



**Department of Planning,
Zoning & Building**

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**Palm Beach County
Board of County
Commissioners**

Tony Masilotti, Chairman

Addie L. Greene, Vice Chairperson

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Mary McCarty

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County Administrator

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MEMORANDUM

TO: Wesley Blackman, AICP, Chairman, and
Members of the Land Development Regulation Advisory Board
(LDRAB)

FROM: William Cross, Senior Planner **BC**
Planning, Zoning and Building (PZB) Department

DATE: September 7, 2005

RE: **Wednesday, September 14, 2005 LDRAB Agenda and Attachments**

Please find attached the agenda and supporting materials to assist you in preparing for the LDRAB meeting on Wednesday, September 14, 2005. The meeting will be held at 2:00 pm. in the PZB 4th Floor Conference Room, 100 Australian Avenue, West Palm Beach, Florida.

Please bring your copies of the Unified Land Development Code (ULDC) to facilitate the review of the proposed amendments.

If you should have any questions and/or require additional information, please contact me at (561) 233-5206, or Izabela Aurelson, Planner II, at (561) 233-5213.

Attachments:

September 14, 2005 LDRAB Agenda and Supporting Materials

BC/ia

c: Barbara Alterman, Esq., Executive Director, PZB
Lenny Berger, Assistant County Attorney
Jon MacGillis, ASLA, Zoning Director
Robert Buscemi, R.A., Principal Planner, Zoning
Isaac Hoyos, Principal Planner, Planning
Bruce Thomson, Senior Planner, Planning

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AGENDA

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD LAND DEVELOPMENT REGULATION COMMISSION SEPTEMBER 14, 2005

BOARD MEMBERS

Wes Blackman, AICP, Chair

D. J. Snapp, III, Vice Chair

David Carpenter, RLA

Chuck Congdon

Joanne Davis

Stephen Dechert

Rosa Durando

Wayne Larry Fish, P.S.M.

Maurice Jacobson

Thomas Kastner

Barbara Katz

Martin Klein, Esq.

Ron Last, P.E.

Jack Miles

Frank Palen, Esq., Alternate

Dr. Carmine Priore

Barbara Sufas Noble

Brian Waxman, Esq., Alternate

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Commissioner, District 1

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Commissioner, District 3

Mary McCarty
Commissioner, District 4

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Commissioner, District 5

Robert Weisman
County Administrator





**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
Wednesday, September 14, 2005 AGENDA
100 Australian Avenue
4th Floor Conference Room, 2:00 p.m.**

A. Call to Order/Convene as the Land Development Regulation Advisory Board (LDRAB)

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of August 10, 2005 Minutes (Attachment A)

B. ULDC Amendments

Attachment B Environmental Resources Management
Attachment C Health Department (Air Curtain Incinerator)
Attachment D Health Department (Fire Hydrant)

C. Convene as the Land Development Regulation Commission (LDRC)

1. Proof of Publication
2. Consistency Determinations

D. Public Comments

E. Staff Comments

G. Adjourn

**ENVIRONMENTAL RESOURCES MANAGEMENT (ERM)
SUMMARY OF AMENDMENTS
(Updated 9/1/05)**

1 **Part 1. ULDC, Art. 1.I.3, Abbreviations and Acronyms (page 94 of 96), is hereby amended as**
2 **follows:**
3

4 Reason for amendment: 1) Additional acronym needed for existing code language; and, 2) correction to
5 existing acronym for USACE.

6
7 **CHAPTER I DEFINITIONS & ACRONYMS**

8 **Section 3 Abbreviations and Acronyms**

....
GNRPB Groundwater and Natural Resources Protection Board

....
USACOE United States Army Corps of ~~Agriculture Engineers~~

9

10

11 **Part 2. ULDC, Art. 3.E.2.F.3.c, Uses (page 77 of 125), is hereby amended as follows:**

12

13 Reason for amendment: ERM specified uses permitted by the Code in the Preserve Management Plan.

14

15 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS**

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

17 **F. AGR PUD**

18 **3. Preservation Area**

19 **c. Uses**

20 Uses allowed in a Preservation Area are indicted in Table 3.E.1.B-10, PDD Use Matrix,
21 and specified by the Preserve Management Plan as approved by ERM.

