Peer Review Certification Form for this purpose. Certification shall substitute for a staff determination of consistency with this Article. [Ord. 2007-001]~~

Section 4 — ~~Street Planting Plan~~

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

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

Table 7.C.3 - Minimum Tier Requirements

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

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1
2 Part 10. ULDC Art.7.D.2.A (Page 17-19 of 52) is hereby amended as follows:

3 CHAPTER D GENERAL STANDARDS

4 Section 2 Trees

5 A. Canopy Trees

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

9 ~~1. Minimum Height~~

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

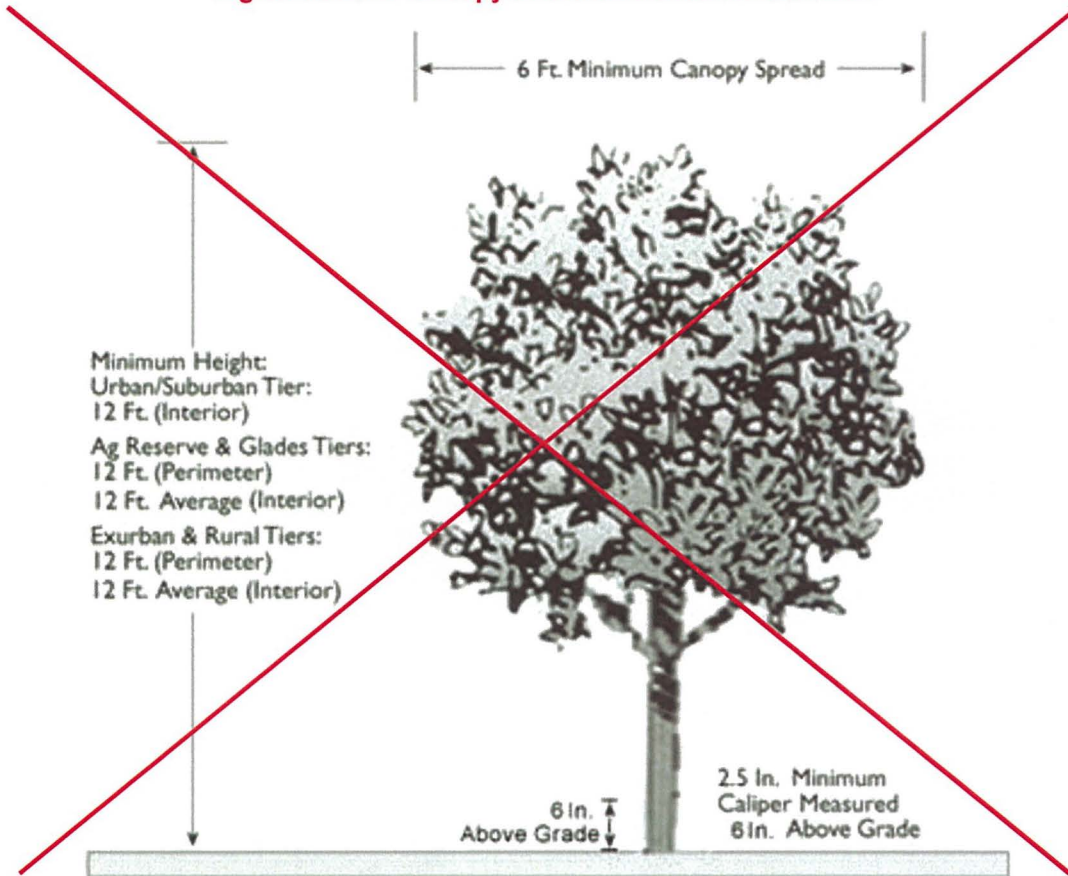
12 ~~A1. Height Reduction~~

13 ~~A maximum of 25 percent of the total number of required trees may be reduced in height by~~
14 ~~25 percent. One additional tree, a minimum of eight feet in height, shall be planted for each~~
15 ~~tree with reduced height. [Ord. 2014-025]~~

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

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

19 **Figure 7.D.2.A—Canopy Tree Measurement Standards**



20
21
22 B. Palms

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

28 ~~The size of a palm shall include the overall height and the height of the clear trunk or the grey~~
29 ~~wood pursuant to Figure 7.D.2.B - Palm Measurement Standards. The minimum overall height of~~

