



**Department of Planning,
Zoning & Building**

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**Palm Beach County
Board of County
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County Administrator

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June 20, 2007

Mr. Wesley Blackman, AICP, Chairman
and Members of Land Development Regulation Advisory Board (LDRAB)
241 Columbia Drive
Lake Worth, FL 33460

RE: June 27, 2007 LDRAB Meeting

Dear Mr. Blackman:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB meeting on Wednesday, June 27, 2007.

The meeting will be held at 2:00 p.m. in the Vista Center 1st Floor Conference Room VC-1E-60, located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions and/or require additional information, please contact me via email at wcross@co.palm-beach.fl.us or Paula Pritchard, Secretary, at (561) 233-5088.

Sincerely,


William Cross
Senior Site Planner, Zoning Division

Attachments:

June 27, 2007 LDRAB Agenda and Supporting Materials

BC/pp

- c: Barbara Alterman, Esq., Executive Director, PZB
- Lenny Berger, Assistant County Attorney
- Jon MacGillis, ASLA, Zoning Director
- Barbara Pinkston-Nau, Principal Site Planner, Zoning
- Isaac Hoyos, Principal Planner, Planning
- John Rupertus, Senior Planner, Planning

LDRAB/LDRC

AMENDMENTS TO THE AGENDA

Wednesday, June 27, 2007

(Updated June 27, 2007)

Amendments to the Agenda:

#1	Exhibit D, Part 1, Page 6 (Lines 37 - 48)
	Reason for amendment: Direction from BCC to incorporate additional changes to regulations for home occupation landscape services.

f. Home Occupation

A landscape service, not including landscape installation services, may be approved as a home occupation subject to the requirements of Article 4.B.1.A.70, Home Occupation and this section, subject to the following exemptions or requirements:

1) Buffers

The use shall be exempt from incompatibility buffer requirements.

2) AR District in RSA

A maximum of three persons living outside of the home may be employed under the home occupation. The use shall be exempt from acreage limitations. The use shall also be exempt from the outside storage limitations of Art. 4.B.1.A.70.i, Outside Storage, provided that outside storage is limited as follows:

a) Storage is limited to equipment such as lawnmowers, edgers, weed eaters, and small trailers. Storage shall not include heavy equipment associated with landscape installation services, such as bobcats, loaders, dump trucks, or heavy equipment trailers; and

b) Storage areas shall be screened from view from any R-O-W or residential parcel through the use of existing or newly planted native vegetation provided the material provides an opaque screen within one year of the issuance of the occupational license. No additional vegetation shall be required where equipment is screened from view behind permitted fences or other structures.

#2	Exhibit D, Part 3, Page 8 (Lines 14 - 17)
	Reason for amendment: [Zoning] To establish minimum landscape material required where State Statute mandates open green space.

b) An open green space shall be maintained between required perimeter buffers and security fencing, equipment or structures, by installing native landscaping, including trees and shrub material, around the substation where equipment or structures are setback between 50 and 100 feet. Required green spaces shall be planted with double the amount of interior trees and shrubs required by Table 7.C.3.1, Minimum Tier Requirements, in addition to normal interior landscaping requirements.

#3	Exhibit E, Part 1, Page 9 (Line 37)
	Reason for amendment: [Zoning] Scrivener's error.

the requirements of this Section, shall ~~not~~ be exempt for any other remaining

#4	Exhibit G, Part 8, Page 13 (Lines 57 - 59)
	Reason for amendment: [FDO] Scrivener's error previously omitted.

4. Deviations for the PO Zoning District

Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC utilizing the following standards:

#5	Exhibit G, Part 9, Page 14 (Lines 27-28)
	Reason for amendment: [FDO] Scrivener's error previously omitted.

2. Development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC. [Ord. 2006-004]

Notes for Amendments to the Agenda:

Double underlined language indicates new language.

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

Underlined language indicates proposed new language.

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

.... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as *italicized* with reference in parenthesis.

LDRAB/LDRC

AMENDMENTS TO THE AGENDA
Wednesday, June 27, 2007

(Updated June 27, 2007)

#6	Exhibit H, Part 2, Page 18 (Line 1) Reason for amendment: [WCRAO] Request for increase in threshold, approved by the Zoning Director.
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structures less than ~~40,000~~ 25,000 square feet in size, to also be used as loading areas, subject to

U:\zoning\CODEREV\2007\LDRAB\Meetings\06-27\Amendments to the Agenda.doc

Notes for Amendments to the Agenda:

Double underlined language indicates new language.

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**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

Wednesday, June 27, 2007 AGENDA

2300 North Jog Road

1st Floor Conference Room (VC-1E-60), 2:00 p.m.

A. Call to Order/Convene as LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of May 23, 2007 Minutes (Exhibit A)

B. ULDC Amendments

1. Exhibit B Article 1 - General Provisions
2. Exhibit C Article 3 - Overlays & Zoning Districts
3. Exhibit D Article 4 - Use Regulations
4. Exhibit E Article 5 - Supplemental Standards
5. Exhibit F Article 14 - Environmental Standards
6. Exhibit G Facilities Development & Operations
7. Exhibit H WCRAO

C. Convene as LDRC

1. Proof of Publication
2. Consistency Determinations:

D. Reconvene as LDRAB

E. Public Comments

F. Staff Comments

1. William Cross will introduce Byran Davis of the Planning Division, and Dana Little of Treasure Coast for the presentation of the URA.

G. Adjourn

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD
JUNE 27, 2007

BOARD MEMBERS

Wes Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Raymond Puzzitiello (Gold Coast Build. Assoc.)

Joni Brinkman (League of Cities)

Ron Last, P.E (FL Eng. Society)

Edward Wronsky (A. I. A.)

Rosa Durando (Environmental Org.)

Duane Bennet (PBC Board of Realtors)

Wayne Larry Fish, P.S.M. (FL Soc. of Pro. Land Surveyors)

Maurice Jacobson (Condominium Assoc.)

Steven Dewhurst (Assoc. Gen. Cont. of Amer.)

Joanne Davis (District 1)

Barbara Katz (District 3)

Vacant (District 4)

Jack Miles (District 5)

Bill Gotthelf (District 6)

Martin Klein, Esq. (District 7)

Brian Waxman, Esq. (Mem. At-Large, Alternate)

Frank Palen, Esq. (Mem. At-Large, Alternate)

Addie L. Greene
Chair, District 7

John F. Koons
Vice Chair, District 2

Karen T. Marcus
Commissioner, District 1

Warren H. Newell
Commissioner, District 3

Mary McCarty
Commissioner, District 4

Burt Aaronson
Commissioner, District 5

Jess R. Santamaria
Commissioner, District 6

Robert Weisman
County Administrator



EXHIBIT A

PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

Minutes of May 23, 2007 Meeting

On Wednesday, May 23, 2007 at 2:00 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB), also serving as the Land Development Regulation Commission (LDRC), met in the First Floor Conference Room, at 2300 North Jog Road, West Palm Beach, Florida:

A) Call to Order/Convene as LDRAB.

1) Roll Call

Chair Wes Blackman called the meeting to order at 2:05 p.m. Paula Pritchard, Code Revision Secretary, called the roll.

Members Present

Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Ron Last (FL Eng. Society)
Edward Wronsky (A. I. A.)
Rosa Durando (Environmental Org.)
Duane Bennett (PBC Board of Realtors)
Maurice Jacobson (Condominium Assoc.)
Steven Dewhurst (Assoc. Gen. Cont. of Amer.)
Barbara Katz (District 3)
Bill Gotthelf (District 6)
Martin Klein (District 7)

Members Present – 13

Members Absent

Larry Fish (FL Soc. of Pro. Land Surveyors)
Joanne Davis (District 1)
Vacant (District 4)
Jack Miles (District 5)

Members Absent – 3
Vacant – 1

County Staff Present:

Barbara Pinkston-Nau, Principal Planner, Zoning
William Cross, Senior Site Planner, Zoning
Lenny Berger, Assistant County Attorney
John Rupertus, Senior Planner, Planning
Melanie M. Borkowski, Manager, Facilities
Eric McClellan, Senior Site Planner, Facilities
Matthew Doumas, Code Enforcement Officer
Kenneth Rogers, Director, Land Development
Ann DeVeaux, Site Planner I, Zoning
Zona Case, Zoning Technician, Zoning
Paula Pritchard, Secretary, Zoning

2) Additions, Substitutions, and Deletions

Staff presented an add/delete sheet with changes to Exhibit G, Article 6, Parking, Exhibit P, Article 12, Traffic Performance Standards, and verbally indicated that changes to Type I Restaurant would be postponed as well.