22

23

24 **Part 3. ULDC, Art. 4.D.2.A, Conflicting Provisions (page 118 of 142), is hereby amended as**
25 **follows:**

26

27 Reason for amendment: ERM added the US Army Corps of Engineers as one of wetland permitting
28 agencies.

29

30 **CHAPTER D EXCAVATION**

31 **Section 2 Applicability**

32 **A. Conflicting Provisions**

33 To the extent provisions of this Section conflict with regulations of other applicable regulatory
34 agencies, the more restrictive regulations shall apply. Other permitting agencies include but are
35 not limited to SFWMD, Florida Game and Fresh Water Fish Commission, USACE, DEP, and
36 ERM.

37

38

39 **Part 4. ULDC, Art. 4.D.4.B.10, Wetlands (page 120 of 142), is hereby amended as follows:**

40

41 Reason for amendment: ERM added the US Army Corps of Engineers as one of wetland permitting
42 agencies.

43

44 **CHAPTER D EXCAVATION**

45 **Section 4 Prohibitions and Exemptions**

46 **B. Exemptions**

47 **10. Wetlands**

48 Excavation activities within jurisdictional wetlands that have been issued permits pursuant to
49 Wetlands Protection requirements or have been issued a permit for wetland impacts through
50 the Environmental Resource Permit (ERP) process by DEP, USACE, SFWMD, or any other
51 agency with ERP delegation for PBC.

52

53

54 **Part 5. ULDC, Art. 4.D.4.B.13, Canals of Conveyance (page 120 of 142), is hereby amended as**
55 **follows:**

56

Notes:

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ENVIRONMENTAL RESOURCES MANAGEMENT (ERM)
SUMMARY OF AMENDMENTS
(Updated 9/1/05)

Reason for amendment: ERM added the US Army Corps of Engineers as one of wetland permitting agencies.

CHAPTER D EXCAVATION SECTION

Section 4 Prohibitions and Exemptions

B. Exemptions

13. Canals of Conveyance

Canals of conveyance that require permits from SFWMD, USACE, DEP, or ERM pursuant to Wetlands Protection requirements.

Part 6. ULDC, Art. 4.D.8.C.3, Littoral Planting Reclamation Standard (page 135 of 142), is hereby amended as follows:

Reason for amendment: 1) ERM added a requirement for littoral zones in excavated lakes in an area of the County that was exempt (West County Agricultural Area) if the use of the property is changed from agricultural to a more intensive use such as residential. The purpose of this amendment is consistency, this area has only been used for agricultural purposes which has been traditionally exempted from littoral zones. Now there is a possibility to move residential uses into the area and ERM need to regulate them consistently with other areas of the county; and, 2) This amendment prevents credit for planting that has been required as mitigation for previous enforcement actions.

CHAPTER D EXCAVATION

Section 8 Technical Standards

C. Reclamation Standards

3. Littoral Planting Reclamation Standard

All Agricultural (excluding WCAA), Type II and Type III Excavations, excluding ponds, shall comply with the following littoral zone standards. Exempted excavations within the WCAA shall provide a littoral zone if the land use ceases to be agricultural.

a. Planted Littoral Zones

Planted littoral zones shall be provided which comprise, at a minimum, an area equivalent to eight square feet per linear foot of shoreline. Creativity in design in the placement of the planted littoral zone is strongly encouraged, such as extended areas in one portion of the lake or at the discharge point. For basins with multiple lakes that are interconnected, littoral zones may be concentrated within one or more lakes so long as the basin as a whole contains the total required littoral area. The planted littoral zone area shall be limited to the area between one foot above OWL and two feet below OWL. If the applicant demonstrates to ERM that the planted littoral area elevations should differ from this requirement based on site specific conditions and based on fluctuations around the OWL, ERM may approve planted littoral area elevations other than those elevations stated above. Requirements for littoral zone planting shall be in addition to any planting for wetland mitigation required by DEP, SFWMD, USACE, ERM or any other agency with wetland jurisdiction.

Part 7. ULDC, Art. 10.C, Groundwater and Natural Resources Protection Board (page 6 of 11), is hereby amended as follows:

Reason for amendment: ERM request to clarify existing authority.

CHAPTER C GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD

ERM may refer alleged violations of Article 14, Environmental Standards, or Article 4.D, Excavation, of this Code and Ord. 2003-020, Petroleum Storage Systems, Ord. 2003-021, Petroleum Contamination Clean-up criteria, Ord. 2004-050, Stormwater Pollution and Prevention, and Ord. 1993-003, Water and Irrigation Conservation as amended to the GNRPB for prosecution pursuant to the following standards and procedures.