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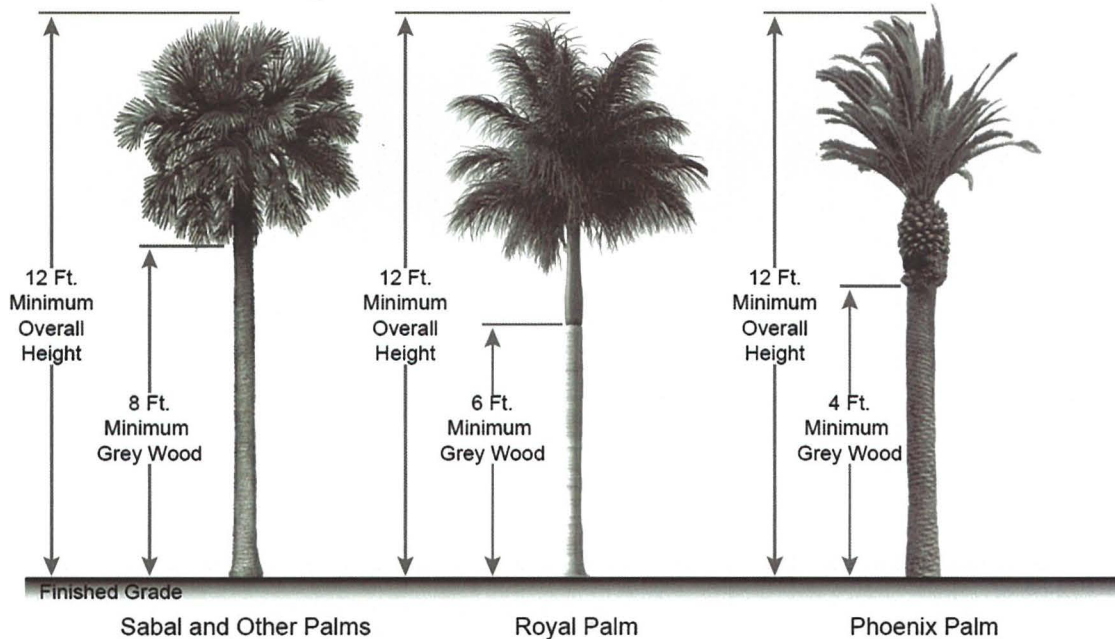
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a palm shall be 12 feet, and the minimum height for different species of palms shall be in accordance with Table 7.D.2.B – Palm Height Standards.

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

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

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



1. **Canopy Tree Substitute**

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

C. **Pines**

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

1. **Canopy Tree Substitute**

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

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

....

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

CHAPTER D GENERAL STANDARDS

Section 2 Trees

E. Tree Credit

3. Tree Credit Formula

All existing trees to be preserved, mitigated on or off site, replaced on or off site Existing trees shall be credited according pursuant to the formula in Table 7.D.2.E, Tree Credit and

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Replacement. Only pines with a caliper of two inch or more shall be subject to preservation, mitigation or replacement.

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

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

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

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

CHAPTER D GENERAL STANDARDS

Section 4 Ground Treatment

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

A. Ground Cover

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

B. Mulch

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

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

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

D. Lawn and Turf ~~Grass~~

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

E. Artificial Turf

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

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

2 CHAPTER D GENERAL STANDARDS

3 Section 9 Berms

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

13 A. Tier Restrictions

14 Landscape berms are not allowed within the Exurban, Rural, Agricultural Preserve, or Glades
15 Tiers, unless approved ~~as part of an ALP through a Type I Waiver~~ or located along a Rural
16 Parkway.
17
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20 Part 14. ULDC Art.7.D.11, Foundation Planting (Page 23 of 52) is hereby amended as follows:

21 CHAPTER D GENERAL STANDARDS

22 Section 11 Foundation Plantings

23 Foundation plantings shall be provided along facades as required by Table 7.C.3, Minimum Tier
24 Requirements, for non-residential structures unless specifically exempted by this Section. ~~Required plant
25 material may be located within 30 feet of the foundation, along the front and side facades of drive-through
26 establishments, including Freestanding ATMs. (Partially relocated to Art. 7.D.11.A.1)~~ All required
27 foundation plantings shall include a minimum of one tree or palm for each 20 linear feet of building facade
28 and one shrub or ground cover for every 10 square feet of planting area. ~~The relocation of foundation
29 plantings may be approved by the DRO provided the minimum required square footage of the planting
30 area is maintained.~~ Partially Relocated to Art. 7.B.2.A – Type 1 Waivers for Landscaping [Ord. 2013-
31 021] [Ord. 2014-025]
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34 Part 15. ULDC Art.7.D.12.C, Detention/Retention Areas, Swales, and Drainage Easements,
35 [Related to Landscape in Easements] (Page 27 of 52) are hereby amended as follows:

36 CHAPTER D GENERAL STANDARDS

37 Section 12 Landscape in Easements

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

45 C. Detention/Retention Areas, Swales, and Drainage Easements

46 Detention/retention areas, drainage easements, and sloped, directional swales greater than one
47 foot below finished grade, ~~shall not be located in or may~~ overlap required landscape buffers
48 ~~provided a minimum of five feet remains for planting unless otherwise approved in writing by the~~
49 ~~Land Development Division. [Ord. 2006-004]~~

50 1. Planting may be allowed in the dry detention area if approved by the Land Development
51 Division.

52 D. Lake Maintenance Easements (LME)

53 Planting of new trees or relocation of native, non-prohibited or specimen vegetation may occur in
54 the LME subject to the approval by the Land Development Division.
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EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS

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

3 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

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

5 Section 1 Buffer Types

6 A. R-O-W

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

8 1. Exemptions

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

12

13
14 Part 17. ULDC Art.7.F.5, Area Measurement (Page 37 of 52) is hereby deleted as follows:

15 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

16 Section 5 Area Measurement

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

19
20
21 Part 18. ULDC Art.7.F.7.D, Clustering (Page 38 of 52) is hereby deleted as follows:

22 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

23 Section 7 R-O-W Buffer

24 D. Clustering

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

- 27 1. Clusters shall be spaced no more than 40 feet on center.
- 28 2. Clusters shall consist of trees of varied height, which when averaged, equal the minimum tree
29 height requirements of Article 7.D.2.A, Canopy Trees.
- 30 3. Created ~~windows- visible openings to the site~~ shall only be permitted on properties with a
31 minimum of 300 feet of lot frontage.
- 32 4. A maximum of two ~~windows- visible openings to the site~~ are allowed ~~per lot for a~~ frontage that
33 is 300 feet. A maximum of three openings are allowed for a frontage that is 301 feet to 1,000
34 feet. A maximum of four openings for frontage that is over 1,001 feet.
- 35 5. The minimum distance between ~~open window areas~~ visible openings to the site created by
36 clusters shall be 100 feet.

37

38
39 Part 19 ULDC Art.7.F.9.C.1 Determining Incompatibility Buffer Type (Page 39 of 52) is hereby
40 amended as follows:

41 CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

42 Section 9 Incompatibility Buffer

43 ~~C. Walls and Fences~~

44 ~~1. Existing Walls or Fences~~

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

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

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

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

52 [ReNUMBER accordingly]

53

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EXHIBIT F

ARTICLE 7 – LANDSCAPING
[ALTERNATIVE LANDSCAPE PLAN UPDATE]
SUMMARY OF AMENDMENTS

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

CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS

Section 9 Incompatibility Buffer

~~E.—Type I Waiver~~

~~The applicant may apply for a Type I Waiver, pursuant to Article 2.D.6, to be relieved of the requirement to install the incompatibility buffer for pods, areas or tracts within a residential subdivision or PUD that meet one of the following: [Ord.2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [Partially relocated to Table 7.B.2.B - Type I Waivers for Landscaping]
1. Adjacent to open space that is 100 feet or greater in width or greater, or [Ord. 2015-031]
2. Demonstration that the site layout will integrate recreational amenities with multi-family units. [Ord. 2015-031] [Partially relocated to Table 7.B.2.B - Type I Waivers for Landscaping, above]~~