3) Motion to Adopt Agenda

A motion was made by Maurice Jacobson, seconded by Martin Klein, to adopt the agenda, as amended. The motion passed unanimously (13 - 0).

4) Adoption of April 25, 2007 Minutes (Exhibit A)

A motion was made by Bill Gotthelf, seconded by Maurice Jacobson, to adopt the April 25, 2007 minutes. The motion passed unanimously (13 - 0).

B) ULDC Amendments

1) Article 1 - General Provisions (Exhibit B)

William Cross pointed out that this amendment was to ensure that the definition for single room occupancy is consistent with HUD language. The word eligible removal as previously requested. The new definition for vessel is to be consistent with the Florida State Statues.

A motion was made by Martin Klein, seconded by Bill Gotthelf. The motion passed unanimously (13 - 0)

2) Article 3 - Overlays & Zoning Districts (Exhibit C)

William Cross stated that staff pointed out an error in the language that needed to be revised. He further elaborated that staff reviewed the need for streamlining the process.

EXHIBIT A

He also suggested that the language pertaining to Restaurant Type I be pulled for further review.

Martin Klein made a motion to approve excluding Page 3, Part 3, Line 13, seconded by Raymond Puzzitiello. The motion passed unanimously (13 - 0)

3) Article 4 - Use Regulations (Exhibit D)

Mr. Cross expressed that staff was directed by the Board of County Commissioners (BCC) to look into allowing landscape service uses in the AR District. He further elaborated that the change, proposal to minor utilities was needed to ensure consistency with the State legislation.

Martin Klein made a motion to approve excluding Page 5, Part 2, and Page 6, Part 4, as amended, seconded by David Carpenter. The motion passed unanimously (13 - 0)

Note: Staff also agreed to set up a meeting with Bill Gotthelf to discuss his concerns with the minimum acreage requirement for a landscape service.

4) Article 6 - Parking (Exhibit E)

Mr. Cross explained that the need for changes was to make it easier for staff to enforce the provisions of the Code. He reiterated that the terminology was added for simplicity so that Code Enforcement could respond more expediently.

A motion was made by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (13 - 0)

5) Article 7 - Landscaping (Exhibit F)

Mr. Cross mentioned that staff met with the Landscape Subcommittee to discuss David Carpenter's concerns. The Subcommittee was unable to come to any conclusions to resolve those concerns regarding the planting of landscape material on the outside of fences. However staff met and located some previous language that would allow Mr. Carpenter's request.

A motion was made by Steven Dewhurst, seconded by Martin Klein. The motion passed unanimously (13 - 0)

6) Article 14 - Environmental Standards (Exhibit G)

Robert Kraus, Environmental Program Supervisor clarified the language that the Board had some concerns about. The Board agreed with staff that this amendment needed further clarification and advised that it be pulled.

***) Article 12 - Traffic Performance (* Note: Exhibit P-Add/delete sheet)**

Lenny Berger explained to the Board that Allan Ennis, Assistant Director, Traffic Engineering had brought an amendment with changes and one of the changes dealt with the definition of Buildout. He further stated that under the Traffic Concurrency it has to be shown that a project works in the road network. He also related that Allan Ennis brought two types of explanations of the technicalities of Buildout, but for enforcement purposes a permit cannot be pulled after the Buildout date.

A motion was made by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (13 - 0)

7) Facilities, Development & Operations (Exhibit H)

Barbara Pinkston-Nau introduced Melanie Borkowski, Manager, Eric McClellan, Senior Site Planner, of Facilities, and Kenneth Rogers, Director, Engineering to represent the amendments that they were proposing. Ms. Pinkston-Nau pointed out that staff has worked through everything however; engineering had some minor technical changes that would be difficult to be included on the add/delete sheet. Melanie Borkowski noted that some of the approaches in the County developments have been handled differently in the past and, we are hoping by making these amendments, it will make it clear to staff and to the FD&O staff what the approach should be. Eric McClellan clarified that the intent is to address the time frame for which the concurrency reservation remains valid. He further stated the current rules for concurrency is valid for one year of the life of a development order. Kenneth Rogers explained that if there is subdivision to a piece of land then it would be a plat and subdivision process and if it is a land under one ownership then it would go under the drainage review process. Staff pulled this amendment in order to make some minor revisions.

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

1) Proof of Publication

Motion to approve by Martin Klein, seconded by Barbara Katz. The motion passed (unanimously 13 - 0).

EXHIBIT A

2) Consistency Determination

John Rupertus, Senior Planner stated that the proposed amendments were consistent with the Comprehensive Plan.

Motion to approve by Maurice Jacobson, seconded by Bill Gotthelf. The motion passed (unanimously 13 - 0).

D) Reconvene as the Land Development Regulation Advisory Board (LDRAB)

The Board reconvened.

E) Public Comments

Kevin Ratterree, Vice President representing GL Homes stated that he was at the meeting last month and the commercial component pertaining to the project buildout was not specifically discussed. He further stated that at that point the market had not shown the down-turn. He elaborated that if the market down-turn continues on the residential side, we will see the residential developers back in trying to do more wholesale changes to the Code. He further reiterated that this was a stopgap that didn't require amendments to the Comp Plan or significant changes to the Code.

F) Staff Comments

- 1) Mr. Cross mentioned that staff would be getting with Bill Gotthelf to discuss the three acres minimum issue with the landscape service.
- 2) Mr. Cross also stated that the amendments to FDO, Restaurants, and the parking in Westgate would be brought back in June 2007.
- 3) He noted that the Form Base code application of Kilday & Associates on behalf of Callery Judge Groves for the amendment to the TDDs has been withdrawn. There will be no meetings regarding this topic until further notice.
- 4) Mr. Cross pointed out that Bryan Davis of the Planning Division, and Dana Little representing Treasure Coast will be doing a presentation of the Urban Redevelopment Area (URA) in June 2007. Staff also anticipates that our contract will be on the agenda to draft the zoning Code that will include some very detailed proofing. Staff will schedule a meeting with that Subcommittee to review the contract and to give feedback.

G) Adjourn

The Land Development Regulation Advisory Board meeting adjourned at 4:03 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Secretary at (561) 233-5088.

EXHIBIT B

ARTICLE 1 – GENERAL PROVISIONS
SUMMARY OF AMENDMENTS

(Updated 6/7/07)

Part 1. ULDC, Art. 1.E.1.C.2, Structural Renovations and Additions [Related to Previous Approvals] (page 15 of 104), is hereby amended as follows:

Reason for amendment: 1) [BCC Direction] To clarify that generators required under Art. 5.B.1.A.18, Permanent Generators, for Nursing Homes, CLF's and PDD or TDD Clubhouses, shall only be required for renovations or additions to the referenced uses/structures when in excess of 75% provision. Note: This does not exclude said uses/structures that elect to add a permanent generator from having to comply with the requirements of Art. 5.B.1.A.18, Permanent Generators; and, 2) [Glitch] To clarify in title and under 75% provision that additions to existing structures are included. Title reflects existing language for 35% provisions, and current practice is the same for 75% and needs to be noted as such. Does not apply to entirely new structures.

CHAPTER E PRIOR APPROVALS

Section 1 General

C. Previous Approvals

2. Structural Renovations and Additions

Interior or exterior renovations or additions to existing buildings and structures that are in excess of 35 percent of the current Property Appraiser's value of the structure shall comply with Art. 5.E.4.E, Outdoor Lighting, Art. 6, Parking, Art. 7, Landscaping, and Art. 8.G.1, Building Mounted Signs, to the greatest extent possible. Renovations or additions in excess of 75 percent or more of the current assessed value of the structure shall comply with Art. 5.C, Design Standards, and Art. 5.B.1.A.18, Permanent Generators. Renovations shall be cumulative over the most recent five-year period. [Ord.2005-041]

Part 2. ULDC, Art. 1.F.4, Nonconforming Lot [Related to Nonconformities] (page 21 of 104), is hereby amended as follows:

Reason for amendment: [Zoning] To clarify that the recombination of any number of non-conforming lots that meet the requirements of Art. 1F.4.A.1 and 2 is permitted if it serves to reduce the non-conformity of the lot and meets the requirements of Art. Art. 11, Subdivision, Platting and Required Improvements.