Part 8. ULDC, Art. 14.C.11.B.1, Removal of Prohibited invasive Non-Native Vegetation (page 36 of 56), is hereby amended as follows:

Reason for amendment: ERM clarified what parcels are included under the requirement to remove prohibited vegetation.

Notes:

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**ENVIRONMENTAL RESOURCES MANAGEMENT (ERM)
SUMMARY OF AMENDMENTS
(Updated 9/1/05)**

CHAPTER C VEGETATION PRESERVATION AND PROTECTION

Section 11 Standard permit

B. Technical Requirements for a Standard Permit

1. Removal of Prohibited Invasive Non-Native Vegetation

Removal or eradication of prohibited and invasive non-native vegetation identified in Appendix 6, Prohibited Invasive Non-Native Vegetation, and Appendix 7, Invasive Non-Native Vegetation, shall be completed for the entire parcel or parcels of the Development Order concurrent with the permitted vegetation alteration and prior to receipt of the first CO, if applicable, unless a phasing plan has been approved in writing by ERM. The parcel owner shall thereafter maintain the parcel free of this prohibited invasive non-native vegetation. No additional permit for such maintenance of vegetation shall be required.

Part 9. ULDC, Art. 14.D, Prohibited Invasive Non-Native Vegetation Removal Ordinance (page 50 of 56), is hereby amended as follows:

Reason for amendment: ERM added other Lygodium species found in the County.

APPENDIX 6 PROHIBITED INVASIVE NON-NATIVE VEGETATION

COMMON NAME	SCIENTIFIC NAME	TYPE
Melaleuca, punk tree or paper tree	<i>Melaleuca quinquenervia</i>	Tree
Brazilian pepper	<i>Schinus terbinthifolius</i>	Tree
Australian pine	<i>Casuarina</i> spp.	Tree
Earleaf acacia	<i>Acacia auriculiformis</i>	Tree
Kudzu	<i>Pueraria montana (P. Lobata)</i>	Vine
Old world climbing fern	<i>Lygodium <u>microphyllum</u> spp.</i>	Vine
Air potato vine	<i>Dioscorea bulbifera</i>	Vine
Carrotwood	<i>Cupaniopsis anacardioides</i>	Tree
Schefflera	<i>Schefflera actinophylla</i>	Tree

Part 10. ULDC, Art. 14.D, Prohibited Invasive Non-Native Vegetation Removal Ordinance (page 54 of 56), is hereby amended as follows:

Reason for amendment: ERM added other Lygodium species found in the County.

APPENDIX 11 PROHIBITED VEGETATION REMOVAL SCHEDULE

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

Part 11. ULDC, Art. 17.C.7.B.1, [Related to Powers and Duties] (page 13 of 25), is hereby amended as follows:

Reason for amendment: ERM clarified the authority under which their cases are referred to the Groundwater and Natural Resources Protection Board.

CHAPTER C APPOINTED BODIES

Section 7 Groundwater and Natural Resources Protection Board

B. Powers and Duties

The GNRPB shall have the following powers and duties:

- to hold hearings as necessary to enforce Article 14, Environmental Standards, ERM may refer alleged violations of Article 14 Environmental Standards, and Article 4.D, Excavation, Ord. 2003-020, Petroleum Storage Systems, Ord. 2003-021, Petroleum Contamination Clean-up criteria, Ord. 2004-050, Stormwater Pollution and Prevention, and Ord. 1993-003,

Notes:

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**ENVIRONMENTAL RESOURCES MANAGEMENT (ERM)
SUMMARY OF AMENDMENTS
(Updated 9/1/05)**

Water and Irrigation Conservation as amended to the GNRPB, if there has been a failure to correct a violation within the time specified by the Code Inspector, if the violation has been repeated, or is of such a nature that it cannot be corrected;

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HEALTH DEPARTMENT
SUMMARY OF AIR CURTAIN INCINERATOR RELATED AMENDMENTS
(Updated 09/08/05)

AIR CURTAIN INCINERATOR WHITE PAPER
PREPARED BY THE PALM BEACH COUNTY HEALTH DEPARTMENT

The Palm Beach County Health Department regulates air curtain incinerators (ACI) as air pollution sources. ACI generally fall under two categories. The first category is a temporary ACI used for the open burning of land clearing debris generated on site as part of development. In accordance with rules of the Department of Environmental Protection (DEP), a temporary ACI is not required to get a state air permit provided it operates less than six months. The second category is a permanent ACI that operates as a commercial device and is allowed to burn vegetative debris generated off site and brought in by another party. A permanent ACI is required to have a state air permit.