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

CHAPTER G OFF-STREET PARKING REQUIREMENTS

Section 2 Landscape Islands

~~G.—Alternative Parking Lot Landscaping~~

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

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EXHIBIT G

**ARTICLE 14 ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS**

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

3 **APPENDIX 9 NATURAL AREAS**

4 The following are ultimate boundaries of natural areas acquired under the 1991 Sensitive Lands or 1999
5 Conservation Lands bond issues as listed in Resolution 99-1073 as well as natural areas acquired by
6 other governmental entities in PBC. Maps of each area are designated by Range, Township and **Chapter**
7 **Section** with its associated 500 foot buffer and are on file at ERM for inspection.
8

Incorporated Palm Beach County

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

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EXHIBIT G

ARTICLE 14 ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

1

Unincorporated Palm Beach County

Acreage Pines Natural Area (R41 T42 S32)
Arthur R. Marshall Loxahatchee NWR (R39 T44 S12/13/23/24/25/26/27/34/35/36; R39 T45 S01/02/03/10-15/22-27/34-36/L1/L2/L3; R39 T46 S01-03/10-14/23-25; R40 T43 S32/L5; R40 T44 S04-09/15-36; R40 T45 S01-42; R40 T46 S01-36; R40 T47 S01-06/08-14; R41 T44 S30-32/40-42; R41 T45 S04-10/14-23/26-35; R41 T46 S02-11/14-23/26-35; R41 T47 S03-10/15-19)
C-18 Triangle Natural Area (R42 T41 S08)
Cypress Creek Natural Area (R41 T40 S34/35/36; R42 T40 S31/32; R42 T41 S06)
Daggerwing Nature Center Preserve (R41 T47 S11/14)
Donald Ross Road at the ICW (R43 T41 S29)
DuPuis Management Area (R38 T40 S31-36; R38 T41 S01-06/08-12/13-16/22-26/36; R39 T41 S19/30-31)
East Conservation Area (R41 T45 S14/ 23/24) [Ord. 2006-036]
High Ridge Scrub Natural Area (R43 T45 S09)
Hungryland Slough Natural Area (R41 T41 S19/20/29/30/31/32)
Jackson Riverfront Pines (R42 T40 S25)
Jupiter Inlet (R43 T40 S31)
J.W. Corbett/ LoxRefuge Connector (R40 T43 S05/06/08)
J.W. Corbett Wildlife Management Area (R39 T40 S31-36; R39 T41 S01-36; R39 T42 S01-06/08-16; R40 T40 S31-32, R40 T41 S05-08/18-36, R40 T42 S01-18/21-22; R41 T41 S31; R41 T42 S06-07/18)
Lake Okeechobee Connector (R37 T40 S35/36)
Loxahatchee Mitigation Bank (R41 T46 S14/23/25-26/35; R41 T47 S02)
Loxahatchee River Natural Area (R42 T40 S31)
Sweetbay Natural Area (R41 T41 S34; R41 T42 S01/02/03) [Ord. 2006-036]
Okeehelée Nature Center Preserve (R42 T44 S04-05)
Pine Glades Natural Area (R40 T40 S31/32/33/35/36; R40 T41 S01/02/03/04/10/11/12/13; R41 T40 S31/32 ; R41 T41 S01/05/06/07/08/09) [Ord. 2006-036]
Paw-Paw Preserve Natural Area (R43 T42 S04)
Pine Jog Environmental Education Center (R42 T44 S03)
Pond Cypress Natural Area (R41 T43 S01/12/13/24)
Riverbend Park (Reese Property) - See Riverbend Park under Jupiter Municipality
Royal Palm Beach Pines Natural Area (R41 T43 S15/16)
Strazzulla Tract (R41 T44 S34/39-40; R41 T45 S03-04/10/11/14-15)
[Ord.

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

APPENDIX 10
Prohibited Vegetation Removal Schedule

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

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EXHIBIT H

DESIGN STANDARDS ALTERNATIVE SUMMARY OF AMENDMENTS

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

5 ART. 2, DEVELOPMENT REVIEW PROCEDURES

6 CHAPTER A GENERAL

7 Section 1 Applicability

8 G. Application Procedures

9 3. Plan Requirements

10 g. Regulating Plans

11 1) Preliminary Regulating Plan (PRP) for Public Hearing Approval

12

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

15

16 ~~3) Design Standards (DS) Alternative~~

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

24

25
26
27 Part 2. ULDC Art. 3.B, Overlays (pages 63 of 147), is hereby amended as follows:
28