CHAPTER F NONCONFORMITIES

Section 4 Nonconforming Lot

A. Development

A lot which does not meet the minimum dimensional criteria of this Code may be developed if all of the following conditions are met:

- 1. The proposed development was allowed as a permitted use at the time the lot was created.
- 2. The lot was:
 - a. Subdivided prior to February 20, 1992 and documented to be a lot of record in accordance with Art. 1.H.1.B.2;
 - b. Recorded with the Clerk of Circuit Court or was the subject of a recorded agreement for deed or other recorded instrument of conveyance prior to February 5, 1973 or shown on a recorded map, plat, drawing or survey prior to adoption of Ord. 92-20; or
 - c. In an antiquated subdivision and not subject to the lot recombination requirements of Art. 11, Subdivision, Platting and Required Improvements, or the Plan.

B. Combining Nonconforming Lots

Two or more nonconforming lots that are permitted to develop as conditioned above shall be permitted to combine into one lot, if it serves to reduce nonconforming dimensions, subject to meeting all applicable requirements of Art. 11, Subdivision, Platting and Required Improvements, or any other similar requirements.

[Renumber Accordingly.]

U:\zoning\CODEREV\2007\LDRAB\Meetings\06-27\Exhibit B - Article 1.doc

Notes:

Underlined language indicates proposed new language.

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

.... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as *italicized* with reference in parenthesis.

EXHIBIT C

**ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 06/11/07)**

Part 1. ULDC, Table 3.E.1.B-21, PDD Use Matrix (page 69 of 146), is hereby amended as follows:

Reason for amendment: 1) [Zoning] Glitch – correct notes for Type II Restaurant from 110 to 111; 2) [Zoning] correct to allow requested use application for a Type II Restaurant in the commercial pod of a PUD, greater than 5,000 square feet, recognizing industry trends towards increasingly larger restaurant facilities. Note: a) Art. 4.B.1.A.111.b.1), DRO Approval, currently allows the use to be approved by DRO if less than 5,000 square feet; and b) An applicant for a Type II Restaurant greater than 5,000 square feet in size must demonstrate compliance with Art. 3.E.2, Commercial Pods, that requires that uses be "...primarily for residents of the PUD."
NOTE: Use regulations for Type I Restaurant is being provided as a reference only, as requested by LDRAB at the May 23, 2007 LDRAB Meeting.

Table 3.E.1.B-21 - PDD Use Matrix

Use Type	PUD					MUPD						MXPD				PIPD			M	R	N
	Pods					Land Use Designations						Land Use Designations				Use Zone					
	R	C	R	C	A	C	C	C	C	C	I	I	C	C	C	C	I	C			
E	O	E	I	G	L	H	L	H	R	N	N	L	H	L	H	N	O	N	H	V	O
S	M	C	V	R			O	O		D	S			O	O	D	M	D	P	P	T
				/							T					/		/	D	D	E
				P												L	G				
Commercial Uses																					
.....																					
Restaurant, Type I		R							R					R				R			109
Restaurant, Type II		<u>DR</u>						R	D	R	R			R	D	R	R		R		110 <u>111</u>
.....		P						P	P	P	P			P	P	P	P		P		
[Ord. 2005-002] [Ord. 2006-004]																					
Notes:																					
P Permitted by right																					
D Permitted subject to approval by the DRO																					
S Permitted in the district only if approved by Special Permit																					
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																					

Note. ULDC, Table 4.A.3.A-1, Use Matrix Continued (page 14 of 149), is hereby presented for informational purposes for discussion, as requested by LDRAB at the May 23, 2007 LDRAB Meeting:

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

Use Type	Zoning District/Overlay																N				
	Agriculture/Conservation			Residential				Commercial					Industry/ Public								
	P	A	A	AR		R	R	R	R	C	C	C	C	C	C	I		I	P	I	
C	G	P	R	U	E	T	S	M	N	L	C	H	G	R	L	G	O	P	O	T	E
			S	S						O		O		E				F			
			A	A																	
Commercial Uses																					
.....																					
Restaurant, Type I													A	A	A	A					109
Restaurant, Type II										A	A	D	A	D	A						110
Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-036]																					
Key:																					
P Permitted by right																					
D Permitted subject to approval by the DRO																					
S Permitted in the district only if approved by Special Permit [Ord. 2004-051]																					
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)																					

Notes:
Underlined language indicates proposed new language.
 Language ~~crossed-out~~ indicates language proposed to be deleted.
 (ellipses) indicates language not amended which has been omitted to save space.
 Relocated language is shown as *italicized* with reference in parenthesis.

EXHIBIT D

ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/21/07)

Part 1. ULDC, Art. 4.B.1.A.77, Landscape Service (page 57 of 149), is hereby amended as follows:

Reason for amendment: [Zoning] 1) To clarify that small landscape service businesses may be permitted as a Home Occupational License, with additional standards applicable to parcels in the AR Rural Service Area; 2) To reinsert previously drafted language exempting home occupational landscape service uses from acreage requirements, buffering, and parking limitations where in the RSA of the AR District; and, 3) To clarify that a landscape service in the AGR tier shall only be permitted as an accessory use to retail and wholesale nurseries, due to commercial nature of business. This fixes a glitch in the code that mistakenly implied that the use would be permitted in a rural agricultural area (AGR) with DRO approval, where the intent was to only allow it as accessory use due to commercial nature of business.

CHAPTER B SUPPLEMENTAL USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

77. Landscape Service

An establishment engaged in the provision of landscape maintenance or installation services, such as lawn mowing, tree, shrub or hedge trimming, leaf blowing, landscape design, and landscape installation.

a. AR District in RSA

A landscape service as a principal use shall be located on a collector or arterial street. The on a minimum lot size shall be of three acres.

b. AGR District

Shall be permitted subject to DRO approval as an accessory use only in conjunction with a retail or wholesale nursery, excluding those that meet the limitations of a home occupation.

c. Landscape Buffer

An incompatibility buffer as required by Article 7.F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS, may be waived if the use is adjacent to farm worker quarters or mobile home accessory to a bona fide agriculture use.

d. Storage

Outdoor storage of debris shall be prohibited.

e. Accessory Use

May be allowed as an accessory use to a retail or wholesale nursery on a minimum of three acres.

f. Home Occupation

A landscape service, not including landscape installation services, may be approved as a home occupation subject to the requirements of Article 4.B.1.A.70, Home Occupation and this section, with the following exceptions:

- 1) The use shall be exempt from the acreage limitations for the AR District in RSA;
2) The use shall be exempt from incompatibility buffer requirements; and,
3) If located in the AR District in the RSA, the use shall be exempt from the outside storage limitations of Art. 4.B.1.A.70.i, outside storage. This exemption is only for equipment such as lawnmowers, edger's, weed eaters and small trailers, and does not include prohibitions on storage of debris listed above, or heavy equipment associated with landscape installation services, such as bobcats, loaders, dump trucks or heavy equipment trailers.

Part 2. ULDC, Art. 4.B.1.A.109.c.1), Approval Process Exceptions [Related to DRO Approval] (page 74 of 149), is hereby amended as follows:

Reason for amendment: [Zoning] To amend Supplementary Note #109 to coincide with change to Table 3.E.1.B-21, PDD Use Matrix, to allow a Type I Restaurant in a Commercial Low (CL) District thru DRO Approval process.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

109. Restaurant, Type I

Notes:

- Double underlined language indicates new language.
Language double crossed out indicates language proposed to be deleted.
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Relocated language is shown as italicized with reference in parenthesis.

EXHIBIT D

ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS

(Updated 06/21/07)

An establishment equipped to sell food and beverages in one of the following methods: drive-through sales to patrons in automobiles for take out who place orders through a window or remote transmission device; or sales to patrons for take out or dining in, that includes three or more of the following: food or beverage choices are advertised on a menu board; countertop sales where payment is made prior to consumption; disposable containers and utensils; limited service dining facilities with no hostess or waiters; and self service or prepackaged condiments. Traffic generation rates are normally in the range of 130 to 500 trips per day, per 1,000 square feet of GFA, or as otherwise identified by the Institute of Traffic and Engineering. [Ord. 2006-004]

....
c. Approval Process Exceptions

1) DRO Approval

~~a)~~ A Type I restaurant without a drive-through may be approved by the DRO in a district where the use is permitted by Table 3.E.1.B-21, PDD Use Matrix, Table 3.F.1.F-32, Traditional Development Permitted Use Schedule, ~~or~~ Table 4.A.3.A-1, Use Matrix, ~~provided GFA including outdoor dining areas does not exceed 5,000 square feet, and the use is not located in an out parcel or freestanding building, or in an MUPD with a CL FLU designation, subject to the following:~~

- ~~a) GFA including outdoor dining areas does not exceed 5,000 square feet; and~~
- ~~b) The use is not located in an out parcel or freestanding building.~~
- ~~b) A Type I restaurant without a drive-through may be approved by the DRO in any PDD with a commercial FLU designation provided GFA including outdoor dining areas does not exceed 5,000 square feet and the use is not located in an out parcel or freestanding building. [Ord. 2006-004] [Ord. 2007-001]~~

Part 3. ULDC, Art. 4.B.1.A.134, Minor Utility (page 7 of 56), is hereby amended as follows:

Reason for amendment: [Zoning] Update to ensure consistency with recent State legislation. To add an allowance of a waiver of a minor utility 90 day approval timeframe during states of emergency.