On August 16, 2005, the BCC adopted the Palm Beach County Open Burning Ordinance. The Ordinance was adopted in response to recent changes to DEP open burning regulations that would have allowed more open burning in the County, and reduced the ability of the Health Department to regulate open burning. The new Ordinance provides for continued or new open burning restrictions and broader regulatory authority for the Health Department. However, the Ordinance only addressed the temporary ACI. An ACI with a state air permit is exempt from the requirements of this Ordinance.

Presently, there is only one permitted ACI operating in Palm Beach County (located in the unincorporated area). The DEP air rules regulating permitted ACI are effective in controlling air pollution emissions. However, the DEP air rules generally do not address the potential for creating nuisance conditions to neighboring communities.

While the PBC Open Burning Ordinance was in the process of undergoing review, the Health Department had to address numerous air pollution complaints from the public regarding open burning at a development site (G.L. Homes, Boynton Beach). The developer was unable to get authorization for a temporary ACI because the material intended to be burned was vegetative debris mulched on-site but originated off-site. Therefore, the developer obtained a regular state air permit. However, the developer operated the ACI as a temporary unit under the ULDC.

This ACI generally met the permitted emission (i.e., smoke) standards. However, the permit conditions allowed earlier start times and later shut down times compared to temporary ACI. Also, as a state permitted ACI, the operations did not have to abide by the no burn days issued by the PBC Fire-Rescue Department.

The Health Department confronted the site developer and operators with the complaints and sought their cooperation in remedying the situation regarding the ACI operation. In response, they agreed to abide by the more restrictive conditions that apply to the temporary ACI. As a result, the complaints dramatically fell off.

Based on the recent experiences with this particular ACI, and previous experiences with other ACI operations, the Health Department is recommending the following revisions to the ULDC as a means to minimize the potential for creating nuisance conditions.

- Exempt the temporary ACI from ULDC requirements. The new PBC Open Burning Ordinance adequately controls this open burning.
- Further limit the actual ACI operating hours. DEP rules allow the operation to begin at sunrise, and allow the burning to continue after sunset. We are proposing the ACI operation be limited to 9:00 am and one hour before sunset. {Weather phenomena called thermal inversions can set up in the early morning or early evening hours. The inversions hinder dispersion and tend to trap smoke and ash near the ground level.}
- Require the ACI to abide by the "no burn days" issued by the PBC Fire-Rescue. The no burn days are based on wind and drought conditions. High winds tend to keep the smoke closer to the ground and prevent vertical dispersion. Open burning during drought conditions increase the likelihood of creating an accidental wild fire.
- Increase the setback from the current ULDC requirement of 500 ft from an abutting residential property line to 1,200 ft. For reference, the maximum setback requirement for a temporary ACI under the PBC Open Burning Ordinance is 1,500 feet from an occupied building. Considering the year round operation and the nature of the operation, large setback distances are recommended to minimize potential smoke and odor impacts to surrounding residential areas.

Health Department staff indicates that all ACI's are regulated by the Florida Department of Environmental Protection: Florida Administrative Code Rules, Chapters 62-296 for permitted ACI, Chapter 62-210 for conditionally exempt ACI, and Chapter 62-296 which allows exceptions for burning of animal carcasses curing emergencies as declared by the Department of Agriculture and Consumer Services. Temporary ACI exempted under the ULDC will be regulated by the PBC Open Burning Ordinance or will be operated under agricultural usage. All other ACI (temporary and permanent) will be required to obtain a state air permit or Zoning approval. ACI are limited to burning only vegetative debris and untreated wood.

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HEALTH DEPARTMENT
SUMMARY OF AIR CURTAIN INCINERATOR RELATED AMENDMENTS
(Updated 09/08/05)

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Part 1. ULDC, Table 4.A.3.A-1, Use Matrix (pages 16 of 142), is hereby amended as follows:

Table 4.A.3.A-1 - Use Matrix Continued

Use Type	Zoning District/Overlay																NOTE			
	Agriculture/Conservation			Residential				Commercial					Industry/ Public							
	P C	A G R	A P	AR R U S A	U S A	R E	R T	R S	R M	C N	C L O	C C	C H O	C G	C R E	I L		I G	P O	I P F
Utilities & Excavation																				
Air Curtain Incinerator		A	A	A	A	A	A	A	A	A	A	A	A	A	B	B A	B A	D A	B	9
....																				