29 ART. 3, OVERLAYS AND ZONING DISTRICTS

30 CHAPTER B OVERLAYS

31 Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)

32 D. Application Requirements

33 1. Pre-Application Conference (PAC)

34 2. Plan Requirements

35 b. Other Plans

36 1) Regulating Plan

37 The DRO shall approve a regulating plan ~~or alternative design standards.~~ [Ord.
38 2010-005]

39

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41
42 Part 3. ULDC Art. 3.B, Overlays (pages 116 of 147), is hereby amended as follows:
43

44 ART. 3, OVERLAYS AND ZONING DISTRICTS

45 CHAPTER B OVERLAYS

46 Section 17 Agricultural Enclave Overlay (AGEO)

47 D. Development Review Procedures

48 1. Master Plan and Regulating Plan

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

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

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

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

Notes:

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EXHIBIT H
DESIGN STANDARDS ALTERNATIVE
SUMMARY OF AMENDMENTS

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- d. General location of existing or proposed arterials, thoroughfares and collector streets, and access points for each Pod; and, **[Ord. 2014-031]**
- e. Any applicable Implementing Principles. **[Ord. 2014-031]**

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EXHIBIT I

ZONING DISTRICT CONSISTENCY WITH
THE FUTURE LAND USE ATLAS
SUMMARY OF AMENDMENTS

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

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

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

B. Standard Districts

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

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

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

1. Standard District Exceptions and Limitations

-
- g. Within the Glades Tier, the The AP District is consistent with all FLU designations, excluding Conservation the LR-1 designation in the Glades Tier only for legal lots of records located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point. [Ord. 2011-016]
 - h. The RM District is consistent with the MR-5 designation only for those areas already zoned RM, prior to the Plan's August 31, 1989 adoption. **[Ord. 2011-016]**
 - i. The RS district is consistent with the LR-1 designation only for those areas already zoned RS, RTU, RM, or RH on the Plan's August 31, 1989 adoption.
[Renumber accordingly]

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EXHIBIT I

**ZONING DISTRICT CONSISTENCY WITH
THE FUTURE LAND USE ATLAS
SUMMARY OF AMENDMENTS**

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

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

Zoning District	Min Lot Dimensions			Density (6)		Max FAR (7)	Max Building Coverage	Min Setbacks (12)			
	Size	Width and Frontage	Depth	Min	Max			Front	Side	Side Street	Rear

Residential											
AR	(2) (3)(4)	300	300	-	-	.15	15%	100	50	80	100
RE	2.5 ac.	200	200	-	-	-	20%	50	40	50	50
RT (LR-1)	20,000	100	125	-	-	-	30%	25	15	25	25
RT (LR-2/LR-3- HR-18)	14,000										

[Ord. 2005 – 002] [Ord. 2005-041] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-027]											
Notes:											

2. The minimum lot size in the AR district corresponds to the FLU category as follows: RR20 – 20 acres; RR10 – 10 acres; RR5 – 5 Acres; RR2.5 – 2.5 acres; U/S Tier – 5 acres.											
3. Nonconforming lots in the AR district may use the setback provisions in Art.1.F.4, Nonconforming Lots.											
4. AR lots <u>with an in-the</u> RR-2.5-FLU designation may use the RE PDR's. [Ord. 2005 – 002]											

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

Table 4.A.3.A - Use Matrix

Use Type	Zoning District/Overlay																N O T E	
	Agriculture/Conservation			Residential					Commercial					Industry/Public				
	P C	A G R	A P	AR S A	R U A	R E S	R T S	R M	C N	C L	C C O	C C H	C C G	C R E	I L	I G		P O
Residential Uses																		
Single Family			P	P	P	P	P	P									A	122
Zero Lot Line Home								<u>AD</u>	D								A	142
Townhouse								<u>AD</u>	D								A	132
Multi-Family									P								A	87

[Ord. 2005-002] [Ord. 2005-041] [Ord. 2007-001] [Ord. 2008-037]																		
Key:																		
P Permitted by right																		
D Permitted subject to approval by the DRO																		
S Permitted in the district only if approved by Special Permit																		
B Permitted in the district only if approved by the Zoning Commission (ZC)																		
A Permitted in the district only if approved by the Board of County Commissioners (BCC)																		