CHAPTER B SUPPLEMENTARY STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

134. Utility, Minor

Mechanical equipment associated with utility distribution, collection, or transmission networks, required by their nature to be relatively dispersed throughout their service area other than electric generation and transmission facilities. Typical uses include gas and water regulators, electrical distribution substations, sewage lift stations, telephone exchange buildings, and communication substations. [Ord. 2006-004]

a. Floor Area

1) Residential Districts

A maximum of 3,000 square feet of gross enclosed floor area.

2) Non-residential Districts

A maximum of 10,000 square feet of gross enclosed floor area. [Ord. 2004-040]

3) A minor utility exceeding either standard above may be approved as a Class A Conditional Use or a Requested Use. [Ord. 2004-040]

b. Buffer

A minor utility shall be located and buffered to ensure compatibility with surrounding land uses. Increased setbacks, screening, and buffering around the utility may be required to ensure compatibility. [Ord. 2004-040]

~~1) Setbacks~~

~~For setbacks of less than 50 feet, an eight (8) foot wall or fence with required native landscaping shall be installed around the substation.~~

c. Lift Station

1) New Subdivisions

Facilities located in new subdivisions shall be subject to DRO approval concurrent with the subdivision approval.

2) Streets

Facilities located within streets or utility easements shall not be subject to DRO approval.

d. Electric Distribution Substations

Notes:

Double underlined language indicates new language.

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

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Relocated language is shown as *italicized* with reference in parenthesis.

EXHIBIT D

ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS

(Updated 06/21/07)

1 For the purposes of this section, shall be defined in accordance with F.S. 163.3208, as
2 an electric substation which takes electricity from the transmission grid and converts it to
3 a lower voltage so it can be distributed to customers in the local area on the local
4 distribution grid through one of more distribution lines less than 69 kilowatts in size. An
5 electrical distribution substation shall comply with the following:

6 **1) Exemptions**

7 Electrical substations are exempt from the floor area limitations.

8 **2) Landscape Buffering in Residential Areas**

9 Where located in and adjacent to parcels with residential uses or a FLU designation
10 landscape buffering shall be upgraded as follows:

11 a) An eight-foot wall or fence shall be installed around the substation where
12 equipment or structures are setback less than 50 feet. Landscaping materials
13 shall be native.

14 b) An open green space shall be maintained between required perimeter buffers
15 and security fencing, equipment or structures, by installing native landscaping,
16 including trees and shrub material, around the substation where equipment or
17 structures are setback between 50 and 100 feet.

18 **3) Landscape Buffering – General**

19 Required perimeter buffers or landscape material located under overhead lines to the
20 substation equipment shall not exceed 14 feet of height.

21 **de. States of Emergency**

22 The PZ&B Executive Director may request a waiver from the review timeframes for each
23 case of a declared emergency that directly affects the permitting activities of the local
24 Government.

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Notes:

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EXHIBIT E

ARTICLE 5 – SUPPLEMENTAL STANDARDS
SUMMARY OF AMENDMENTS
(Updated 6/21/07)

Part 1. ULDC, Art. 5.B.1.A.18.a, Applicability [Related to Permanent Generators] (pages 23 and 24 of 68), is hereby amended as follows:

Reason for amendment: The following amendments are being recommended in response to BCC direction given to the Zoning Director at the April 26, 2007 BCC Zoning Hearing: 1) Exempt clubhouses in the Coastal High Hazard Area, as defined in the PBC Comprehensive Plan, from generator requirements; 2) Clarify that renovations to existing clubhouses in excess of 75% of the assessed value shall be subject to generator requirements; and, 3) Increase the square footage threshold for new or renovated clubhouses required to have generators from the current 2,500 square feet to 20,000 square feet.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

18. Permanent Generators

a. Applicability

1) Permitted Use

Use of permanent generators shall be permitted during periods of electrical power outages in utility systems maintained by the utility service provider or when the BCC declares a state of emergency. [Ord. 2006-004]

2) **Type II and III CLF, Club Houses and Nursing or Convalescent Facility**

A permanent emergency generator shall be required for all Type II and III CLFs, Nursing or Convalescent Facilities, and PDD or TDD clubhouses ~~2,500~~ 20,000 square feet, or greater. [Ord. 2006-004]

a) **Exceptions**

(1) Developments that have a BCC or DRO approved plan that graphically indicates a clubhouse(s) shall be exempt from the generator requirement except for projects that exceed 75 percent or more of the assessed value as stated below.

(2) Renovations or additions that do not exceed 75 percent or more of the current assessed value may be exempt in accordance with Art. 1.E.1.C.2, Structural Renovations and Additions.

(3) A PDD or TDD clubhouse located in the Coastal High Hazard Area as defined by the Plan, shall be exempt from this requirement.

(4) A PDD or TDD that has one or more clubhouses with a generator meeting the requirements of this Section, shall not be exempt for any other remaining clubhouses within the development.

....

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS
(Updated 06/07/07)

1
2 Part 1. ULDC, Art. 14.C.11.B.4, Establishing Native Upland Preserves [Related to Technical
3 Requirements for a Standard Permit] (page 38 of 56), is hereby amended as follows:
4

5 Reason for amendment: [E.R.M] Minor clarification of existing code language for establishment of native
6 upland preserves.

7
8 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

9 Section 11 Standard Permit

10
11 B. Technical Requirements for a Standard Permit

12
13 4. Establishing Native Upland Preserves
14 All standard permits for parcels equal to or greater than four acres shall be evaluated by ERM
15 for the establishment of a native upland preserve. ~~Parcels owners~~ that have significant or
16 unique areas of native upland vegetation, regardless of parcel size shall be required to
17 designate a native upland preserve equivalent to at least 25 percent of the total native upland
18 vegetation on site or otherwise comply with this Chapter. ERM encourages upland preserve
19 areas greater than one half acre in size. New public park facilities constructed on parcels 20
20 acres in size or less shall be exempt from the preserve requirements of this Chapter.

21
22 Factors that will determine if a parcel has significant or unique areas of native vegetation
23 include, but are not limited to the quality of the native ecosystem, overall quality of its
24 biological diversity, the presence of listed species, the wildlife habitat, value grouping of
25 native vegetation, and the compactness of the preserve and its proximity to other natural
26 preserve areas and corridors.

27

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

1
2 Part 1. ULDC, Art. 1.1.2, [Related to Definitions and Acronyms], (page 46 of 104), is hereby
3 amended as follows:
4

5 Reason for amendment: [FD&O] 1) To extend the validity of a Concurrency Reservation that applies to
6 government facilities; and 2) add definition for deviation(s) and government facilities.

7
8 CHAPTER I DEFINITIONS & ACRONYMS

9 Section 2 Definitions

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

- 11
12 32. **Development Order** –
13 a. Any order granting or granting with conditions an application for a development permit.
14 b. For the purposes of Art. 2.F, any Concurrency Reservation that applies to lands that are
15 owned by a unit of local, state, or federal government and utilized for buildings or facilities
16 that are owned by a government entity and support government services or delivery of
17 public services.
18 ~~bc.~~ For the purposes of Art. 9 and Art. 12, as defined in F. S. § 163.3164.

19 [Renumber accordingly.]

- 20
21 39. Deviation(s) Subject To BCC Approval - An abatement of the requirements of Articles 5, 6,
22 and 7 of the ULDC for development supporting government facilities within the PO Zoning
23 District, subject to approval by the BCC.

- 24 40. Deviation(s) Subject To County Engineer Approval - An abatement of the requirements of
25 Article 11 of the ULDC for development supporting government facilities within the PO Zoning
26 District, subject to approval by the County Engineer.

27 [Renumber accordingly.]

28
29 G. Terms defined herein or referenced Article shall have the following meanings:

- 30
31 9. Government Facilities – lands that are owned by a unit of local, state, or federal
32 government, that support government services, customary government operations, or
33 delivery of public services.

34 [Renumber accordingly.]