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Part 2. ULDC, Art. 4.B.1.A.9, Air Curtain Incinerator (pages 28 and 29 of 142), is hereby amended as follows:

10 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

11 **Section 1 Uses**

12 **9. Air Curtain Incinerator**

13 A combustion device used to burn trees, brush and untreated wood.

14 **a. Standards**

15 **1) Exemptions**

16 The following temporary air curtain incinerators are exempt from the requirements of
17 this section: Incinerators operating under written approval from the Palm Beach
18 County Health Department in accordance with the Palm Beach County Open Burning
19 Ord. 2005-020; and incinerators used for the emergency burning of storm generated
20 debris by a local government.

21 **2) Storage**

22 Except in the AP district, on site outdoor storage of unprocessed material shall be
23 limited to 45 days. Pile height shall be limited to 15 feet. Outdoor storage shall be
24 setback a minimum of 25 feet from any property line or 50 feet from any property line
25 adjacent to a residential district or use. Storage areas shall be screened from view
26 pursuant to Art. 5.B, Accessory and Temporary Uses.

27 **23) Hours of Operation**

28 Hours of operation are limited to 8:00 a.m. to 5:00 p.m., Monday through Friday. The
29 incinerator shall not be charged before 9:00 a.m. and shall be completely
30 extinguished one hour before sunset. ~~within 1000 feet of a residentially zoned~~
31 property.

32 **4) No Burn Days**

33 The incinerator shall not operate on "no burn days" as designated by the PBC Fire-
34 Rescue Department.

35 **35) Setback**

36 The incinerator shall be set back a minimum of ~~500~~ 1,200 feet from any property line
37 abutting a residential district or use.

38 **b. Supplemental Application Requirements**

39 **1) Site Plan**

40 A site plan illustrating how the operation functions, circulation routes, square footage,
41 height and location of buildings, incinerator and storage piles.

42 **2) Waste**

43 An explanation of the quantity of waste to be received expressed in cubic yards per
44 day or tons per day.

45 **3) Dust Control**

46 A plan which addresses dust control in traffic, storage and processing areas. Dust
47 control measures may include: additional setbacks, full or partial enclosure of air
48 curtain incinerator and watering or enclosing storage piles. If facility with an air
49 curtain incinerator also includes chipping, mulching or composting, adherence to the
50 supplementary use standards applicable to such use shall also be required.

51 **c. Permanent Incinerator**

Notes:

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HEALTH DEPARTMENT
SUMMARY OF AIR CURTAIN INCINERATOR RELATED AMENDMENTS
(Updated 09/08/05)

~~A permanent air curtain incinerator shall be permitted only in the AP, IL, IG and PO zoning districts subject to a Class A conditional use.~~

d. Temporary Incinerator

1) Duration

~~The use shall be permitted as a temporary accessory use for a maximum period of six months.~~

2) Setback

~~All PDRs, including setbacks, shall be met. If the applicant is unable to meet the PDRs, the Zoning Division shall be authorized to determine the location of the incinerator and set necessary conditions for landscaping and screening in lieu of a variance.~~

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Notes:

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ARTICLE 15 – HEALTH REGULATIONS
SUMMARY OF FIRE HYDRANT RELATED AMENDMENTS
(Updated 09/07/05)

1 **Part 1. ULDC, Art. 1.1.2, Definitions (page 39, 45, 84 of 96), is hereby amended as follows:**

2
3 Reason for amendment: 1) Deleted limitation to minimum amount of days per year for water service to 25
4 year round residents; 2) Glitch – Reinserted previously omitted text; and 3) Clarified applicability.