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EXHIBIT I

ZONING DISTRICT CONSISTENCY WITH THE FUTURE LAND USE ATLAS SUMMARY OF AMENDMENTS

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

ARTICLE 4 USE REGULATIONS

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

132.Townhouse

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

- a. Approval Process - RS Zoning District with MR5 FLU Designation
Townhouses shall only be permitted A townhouse development in the RS zoning district on parcels with LR-2 or higher FLU designation. Townhouses on parcels with an HR-8, HR-12 or HR-18 a-MR5 FLU designation, may be permitted subject to DRO shall require a Class A conditional use approval. [Ord. 2005 - 002]

Part 5. ULDC Art. 4.B.1.A.142, Zero Lot Line Home (page 112 of 171), is hereby amended as follows:

ARTICLE 4 USE REGULATIONS

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

142.Zero Lot Line Home

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

- a. Approval Process - RS Zoning District with MR5 FLU Designation
A ZLL development Home shall only be permitted in the RS zoning district with LR-2 or higher FLU designation. ZLL Homes on parcels with an HR-8, HR-12 or HR-18 a-MR5 FLU designation, may be permitted subject to DRO shall require a Class A conditional use approval. [Ord. 2005 - 002]

Notes:

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 1.I.3, Abbreviations and Acronyms (pages 115 and 117 of 11), is hereby
3 amended as follows:
4

5 **ARTICLE 1, GENERAL PROVISIONS**

6 CHAPTER I DEFINITIONS & ACRONYMS

7
8 Section 3 Abbreviations and Acronyms
9

....
BRPO Biotechnology Research Protection Overlay
....
LCSO Lion Country Safari Overlay
....

10
11
12 Part 2. ULDC Art. 3.A.1.B.1, Overlays
13

14 **ARTICLE 3, OVERLAYS & ZONING DISTRICTS**

15 CHAPTER A GENERAL

16 Section 1 Districts

17 B. Overlays and Zoning Districts

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

21 1. Overlays

22 AGEO, Agricultural Enclave Overlay [Ord. 2011-016]
23 AZO, Airport Zone Overlay
24 COZ, Conditional Overlay Zone
25 GAO, Glades Area Overlay
26 IOZ, Indiantown Road Overlay
27 IRO, Infill Redevelopment Overlay [Ord. 2011-016]
28 LOSTO, Lake Okeechobee Scenic Trail Overlay
29 NBOZ, Northlake Boulevard Overlay Zone
30 NEO, Native Ecosystem Overlay
31 PBIAO, Palm Beach International Airport Overlay
32 RTO, Research and Technology Overlay
33 SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay [Ord. 2004-
34 040]
35 ~~SR-7 EDO, State Road 7 Economic Development Overlay [Ord. 2011-016]~~
36 SR-80, Non-residential Overlay
37 TAPO, Turnpike Aquifer Protection Overlay
38 URAO, Urban Redevelopment Area Overlay [Ord. 2011-016]
39 WCRAO, Westgate Community Redevelopment Agency Overlay
40 BRPO, Bioscience Research Protection Overlay
41 LCSO, Lion Country Safari Overlay
42
43

44 Part 3. ULDC Art. 3.B.18, SR-7 Economic Development Overlay (pages 115 – 118 of 232), is
45 hereby deleted.
46

47
48 Part 4. ULDC Art. 3.B, Overlays (page 118 of 232), is hereby amended as follows:
49

50 **ARTICLE 3, OVERLAYS & ZONING DISTRICTS**

51 CHAPTER B OVERLAYS

52

53 Section 19 Bioscience Research Protection Overlay (BRPO)

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS

A. Purpose and Intent

To promote the growth and stability of bioscience research/biotechnology uses in proximity to the Scripps Research Institute (TSRI) campus at Abacoa/Briger, and deterring the conversion of those uses to commercial or residential uses. This will be accomplished in coordination with the Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake Park and the Town of Mangonia Park, with the objective to provide opportunity for a minimum 8,000,000 square feet of bioscience/biotechnology use cluster in Northern Palm Beach County. The BRPO does not limit the uses currently allowed consistent with the property's existing land use designation and zoning designation including uses allowed pursuant to planned development approvals and development of regional impact approvals.