35
36
37

38 Part 2. ULDC, Art. 2.A.1.D.1.a, Board of County Commissioners (BCC), [Related to Deviations
39 in the PO Zoning Districts] (page 7 of 50), is hereby amended as follows:
40

41 Reason for amendment: [FD&O] To authorize the BCC to approve or deny deviation(s) from Articles 5,
42 6, and 7 for development supporting government facilities within the PO Zoning District.

43
44 CHAPTER A GENERAL

45 Section 1 Applicability

46 D. Authority

47 1. Processes

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

50 a. **Board of County Commissioners (BCC)**

51 The BCC, in accordance with the procedures, standards and limitations of this Article
52 shall consider the following types of development order applications:

- 53 1) Official Zoning Map Amendment (Rezoning);
54 2) Class A conditional use;
55 3) Requested use;
56 4) Development Order Amendment (DOA);
57 5) Abandonment; ~~and~~
58 6) Status Report; ~~and~~
59 7) Deviation(s) from Articles 5, 6, and 7 of the ULDC for development supporting
60 government facilities within the PO Zoning District.
61
62

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

1 Part 3. ULDC, Art. 3.D.1.E.2, Multifamily, Nonresidential Districts and PDDs, Related to
2 Building Height] (page 57 of 146), is hereby amended as follows:
3

4 Reason for amendment: [FD&O] Amend building height limitations within the Public Ownership (PO)
5 Zoning District.

6
7 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

8 Section 1 PDRs for Standard Zoning Districts

9 E. Building Height

10 The maximum height for buildings and structures in all districts shall be 35 feet, unless otherwise
11 stated. [Ord. 2005-002]

12 2. Multifamily, Nonresidential Districts and PDDs

13 In the RM, CLO, CHO, CG, IL, IG, and PDD districts, buildings may exceed 35 feet in height
14 as follows: Buildings over 35 feet in height shall be setback in accordance with Table
15 3.D.1.A-17, Property Development Regulations, with one additional foot of setback to be
16 provided in addition to the required setback for each one foot in height, or fraction thereof,
17 over 35 feet. In the PO District, buildings over 35 feet in height shall provide one foot of
18 setback, in addition to required perimeter landscape buffers, for each additional one foot in
19 height or fraction thereof over 35 feet. This regulation shall have no effect on any existing
20 structure within the PO District that is conforming as of the effective date of this Code. [Ord.
21 2005-002]
22
23

24 Part 4. ULDC, Art. 3.E.1.A.5, Thresholds (page 65 of 146), is hereby amended as follows:
25

26 Reason for amendment: [FD&O] To memorialize the autonomous relationship between PDD thresholds
27 and development within the Public Ownership (PO) Zoning District.

28
29 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

30 Section 1 General

31 A. General

32 5. Thresholds

33 PDDs approved after the effective date of this Code shall meet or exceed the minimum
34 threshold requirements of the applicable PDD. The minimum thresholds shall not apply to
35 previously approved planned developments.

36 a. Government Facilities

37 A parcel of land in any FLU category that supports government facilities shall be exempt
38 from the PDD threshold provisions.
39
40

41 Part 5. ULDC, Art. 3.F.4.E.8.c, Preserve Areas [Related to AGR TMDs] (page 142 of 146), is
42 hereby amended as follows:
43

44 Reason for amendment: [FD&O] To establish separate standards for Development and Preserve Areas
45 of AGR TMDs, and to clarify the development regulations that govern permissible uses upon Preserve
46 Areas of AGR TMDs. As adopted, the ULDC inadvertently fails to establish development standards that
47 distinguish between Development and Preserve Areas of AGR TMDs.

48
49 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDs)

50 Section 4 Traditional Marketplace Development (TMD)

51 E. Standards Applicable to AGR Tier

52 8. Preserve Area and Open Space Requirements

53 c. Preserve Areas

54 An AGR preserve area shall comply with the requirements of Art. 3.E.2.F.3, Preservation
55 Area; Table 3.F.1.F-44, Traditional Development Permitted Use Schedule; Article 4.B.,
56 Supplementary Use Standards; all other development regulations that are applicable to
57 the AGR Tier and proposed use(s); and policies under Objective 1.5 of the FLUE of the
58 Plan. Nothing herein shall be misconstrued as requiring a Preserve Area to conform to
59 Article 3.F.4.D, Development Standards for all TMDs. [Ord. 2005-002] [Ord. 2006-004]
60

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS

(Updated 06/19/07)

Part 6. ULDC, Art. 4.A.4.A, General (page 19 of 149), is hereby amended as follows:

Reason for amendment: [FD&O] To memorialize the autonomous relationship between PDD thresholds and the Public Ownership (PO) Zoning District.

CHAPTER A USE CLASSIFICATION

Section 4 Development Thresholds

A. General

Any amendment to an existing development, or new construction of residential, commercial or industrial projects that meets or exceeds either the maximum square footage or units, or maximum acreage of Table 4.A.3.A-3, Thresholds for Projects Requiring Board of County Commission Approval, shall be reviewed and approved as a PDD or TDD in accordance with Art. 2.B.1, Official Zoning Map Amendment (Rezoning). Projects located in the PO Zoning District or that propose to rezone to the PO district, that support existing or proposed government facilities, shall be exempt from this requirement. Projects that meet or exceed the thresholds of this table that do not meet the access and dimension requirements of a PDD or TDD; are not allowed to be a PDD or TDD by the Plan; or for non-residential projects, consist of only one use, shall be approved as a Class A Conditional Use. [Ord. 2006-004]

Part 7. ULDC, Art. 5.A, Applicability to the PO Zoning Districts (page 7 of 68), is hereby amended as follows:

Reason for amendment: [FD&O] To allow deviation(s) from regulations in Article 5 for development within the Public Ownership (PO) Zoning District.

CHAPTER A GENERAL

Section 3 Deviations for the PO Zoning District

Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC utilizing the following standards:

- A. the proposed deviation(s) maintains compatibility with the uses and character of land surrounding and in the vicinity of the land proposed for development;
- B. adverse effects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other preexisting conditions;
- C. special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development;
- D. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development;
- E. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and,
- F. approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare.

Part 8. ULDC, Art. 6.A.1.B, Applicability, (page 3 of 35), is hereby amended as follows:

Reason for amendment: [FD&O] To allow deviation(s) from regulations in Article 6 for development within the Public Ownership (PO) Zoning District.

CHAPTER A PARKING

Section 1 General

B. Applicability

4. Deviations for the PO Zoning District

Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to approval by the BCC utilizing the following standards:

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

- 1 a. the proposed deviation(s) maintains compatibility with the uses and character of land
- 2 surrounding and in the vicinity of the land proposed for development;
- 3 b. adverse effects on adjacent uses and lands, including but not limited to visual impact, are
- 4 determined to be minimal or otherwise negligible upon review and consideration of
- 5 surrounding lands, uses, zoning, Future Land Use (FLU), character, or other preexisting
- 6 conditions;
- 7 c. special or unique circumstances or factors exist that are applicable to the proposed use,
- 8 structure, feature, or land proposed for development;
- 9 d. the proposed deviation(s) allows for reasonable or practical use of the land proposed for
- 10 development;
- 11 e. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives
- 12 of the Plan and this Code; and,
- 13 f. approval of the deviation(s) is not injurious to the surrounding area or otherwise
- 14 detrimental to public health, safety, and general welfare.

15
16
17 **Part 9. ULDC, Art. 7.A.1.F, Deviations (page 12 of 55), is hereby amended as follows:**

18
19 Reason for amendment: [FD&O] To allow deviation(s) from regulations in Article 7 for development within
20 the Public Ownership (PO) Zoning District.

21
22 **CHAPTER A GENERAL**

23 **Section 1 Landscape and Buffering**

24 **F. Deviations**

25 Deviations to the minimum standards of this Article may be permitted for:

- 26 1. PBC parks, as specified in Art. 5.D.2.G., County Park Landscape Standards; and,
- 27 2. Development supporting government facilities within the PO Zoning District, subject to
- 28 approval by the BCC. [Ord. 2006-004]

29
30
31 **Part 10. ULDC, Art. 7.E.3.B.2, Other Developments [Related to Installation] (page 30 of 55), is**
32 **hereby amended as follows:**

33
34 Reason for amendment: [FD&O] To authorize the installation of required landscape materials within the
35 Public Ownership (PO) Zoning District and PUD Public Civic Pods in a manner that coincides with an
36 incremental, phased, or multi-use site development program.