5
6 **CHAPTER I DEFINITIONS & ACRONYMS**

7 **Section 2 Definitions**

8
9 **C. Terms defined herein or referenced Article shall have the following meanings:**

10 84. **Consecutive Water System** - ~~for the purposes of Art. 15,~~ a water supply system which
11 ~~purchases all or some of its water supply from one or more public water systems, and which~~
12 ~~provides water to at least 15 service connections used by year round residents or which~~
13 ~~regularly serves an average of at least 25 individuals daily at least 60 days out of the year~~
14 ~~serves at least 15 service connections used by year round residents or which serves at least~~
15 ~~25 year round residents which receives its water from a community water system.~~ **[Ord.**
16 **2005-003]**

17
18 **E. Terms defined herein or referenced Article shall have the following meanings:**

19 26. **Environmental Appeal Board (EAB)** - for the purposes of Art. 15, is the five member board
20 appointed by the Environmental Control ~~Board (EBC) to hear appeals under this Article.~~

21
22 **S. Terms defined herein or referenced Article shall have the following meanings:**

- 23 122. **Surface Water** - water upon the surface of the earth whether contained within natural or
24 artificial boundaries or diffused.
- 25 a. For the purposes of Art. 15.A, a recognizable body of water, including swamp or marsh
26 areas, bayheads, cypress ponds, sloughs and natural or constructed ponds contained
27 within a recognizable boundary. This does not include storm water retention or detention
28 areas designed to contain standing or flowing water for less than 72 hours after a rainfall.
- 29 b. For the purposes of Art. 15.B, a source of water existing above the surface of the ground
30 and exposed to the atmosphere. **[Ord. 2005-003]**

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33 **Part 2. ULDC, Art. 15.B.8.A.21.a [Related to Distribution] (page 13 of 24), is hereby amended**
34 **as follows:**

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36 Reason for amendment: Incorporates the existing reference to the system pressure requirement being
37 deleted in part 3 below. The minimum fire flow determination for a specific structure will be the
38 responsibility of the fire authority having jurisdiction. This is the approach that has been in place for
39 several years. This process applies to all structures, including residential, commercial, institutional and
40 industrial developments, mobile home parks and recreational vehicle parks; therefore, it is not necessary
41 to list each one individually.

42
43 **CHAPTER B ENVIRONMENTAL CONTROL RULE II DRINKING WATER SUPPLY SYSTEMS**

44 **Section 8 Construction and Design Requirements**

45 **A. Design Criteria**

46 **21. Distribution**

- 47 a. The sizing of the distribution lines shall be adequate to provide the maximum day
48 demand plus fire flow without the development of distribution pressures lower than 20
49 pounds per square inch (20 p.s.i.). The minimum required fire flow shall be established
50 by the fire department having jurisdiction.

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52
53 **Part 3. ULDC, Art. 15.B.8.A.21.e [Related to Distribution] (page 13 of 24), is hereby amended**
54 **as follows:**

55
56 Reason for amendment: This paragraph will be deleted from Section 8 - Construction and Design
57 Requirements. The first sentence is moved to Section 13 - Operation & Maintenance because it involves
58 operation and maintenance of existing fire hydrants. The first sentence will become a new 13-I and the
59 remainder of the paragraph will be deleted as it is no longer is pertinent.

60
61 **CHAPTER B ENVIRONMENTAL CONTROL RULE II DRINKING WATER SUPPLY SYSTEMS**

62 **Section 8 Construction and Design Requirements**

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ARTICLE 15 – HEALTH REGULATIONS
SUMMARY OF FIRE HYDRANT RELATED AMENDMENTS
(Updated 09/07/05)

1 **A. Design Criteria**
2 **21. Distribution**

3 ~~e. Fire hydrants shall be maintained by the owner in accordance with standards established~~
4 ~~by the "Standards of the American Water Works Association." If a fire hydrant is located~~
5 ~~downstream of a water meter, the meter shall be designed to provide an adequate flow~~
6 ~~without excessive pressure drop. Private fire hydrant owners shall be required to request~~
7 ~~a dedicated private fire line, separate from any drinking water line, where an excessive~~
8 ~~drop through a metered source exists.~~

9 [Renumber accordingly.]

10
11
12 **Part 4. ULDC, Art. 15.B.8.A.21.f [Related to Design Criteria] (pages 13 and 14 of 24), is hereby**
13 **amended as follows:**

14
15 Reason for amendment: Delete the existing 8 – 21.f: in its entirety and replace with new language which
16 will be combined with the existing 8-21.a. The remainder of Section 8 will be re-designated as e., f., and
17 g. instead of g., h., and i.