B. Boundaries

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

C. Applicability

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

Section 20 Lion Country Safari Overlay (LSCO)

A. General

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

Part 5. Art. 3.E, Planned Development Districts (PDDs) (Pages 149, 178, of 232), is hereby amended as follows:

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

C. Objectives and Standards

2. Performance Standards

a. Access and Circulation

1) Minimum Frontage

a) Type II Waiver - Infill Development

....

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

....

Section 5 Planned Industrial Park Development (PIPD)

A. General

....

3. Conflicts

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

....

B. Objectives and Standards

1. Design Objectives

....

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

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

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS

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

....
E. Pods

3. Residential Pod

a. Use Regulations

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

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

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

Section 2 Planned Unit Development (PUD)

G. RR PUD

1. Rural Residential

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

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

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

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

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

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

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

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

1a) Pre-Application Conference

Each application shall require a PAC in accordance with Art. 2.A.1.E, Pre-Application Conference. [Ord. 2011-016]

2b) Master Plan

A Preliminary or Final Master Plan shall be required to depict the overall boundaries of the LCSO, include any Zoning approvals, identify Open Space Preserve Areas from which density will be relocated to the development area of a RR-PUD, location of access and interconnectivity, and related tabular data. [Ord. 2011-016]

~~d.4)~~ **RR PUD Development Area**

In addition to the Development Area requirements for a Rural Cluster PUD, the following shall apply: [Ord. 2011-016]

1a) Clustered residential units which provide a variety of lot sizes to allow for a range of housing choices; [Ord. 2011-016]

2b) Smaller sized lots shall be located towards the center of the Development Area and should transition to larger lot sizes located at the edge, adjacent to the existing residential neighborhoods. [Ord. 2011-016]

~~e.5)~~ **Other Requirements**

1a) Existing native vegetation and other natural features located within the LCSO, including a minimum of 37 acres of upland native vegetation, shall be preserved. At

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EXHIBIT J
OVERLAY UPDATES
SUMMARY OF AMENDMENTS

- 1 the time a PUD is requested, higher quality upland native vegetation shall be
2 preserved in accordance with Art. 14.C.7.B.3, Establishing Native Upland Preserves.
3 This requirement shall not preclude the relocation of existing native upland preserves
4 to other areas with higher quality upland native vegetation. **[Ord. 2011-016]**
5 **2b)** Interconnectivity shall be provided between uses within the LCSO. This shall not
6 preclude the use of security gates within the RR PUD. **[Ord. 2011-016]**
7 **3e)** A neighborhood serving commercial store of up to 3,500 square feet shall be
8 permitted within the RVPD to serve campers, or should the RVPD be abandoned, the
9 neighborhood store may be incorporated into a RR-PUD. **[Ord. 2011-016]**
10 **4d)** Golf courses are prohibited within the LCSO. **[Ord. 2011-016]**
11 **e.6) Additional Notification Requirements**
12 Pursuant to the adoption of a LCSO Overall Master Plan, any subsequent applications for
13 a Development Order Amendment within the boundaries of any designated Open Space
14 Preserve Areas or associated RR-PUD shall provide for the following notification to all
15 affected land owners and Property Owners Associations, as follows: **[Ord. 2011-016]**
16 **1a)** The Notice shall describe the applicant's request for a DOA; **[Ord. 2011-016]**
17 **2b)** The list of landowners and Property Owners' Association(s) shall be pursuant to the
18 latest PBC Property Appraisal list; **[Ord. 2011-016]**
19 **3e)** The Notice shall be sent to the landowners and Property Owners' Association(s) by
20 certified mail within ten days of filing its applications; and, **[Ord. 2011-016]**
21 **4d)** The applicant shall provide to the Zoning Division a copy of the Notice and written
22 confirmation the Notice requirements have been satisfied. **[Ord. 2011-016]**
23

24 **Part 7. ULDC Art. 4.B.1.A, Definitions and Supplementary Standards for Specific Uses (Pages**
25 **37, 57, 89 and 92 of 171), is hereby amended as follows:**
26