37
38 **CHAPTER E INSTALLATION, MAINTENANCE, PRUNING AND IRRIGATION**

39 **Section 3 Installation**

40 **B. Phasing**

41 Required landscaping may be installed in phases, if designated on the approved site plan, as
42 follows:

43

44 **2. Other Developments**

45 The entire perimeter landscaping shall be installed prior to the issuance of the first Certificate
46 of Occupancy (CO) or in accordance with a phasing plan approved by the DRO.

- 47 a. **PO Zoning District and Public Civic Pods of a PUD**
- 48 Installation of a proportionate share of required materials shall be permitted subject to
- 49 Signature Only approval of a phasing plan. The phasing plan shall indicate the affected
- 50 area of each building permit application and general location of plant material that will be
- 51 installed.

52
53
54 **Part 11. ULDC, Art. 11.A.1.A, Applicability (page 7 of 46), is hereby amended as follows:**

55
56 Reason for amendment: [FD&O] To authorize the County Engineer to permit deviations for development
57 within the Public Ownership (PO) Zoning District.

58
59 **CHAPTER A GENERAL REQUIREMENTS**

60 **Section 1 General Provisions**

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

A. Applicability

The regulations set forth in this Article shall be applicable to all subdivision of land in unincorporated PBC, Florida, or as hereafter established. Deviations from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to approval by the County Engineer utilizing the following standards:

1. the proposed deviation(s) creates no hindrances, restraints, or incompatibilities for the uses, structures, and lands surrounding and in the vicinity of the land proposed for development;
2. the proposed deviation(s) maintains proper and adequate access to the land proposed for development;
3. the proposed deviation(s) allows for development in a logical, timely, and functionally adequate manner;
4. special or unique circumstances or factors exist that are applicable to the land proposed for development;
5. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development;
6. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and,
7. approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare.

Part 12. ULDC, Art. 11.B.7.B, Time of Completion of Required Improvements (page 21 of 46), is hereby amended as follows:

Reason for amendment: [FD&O] To authorize the completion of required improvements in an incremental manner that coincides with development activity for subdivisions comprised of government owned lands within the Public Ownership (PO) Zoning District.

CHAPTER B SUBDIVISION REQUIREMENTS

Section 7 Construction of Required Improvements

B. Time of Completion of Required Improvements

1. The time of completion of all required improvements shall not exceed 21 months from the date of issuance of the Land Development Permit unless an extension is granted pursuant to this Section. For government facilities within the Public Ownership (PO) Zoning District, the completion of required improvements shall be permitted to:
 - a. coincide with a Certification of Occupancy (CO) for the first building on a parcel of land that adjoins a required street improvement; or,
 - b. be phased to coincide with a Certification of Occupancy (CO) for the first building within each phase of development that is accessed by a required street improvement.

Part 13. ULDC, Art. 17.A.1, Powers and Duties [Related to Deviations for PO Zoning Districts] (page 6 of 25), is hereby amended as follows:

Reason for amendment: [FD&O] To allow the BCC to approve or deny requests for deviations from Articles 5, 6, and 7 for development within the PO Zoning District.

CHAPTER A BOARD OF COUNTY COMMISSIONERS

Section 1 Powers and Duties

In addition to any authority granted to the Board of County Commissioners (BCC) by general or special law, the BCC shall have the following powers and duties under the provisions of this Code:

-
- N. to appoint other advisory boards that are determined necessary to assist in the implementation of this Code or the Plan;
- O. to review, hear, consider, and approve, approve with conditions, or deny requests for deviations from Articles 5, 6, and 7 for development supporting government facilities within the PO Zoning District.

Part 14. ULDC, Art. 17.D.5.B, Jurisdiction, Authority and Duties [Related to County Engineer] (page 21 of 25), is hereby amended as follows:

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS

(Updated 06/19/07)

Reason for amendment: [FD&O] To allow the County Engineer to approve or deny requests for deviations from Article 11 for development within the PO Zoning District.

CHAPTER D STAFF OFFICIALS

Section 5 County Engineer

B. Jurisdiction, Authority and Duties

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

-
- 5. to review and approve or deny applications for development permits for Final Plats of subdivisions, including replats of lands within record plats previously approved for recording by Resolution of the BCC, and approve such plats on behalf of PBC for recordation in the public records. Said approval authority may be delegated only as follows:
 - a. to either the Deputy County Engineer or the Assistant County Engineer during a prearranged absence of County Engineer, such as for vacation or seminar attendance, for a period of five or more consecutive days, provided that said delegation shall be in writing and signed by County Engineer; or
 - b. to the Deputy County Engineer in the event that County Engineer is absent or otherwise incapacitated for a period of five or more days due to an emergency or other unforeseen circumstances, provided that said delegation shall be in writing and signed by County Administrator.
The Clerk of the Circuit Court shall be notified of each incident of delegation made pursuant to the above, and said delegation shall terminate upon County Engineer's return to normal duty; ~~and~~
- 6. to review, consider, and approve, approve with conditions, or deny requests for deviations from Article 11 within the PO Zoning District; and
- 67. to accept maintenance responsibility on behalf of PBC for those streets dedicated to the BCC on a duly approved plat of record and constructed pursuant to a Land Development Permit for subdivision required improvements.

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

1
2 Part 1. ULDC, Art. 1.1.2, [Related to Definitions and Acronyms], (page 46 of 104), is hereby
3 amended as follows:
4

5 Reason for amendment: [FD&O] 1) To extend the validity of a Concurrency Reservation that applies to
6 government facilities; and 2) add definition for deviation(s) and government facilities.

7
8 CHAPTER I DEFINITIONS & ACRONYMS

9 Section 2 Definitions

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

- 11
12 32. Development Order –
13 a. Any order granting or granting with conditions an application for a development permit.
14 b. For the purposes of Art. 2.F, any Concurrency Reservation that applies to lands that are
15 owned by a unit of local, state, or federal government and utilized for buildings or facilities
16 that are owned by a government entity and support government services or delivery of
17 public services.
18 ~~bc.~~ For the purposes of Art. 9 and Art. 12, as defined in F. S. § 163.3164.

19 [Renumber accordingly.]

20
21 39. Deviation(s) Subject To BCC Approval - An abatement of the requirements of Articles 5, 6,
22 and 7 of the ULDC for development supporting government facilities within the PO Zoning
23 District, subject to approval by the BCC.

24 40. Deviation(s) Subject To County Engineer Approval - An abatement of the requirements of
25 Article 11 of the ULDC for development supporting government facilities within the PO Zoning
26 District, subject to approval by the County Engineer.

27 [Renumber accordingly.]

28
29 G. Terms defined herein or referenced Article shall have the following meanings:

- 30
31 9. Government Facilities – lands that are owned by a unit of local, state, or federal
32 government, that support government services, customary government operations, or
33 delivery of public services.

34 [Renumber accordingly.]

35
36
37
38 Part 2. ULDC, Art. 2.A.1.D.1.a, Board of County Commissioners (BCC), [Related to Deviations
39 in the PO Zoning Districts] (page 7 of 50), is hereby amended as follows:
40

41 Reason for amendment: [FD&O] To authorize the BCC to approve or deny deviation(s) from Articles 5,
42 6, and 7 for development supporting government facilities within the PO Zoning District.

43
44 CHAPTER A GENERAL

45 Section 1 Applicability

46 D. Authority

47 1. Processes

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

50 a. Board of County Commissioners (BCC)

51 The BCC, in accordance with the procedures, standards and limitations of this Article
52 shall consider the following types of development order applications:

- 53 1) Official Zoning Map Amendment (Rezoning);
54 2) Class A conditional use;
55 3) Requested use;
56 4) Development Order Amendment (DOA);
57 5) Abandonment; ~~and~~
58 6) Status Report; ~~and~~
59 7) Deviation(s) from Articles 5, 6, and 7 of the ULDC for development supporting
60 government facilities within the PO Zoning District.
61
62

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

1 Part 3. ULDC, Art. 3.D.1.E.2, Multifamily, Nonresidential Districts and PDDs, Related to
2 Building Height] (page 57 of 146), is hereby amended as follows:

3
4 Reason for amendment: [FD&O] Amend building height limitations within the Public Ownership (PO)
5 Zoning District.