18
19 **CHAPTER B ENVIRONMENTAL CONTROL RULE II DRINKING WATER SUPPLY SYSTEMS**

20 **Section 8 Construction and Design Requirements**

21 **A. Design Criteria**
22 **21. Distribution**

23 ~~f. The required fire flow from fire hydrants approved for installation prior to the effective~~
24 ~~date of this Article shall be a minimum of 500 G.P.M. for two hours. Those approved after~~
25 ~~the effective date of this Article shall meet the following requirements:~~

26 ~~1) Residential Subdivisions. In one or two family dwellings not exceeding two stories in~~
27 ~~height, the system shall provide capability for fire flow of at least 500 gallons per~~
28 ~~minute.~~

29 ~~2) Family dwellings of three or more units, Commercial, Institutional, or Industrial~~
30 ~~Subdivisions, or other high daytime or nighttime population density developments; in~~
31 ~~new subdivisions which include these developments, fire hydrants in the areas of~~
32 ~~such developments shall provide a minimum fire flow of 1,500 gallons per minute.~~
33 ~~However, a lower or higher flow may be required by the Fire Marshall or by the~~
34 ~~appropriate Fire Department official according to the Insurance Services Office~~
35 ~~recommendations.~~

36 ~~3) All systems shall have sufficient storage or other facilities so that the minimum fire~~
37 ~~flow will be maintained for at least four hours or the current recommendations of the~~
38 ~~Insurance Services Office, whichever is greater.~~

39 [Renumber accordingly.]

40
41
42 **Part 5. ULDC, Art. 15.B.13, Operation and Maintenance (page 16 of 24), is hereby amended as**
43 **follows:**

44
45 Reason for amendment: "Transient" and "Consecutive" are added to the opening paragraph of this
46 section in order to clarify the types of water systems included under this rule.

47
48 **CHAPTER B ENVIRONMENTAL CONTROL RULE II DRINKING WATER SUPPLY SYSTEMS**

49 **Section 13 Operation and Maintenance**

50 The following operation and maintenance requirements shall apply to community, transient non-
51 community, ~~and~~ non-transient non-community, and consecutive water systems, except ~~for only~~ Art.
52 15.B.13.A, Art. 15.B.13.D, Art. 15.B.13.E, Art. 15.B.13.F, Art. 15.B.13.G and Art. 15.B.13.I shall also
53 apply when applicable to limited use water systems:

54
55
56 **Part 6. ULDC, Art. 15.B.13.I [Related to Operation and Maintenance] (page 16 of 24), is hereby**
57 **amended as follows:**

58
59 Reason for amendment: 1) Begins with a modified original first sentence of 8-21.e. with the addition of
60 "fire flow tested" to clarify the type of testing that is needed for reporting. Fire flow testing will give
61 quantified results for water pressure and the water flow available in case of a fire; 2) Reporting of fire flow
62 test results has always been required by the ordinance, however, the rule was not specific as to who the
63 information is reported to, and when it is due. This is now defined. Originally, the ordinance required
64 annual testing, but now allows for a three year cycle which has typically been the practice throughout the

Notes:

Underlined language indicates proposed new language.

Language ~~crossed-out~~ indicates language proposed to be deleted.

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ARTICLE 15 – HEALTH REGULATIONS
SUMMARY OF FIRE HYDRANT RELATED AMENDMENTS
(Updated 09/07/05)

1 County; and, 3) The minimum fire flow for existing systems is referenced back to Section 8, Design and
2 Construction Requirements.

3
4 **CHAPTER B ENVIRONMENTAL CONTROL RULE II DRINKING WATER SUPPLY SYSTEMS**

5 **Section 13 Operation and Maintenance**

- 6 I. Fire hydrant maintenance and fire flow testing shall be the responsibility of the owner of the fire
7 hydrant. Maintenance and fire flow testing shall be performed in accordance with the "Standards
8 of the American Water Works Association Manual M-17" and as indicated below:
9 1. The supplier of water shall establish a routine testing and maintenance program shall be
10 established for on each fire hydrant connected to its system. The frequency of testing shall
11 be a minimum of once per year or other schedule recommended by the manufacturer and
12 approved by the Department.
13 2. Fire flow testing of hydrants shall be performed on a three year cycle, such that all hydrants
14 in a system are fire flow tested at least once every three years unless recommended by the
15 manufacturer or the Department to be more frequent. Owners of fire hydrants which do not
16 utilize local fire departments or water utility departments to perform or oversee the fire flow
17 testing shall report all available results of testing to the Department by January 1st of each
18 year with all hydrants accounted for within the required cycle.
19 3. The minimum required fire flow from fire hydrants shall be determined as per Art. 15.B.8.21.a.
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