27 **ART. 4 - USE REGULATIONS**

28 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

29 **Section 1 Uses**

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

- 31
32 **21. Broadcast Studio**
33 **a. SR-7-EDO**
34 ~~Accessory broadcast towers or antennae are prohibited. **[Ord. 2010-022]**~~
35
36 **55. Financial Institution**
37
38 **d. SR-7-EDO**
39 ~~Drive through uses are prohibited. **[Ord. 2010-022]**~~
40 **[Renumber accordingly]**
41 **109. Restaurant, Type I**
42
43 **f. SR-7-EDO**
44 ~~Drive through uses are prohibited. **[Ord. 2010-022]**~~
45 **[Renumber accordingly]**
46 **114. Retail Sales, General**
47
48 **f. SR-7-EDO**
49 ~~Shall be prohibited as a principal use. **[Ord. 2010-022]**~~
50 **[Renumber accordingly]**
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EXHIBIT K

PARKS & RECREATION SUMMARY OF AMENDMENTS

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

6 ART. 5, SUPPLEMENTAL STANDARDS

7 CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

8 Section 2 Types of Parks

9 B. Community and Neighborhood Park Recreation Standards

10 2. Calculation of Required Recreation

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

21 a. WCRAO

22 The required recreation area shall be the equivalent of one and one quarter acres of
23 developed land per 1,000 people population, based on ~~2.32~~ 2.39 people per unit. [Ord.
24 2008-037]
25

26
27 Part 2. ULDC Art. 5.D.2.B.9, Other Credits [Related to Community and Neighborhood Park
28 Recreation Standards] (page 50 of 100), is hereby amended as follows:
29

30 ART. 5, SUPPLEMENTAL STANDARDS

31 CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

32 Section 2 Types of Parks

33 B. Community and Neighborhood Park Recreation Standards

34 9. Other Credits

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

37 a. Minimum Parcel Size

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

40 b. Minimum Parcel Width

41 Minimum parcel width shall average 75 feet with no dimension less than 50 feet. [Ord.
42 2006-004]

43 c. Minimum Parcel Depth

44 Minimum parcel depth shall average 100 feet with no dimension less than 75 feet. [Ord.
45 2006-004]

46 d. Waiver of Minimum Parcel Dimensions

47 The Parks and Recreation Department may reduce the minimum recreation parcel
48 dimensions by not more than ten percent when considering location, abutting land uses,
49 accessibility, recreation facilities to be offered and the parcels function in the overall
50 recreation and open space network of the development. [Ord. 2006-004]

51 e. Underground Easements

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

55 f. Exceptions

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

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EXHIBIT K

PARKS & RECREATION SUMMARY OF AMENDMENTS

1 2. CLF recreational requirements may be satisfied using a combination of interior and
2 exterior recreation areas, with prior approval by the Director of the Parks and
3 Recreation Department.
4

5
6 Part 3. ULDC Art. 5.D.2.F, Phasing [Related to Types of Parks] (page 51 of 100), is hereby
7 amended as follows:
8

9 ART. 5, SUPPLEMENTAL STANDARDS

10 CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

11 Section 2 Types of Parks

12 F. Phasing

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

14 1. Single Phasing

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

23 2. Multiple Phasing

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

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

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

35 3. Multifamily and Congregate Living Facilities

36 No more than 20 percent of the Certificates of Occupancy for the residential units shall be
37 issued for the phase until the recreational improvements have been completed in their
38 entirety and open for use and accessible to the residents, or unless a phasing plan for
39 completion of the required recreation area is agreed to and approved by the Parks and
40 Recreation Department.
41

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46 (This space intentionally left blank).
47

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EXHIBIT K

PARKS & RECREATION
SUMMARY OF AMENDMENTS

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

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 2 Planned Unit Development (PUD)

C. Thresholds

2. Land Use Mix

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

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

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

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

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

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

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EXHIBIT K

PARKS & RECREATION
SUMMARY OF AMENDMENTS

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

ART. 3, OVERLAYS AND ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 2 Planned Unit Development (PUD)

E. Pods

3. Recreation Pod

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

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EXHIBIT L

HEIGHT MEASUREMENT FOR FENCES, WALLS AND HEDGES
SUMMARY OF AMENDMENTS

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

ARTICLE 7, LANDSCAPING

CHAPTER D GENERAL STANDARDS

Section 3 Shrubs and Hedges

B. Hedges

1. Height Measurement

b. Grade Change

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

1) Residential

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

a) Grade Measurement

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

b) Maximum Height Increase

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

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

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

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

2) PDD or Non-residential

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

....

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