6
7 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

8 Section 1 PDRs for Standard Zoning Districts

9 E. Building Height

10 The maximum height for buildings and structures in all districts shall be 35 feet, unless otherwise
11 stated. [Ord. 2005-002]

12 2. Multifamily, Nonresidential Districts and PDDs

13 In the RM, CLO, CHO, CG, IL, IG, and PDD districts, buildings may exceed 35 feet in height
14 as follows: Buildings over 35 feet in height shall be setback in accordance with Table
15 3.D.1.A-17, Property Development Regulations, with one additional foot of setback to be
16 provided in addition to the required setback for each one foot in height, or fraction thereof,
17 over 35 feet. In the PO District, buildings over 35 feet in height shall provide one foot of
18 setback, in addition to required perimeter landscape buffers, for each additional one foot in
19 height or fraction thereof over 35 feet. This regulation shall have no effect on any existing
20 structure within the PO District that is conforming as of the effective date of this Code. [Ord.
21 2005-002]

22
23
24 Part 4. ULDC, Art. 3.E.1.A.5, Thresholds (page 65 of 146), is hereby amended as follows:

25
26 Reason for amendment: [FD&O] To memorialize the autonomous relationship between PDD thresholds
27 and development within the Public Ownership (PO) Zoning District.

28
29 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

30 Section 1 General

31 A. General

32 5. Thresholds

33 PDDs approved after the effective date of this Code shall meet or exceed the minimum
34 threshold requirements of the applicable PDD. The minimum thresholds shall not apply to
35 previously approved planned developments.

36 a. Government Facilities

37 A parcel of land in any FLU category that supports government facilities shall be exempt
38 from the PDD threshold provisions.

39
40
41 Part 5. ULDC, Art. 3.F.4.E.8.c, Preserve Areas [Related to AGR TMDs] (page 142 of 146), is
42 hereby amended as follows:

43
44 Reason for amendment: [FD&O] To establish separate standards for Development and Preserve Areas
45 of AGR TMDs, and to clarify the development regulations that govern permissible uses upon Preserve
46 Areas of AGR TMDs. As adopted, the ULDC inadvertently fails to establish development standards that
47 distinguish between Development and Preserve Areas of AGR TMDs.

48
49 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDs)

50 Section 4 Traditional Marketplace Development (TMD)

51 E. Standards Applicable to AGR Tier

52 8. Preserve Area and Open Space Requirements

53 c. Preserve Areas

54 An AGR preserve area shall comply with the requirements of Art. 3.E.2.F.3, Preservation
55 Area; Table 3.F.1.F-44, Traditional Development Permitted Use Schedule; Article 4.B.,
56 Supplementary Use Standards; all other development regulations that are applicable to
57 the AGR Tier and proposed use(s); and policies under Objective 1.5 of the FLUE of the
58 Plan. Nothing herein shall be misconstrued as requiring a Preserve Area to conform to
59 Article 3.F.4.D, Development Standards for all TMDs. [Ord. 2005-002] [Ord. 2006-004]

60
Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS

(Updated 06/19/07)

Part 6. ULDC, Art. 4.A.4.A, General (page 19 of 149), is hereby amended as follows:

Reason for amendment: [FD&O] To memorialize the autonomous relationship between PDD thresholds and the Public Ownership (PO) Zoning District.

CHAPTER A USE CLASSIFICATION

Section 4 Development Thresholds

A. General

Any amendment to an existing development, or new construction of residential, commercial or industrial projects that meets or exceeds either the maximum square footage or units, or maximum acreage of Table 4.A.3.A-3, Thresholds for Projects Requiring Board of County Commission Approval, shall be reviewed and approved as a PDD or TDD in accordance with Art. 2.B.1, Official Zoning Map Amendment (Rezoning). Projects located in the PO Zoning District or that propose to rezone to the PO district, that support existing or proposed government facilities, shall be exempt from this requirement. Projects that meet or exceed the thresholds of this table that do not meet the access and dimension requirements of a PDD or TDD; are not allowed to be a PDD or TDD by the Plan; or for non-residential projects, consist of only one use, shall be approved as a Class A Conditional Use. [Ord. 2006-004]

Part 7. ULDC, Art. 5.A, Applicability to the PO Zoning Districts (page 7 of 68), is hereby amended as follows:

Reason for amendment: [FD&O] To allow deviation(s) from regulations in Article 5 for development within the Public Ownership (PO) Zoning District.

CHAPTER A GENERAL

Section 3 Deviations for the PO Zoning District

Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to an application established by the Executive Director of PZB and approval by the BCC utilizing the following standards:

- A. the proposed deviation(s) maintains compatibility with the uses and character of land surrounding and in the vicinity of the land proposed for development;
- B. adverse effects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other preexisting conditions;
- C. special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development;
- D. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development;
- E. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and,
- F. approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare.

Part 8. ULDC, Art. 6.A.1.B, Applicability, (page 3 of 35), is hereby amended as follows:

Reason for amendment: [FD&O] To allow deviation(s) from regulations in Article 6 for development within the Public Ownership (PO) Zoning District.

CHAPTER A PARKING

Section 1 General

B. Applicability

4. Deviations for the PO Zoning District

Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to approval by the BCC utilizing the following standards:

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

- 1 a. the proposed deviation(s) maintains compatibility with the uses and character of land
- 2 surrounding and in the vicinity of the land proposed for development;
- 3 b. adverse effects on adjacent uses and lands, including but not limited to visual impact, are
- 4 determined to be minimal or otherwise negligible upon review and consideration of
- 5 surrounding lands, uses, zoning, Future Land Use (FLU), character, or other preexisting
- 6 conditions;
- 7 c. special or unique circumstances or factors exist that are applicable to the proposed use,
- 8 structure, feature, or land proposed for development;
- 9 d. the proposed deviation(s) allows for reasonable or practical use of the land proposed for
- 10 development;
- 11 e. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives
- 12 of the Plan and this Code; and,
- 13 f. approval of the deviation(s) is not injurious to the surrounding area or otherwise
- 14 detrimental to public health, safety, and general welfare.

17 **Part 9. ULDC, Art. 7.A.1.F, Deviations (page 12 of 55), is hereby amended as follows:**

19 Reason for amendment: [FD&O] To allow deviation(s) from regulations in Article 7 for development within
20 the Public Ownership (PO) Zoning District.

22 **CHAPTER A GENERAL**

23 **Section 1 Landscape and Buffering**

24 **F. Deviations**

25 Deviations to the minimum standards of this Article may be permitted for:

- 26 1. PBC parks, as specified in Art. 5.D.2.G., County Park Landscape Standards; and,
- 27 2. Development supporting government facilities within the PO Zoning District, subject to
- 28 approval by the BCC. [Ord. 2006-004]

31 **Part 10. ULDC, Art. 7.E.3.B.2, Other Developments [Related to Installation] (page 30 of 55), is**
32 **hereby amended as follows:**

34 Reason for amendment: [FD&O] To authorize the installation of required landscape materials within the
35 Public Ownership (PO) Zoning District and PUD Public Civic Pods in a manner that coincides with an
36 incremental, phased, or multi-use site development program.

38 **CHAPTER E INSTALLATION, MAINTENANCE, PRUNING AND IRRIGATION**

39 **Section 3 Installation**

40 **B. Phasing**

41 Required landscaping may be installed in phases, if designated on the approved site plan, as
42 follows:

43

44 **2. Other Developments**

45 The entire perimeter landscaping shall be installed prior to the issuance of the first Certificate
46 of Occupancy (CO) or in accordance with a phasing plan approved by the DRO.

- 47 a. **PO Zoning District and Public Civic Pods of a PUD**
- 48 Installation of a proportionate share of required materials shall be permitted subject to
- 49 Signature Only approval of a phasing plan. The phasing plan shall indicate the affected
- 50 area of each building permit application and general location of plant material that will be
- 51 installed.

54 **Part 11. ULDC, Art. 11.A.1.A, Applicability (page 7 of 46), is hereby amended as follows:**

56 Reason for amendment: [FD&O] To authorize the County Engineer to permit deviations for development
57 within the Public Ownership (PO) Zoning District.

59 **CHAPTER A GENERAL REQUIREMENTS**

60 **Section 1 General Provisions**

Notes:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS
(Updated 06/19/07)

A. Applicability

The regulations set forth in this Article shall be applicable to all subdivision of land in unincorporated PBC, Florida, or as hereafter established. Deviations from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to approval by the County Engineer utilizing the following standards:

1. the proposed deviation(s) creates no hindrances, restraints, or incompatibilities for the uses, structures, and lands surrounding and in the vicinity of the land proposed for development;
2. the proposed deviation(s) maintains proper and adequate access to the land proposed for development;
3. the proposed deviation(s) allows for development in a logical, timely, and functionally adequate manner;
4. special or unique circumstances or factors exist that are applicable to the land proposed for development;
5. the proposed deviation(s) allows for reasonable or practical use of the land proposed for development;
6. approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Plan and this Code; and,
7. approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare.

Part 12. ULDC, Art. 11.B.7.B, Time of Completion of Required Improvements (page 21 of 46), is hereby amended as follows:

Reason for amendment: [FD&O] To authorize the completion of required improvements in an incremental manner that coincides with development activity for subdivisions comprised of government owned lands within the Public Ownership (PO) Zoning District.

CHAPTER B SUBDIVISION REQUIREMENTS

Section 7 Construction of Required Improvements

B. Time of Completion of Required Improvements

1. The time of completion of all required improvements shall not exceed 21 months from the date of issuance of the Land Development Permit unless an extension is granted pursuant to this Section. For government facilities within the Public Ownership (PO) Zoning District, the completion of required improvements shall be permitted to:
 - a. coincide with a Certification of Occupancy (CO) for the first building on a parcel of land that adjoins a required street improvement; or,
 - b. be phased to coincide with a Certification of Occupancy (CO) for the first building within each phase of development that is accessed by a required street improvement.

Part 13. ULDC, Art. 17.A.1, Powers and Duties [Related to Deviations for PO Zoning Districts] (page 6 of 25), is hereby amended as follows:

Reason for amendment: [FD&O] To allow the BCC to approve or deny requests for deviations from Articles 5, 6, and 7 for development within the PO Zoning District.

CHAPTER A BOARD OF COUNTY COMMISSIONERS

Section 1 Powers and Duties

In addition to any authority granted to the Board of County Commissioners (BCC) by general or special law, the BCC shall have the following powers and duties under the provisions of this Code:

-
- N. to appoint other advisory boards that are determined necessary to assist in the implementation of this Code or the Plan;
- O. to review, hear, consider, and approve, approve with conditions, or deny requests for deviations from Articles 5, 6, and 7 for development supporting government facilities within the PO Zoning District.

Part 14. ULDC, Art. 17.D.5.B, Jurisdiction, Authority and Duties [Related to County Engineer] (page 21 of 25), is hereby amended as follows:

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EXHIBIT G

FACILITIES, DEVELOPMENT & OPERATIONS
SUMMARY OF AMENDMENTS

(Updated 06/19/07)

Reason for amendment: [FD&O] To allow the County Engineer to approve or deny requests for deviations from Article 11 for development within the PO Zoning District.

CHAPTER D STAFF OFFICIALS

Section 5 County Engineer

B. Jurisdiction, Authority and Duties

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

-
- 5. to review and approve or deny applications for development permits for Final Plats of subdivisions, including replats of lands within record plats previously approved for recording by Resolution of the BCC, and approve such plats on behalf of PBC for recordation in the public records. Said approval authority may be delegated only as follows:
 - a. to either the Deputy County Engineer or the Assistant County Engineer during a prearranged absence of County Engineer, such as for vacation or seminar attendance, for a period of five or more consecutive days, provided that said delegation shall be in writing and signed by County Engineer; or
 - b. to the Deputy County Engineer in the event that County Engineer is absent or otherwise incapacitated for a period of five or more days due to an emergency or other unforeseen circumstances, provided that said delegation shall be in writing and signed by County Administrator.
The Clerk of the Circuit Court shall be notified of each incident of delegation made pursuant to the above, and said delegation shall terminate upon County Engineer's return to normal duty; ~~and~~
- 6. to review, consider, and approve, approve with conditions, or deny requests for deviations from Article 11 within the PO Zoning District; and
- 67. to accept maintenance responsibility on behalf of PBC for those streets dedicated to the BCC on a duly approved plat of record and constructed pursuant to a Land Development Permit for subdivision required improvements.

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EXHIBIT H

WCRAO
SUMMARY OF AMENDMENTS
(Updated 6/21/07)

Part 1. ULDC, Art 3.B.15.D.1, WCRA Recommendation [Related] (page 36 of 146), is hereby amended as follows:

Reason for amendment: [Westgate Belvedere Homes CRA] Request by the CRA to allow them to provide input on the development of residential units on non-conforming lots. This is due to the existing plat of Westgate Estates that is based upon 25-foot wide lots.

CHAPTER B OVERLAYS

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

D. Development Review Procedures

1. WCRA Recommendation

Applicants must obtain a recommendation from the WCRA, prior to submittal of any application for the development of single-family or duplex residential structures on a non-conforming lot, or application outlined under Art. 2, Development Review Procedures, for the following: Official Zoning Map Amendments, Conditional Uses, Requested Uses, Development Order Amendments, Plan Amendments, Density Bonuses, Variances and projects requiring DRO approval. An application for a WCRA recommendation must be made in accordance with the following: [Ord. 2006-004]

a. Application Requirements

The form and application requirements for a WCRA recommendation shall be submitted as specified by the WCRA; however, in no case shall supporting documents required by the WCRA exceed the requirements of the Development Review Procedures listed above. [Ord. 2006-004]

b. Timeframe for Response

WCRA staff shall determine whether or not the application is sufficient or insufficient within ten working days. Any amendment to an application shall require the timeframe for response to restart. [Ord. 2006-004]

1) Sufficiency and Recommendation

If the application is determined to be sufficient, a recommendation shall be mailed to the applicant within 30 days of application submittal. If a recommendation is not made within this timeframe, the application shall be considered to have received a recommendation for approval, and the WCRA shall provide a letter indicating such. [Ord. 2006-004]

2) Insufficiency

If an application is determined to be insufficient, WCRA staff shall provide a written notice specifying the deficiencies to the applicant, to be mailed within ten days of receipt of the application. No further action shall be taken until the applicant remedies the deficiencies. If the deficiencies are not remedied within 20 days of the date of the written notice, the application shall be considered to have a recommendation for denial. If amended and determined to be sufficient, the application shall be processed in accordance with Art. 3.B.15.D.b.1, Sufficiency and Recommendation. [Ord. 2006-004]

Part 2. ULDC, Art 3.B.15.I, Parking and Streets (page 46 of 146), is hereby amended as follows:

Reason for amendment: [Westgate Belvedere Homes CRA] Request to allow reductions in required loading standards for WCRAO. Zoning staff and the County Attorney's Office is not in agreement with the proposed methodology for reductions citing concerns over potential for arbitrary and differing renderings on decision to grant reductions, in addition to a lack of supporting documentation demonstrating how request is feasible. Nonetheless, Staff is supportive of the CRA's concept to allow for reduced loading requirements, and is proposing minor deviations as an alternative to attempt to address concerns.

CHAPTER B OVERLAYS

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

I. Parking and Streets

2. Redevelopment Loading Option

To further development of WCRAO smaller parcels in the NRM, NG, NC, UG or UI sub-areas that promote the form based code principles of the WCRA Plan, the WCRA Executive Director may authorize the use of access aisles or other similar location on a site with

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EXHIBIT H
WCRAO
SUMMARY OF AMENDMENTS
(Updated 6/21/07)

1 structures less than 10,000 square feet in size, to also be used as loading areas, subject to
2 the following:

3 **a) Application**

4 An application shall be submitted to the WCRA in a form established by the Executive
5 Director of the WCRA. The application shall include a loading demand study that
6 addresses the minimum standards of this section.

7 **b) Standards**

8 The following standards shall apply to any shared location for a required loading zone:

9 1) Demonstrate that site constraints or the benefits of an alternate loading zone is
10 needed to allow for the development, including efforts to maximize potential FAR or
11 density;

12 2) Identify the size and types of uses that will be using the alternate loading zone, to
13 include turnover rates and peak loading hours;

14 3) Demonstrate that the proposed alternate loading zone will not adversely impact
15 required vehicle stacking at entrances, block building entrances, emergency vehicle
16 access, or parked vehicles;

17 4) Identify the dimensions and types of vehicles that will use the alternate loading zone;

18 5) Incorporate other available data, including but not limited to: traffic engineering or
19 other Planning studies demonstrating the feasibility of the request;

20 6) The use of the site may be limited to the size and types of uses indicated in the
21 approved loading zone study;

22 7) The site design shall provide sufficient maneuvering area and turning radii for
23 proposed delivery vehicles; and,

24 8) If located in an access aisle, a minimum ten-foot wide by-pass shall be maintained
25 along the entire length of the designed alternative loading area.

26 **d) Approval Letter and Documentation**

27 The WCRA Executive Director shall recommend approval or denial of the application
28 within the timeframes established under Art. 3.B.15.D.1.d, Timeframe for Response. The
29 WCRA Executive Director shall issue a letter to the applicant indicating their
30 recommendation.

31 **[Renumber Accordingly]**

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