



April 13, 2007

**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
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Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractor Certification 233-5525
Administration Office 233-5005
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**Palm Beach County
Board of County
Commissioners**

Addie L. Greene, Chairperson

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Warren H. Newell

Mary McCarty

Burt Aaronson

Jess R. Santamaria

County Administrator

Robert Weisman

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

RE: April 25, 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, April 25, 2007.

The meeting will be held at 2:00 p.m. in the Vista Center 1st Floor Conference Room, 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:

April 25, 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 Planner, Zoning
- Isaac Hoyos, Principal Planner, Planning
- John Rupertus, Senior Planner, Planning

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LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
Wednesday, April 25, 2007 AGENDA
2300 North Jog Road
1st Floor Conference Room, 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 March 28, 2007 Minutes (Exhibit A)

B. ULDC Amendments

1. Exhibit B Article 1 - General Provisions
2. Exhibit C Article 2 - Development and Review Process
3. Exhibit D Article 3 - Overlays & Zoning
4. Exhibit E Article 4 - Use Regulations
5. Exhibit F Article 5 - Supplementary Standards
6. Exhibit G Article 6 - Parking
7. Exhibit H Article 12 - Traffic Performance Standards
8. Exhibit I WCRAO (Article 3)

C. Public Comments

D. Staff Comments

1. Presentation of URA to be included on May 23, 2007 LDRAB agenda

E. Adjourn

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD
APRIL 25, 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)

Barbara Suflas Noble (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)

Minutes of March 28, 2007 Meeting

On Wednesday, March 28, 2007 at 2:00 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the First Floor Conference Room, at 2300 North Jog Road, West Palm Beach, Florida, for their annual meeting:

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)
Larry Fish (FL Soc. of Pro. Land Surveyors)
Steven Dewhurst (Assoc. Gen. Cont. of Amer.)
Joanne Davis (District 1)
Barbara Katz (District 3)
Bill Gotthelf (District 6)
Martin Klein (District 7)

Members Present – 14

Members Absent

Maurice Jacobson (Condominium Assoc.)
Barbara Noble (District 4)
Jack Miles (District 5)

Members Absent – 3

County Staff Present:

Barbara Pinkston-Nau, Principle Planner, Zoning
William Cross, Senior Site Planner, Zoning
Lenny Berger, Assistant County Attorney
John Rupertus, Senior Planner, Planning
Ann DeVeaux, Site Planner I, Zoning
Zona Case, Zoning Technician, Zoning
Paula Pritchard, Secretary, Zoning

2) Additions, Substitutions, and Deletions

3) Motion to Adopt Agenda

A motion was made by Martin Klein, seconded by David Carpenter, to adopt the agenda, as amended. The motion passed unanimously (14– 0).

4) Adoption of March 28, 2007 Minutes (Exhibit A)

A motion was made by Bill Gotthelf, seconded by David Carpenter, to adopt the March 28, 2007 minutes. The motion passed unanimously (14– 0).

B) ULDC Amendments

1) Article 1 - General Provisions (Exhibit B)

Ann DeVeaux explained the term "Occupational License" is now changed to "Business Tax Receipt" in accordance with F.S. Chapter 205. She also stated the definition remains the same. Mr. Cross explained the definition for Single Room Occupancy. Several LDRAB members disagreed with the language in Part 3. Barbara Pinkston-Nau stated that this was already in the Code. Staff agreed to pull this Section for review.

A motion was made by Martin Klein, seconded by Edward Wronsky. The motion passed unanimously (14-0)

2) Article 2 - Development Review Process (Exhibit C)

Ann DeVeaux reiterated that the term "Occupational License" is now changed to "Business Tax Receipt".

A motion was made by Martin Klein, seconded by Bill Gotthelf. The motion passed unanimously (14-0)

EXHIBIT A

3) Article 3 - Overlays & Zoning Districts (Exhibit D)

William Cross explained that if anyone tried to obtain a mobile home in the Planned Development District and it does not require a public civic dedicated to the County, and then it allows for the private entrance to be a half-acre instead of a full acre.

A motion was made by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (14-0)

4) Article 4 - Use Regulations (Exhibit E)

William Cross stated that Financial Institutions was brought before LDRAB members last year. The table is now taking everything in the Use Matrix and all the previous notes and consolidating it into one table for clarity. Joni Brinkman had concerns regarding the notes in the reason for amendments.

A motion as amended, included the changes in Page 6, Part 5, line 22, adding a note to the reason for amendment, Part 5, Page 7, line 9, change parking to parking, and Part 6, line 22, change "Occupational License" to "Business Tax Receipt", by Martin Klein, seconded by Joni Brinkman. The motion passed unanimously (14-0)

5) Article 5 - Supplementary Standards (Exhibit F)

William Cross pointed out that when Workforce Housing Program was adopted there was a substantial amount of negations occurred from several interested parties including Gold Coast Builders Association (GCBA) in 2006. Since that time, GCBA felt per their analysis that they needed another income level. Staff then added the middle-income category. Now GCBA wants this pulled. Staff recommends taking the suggestion of opting out of the highest category back before the Board of County Commissioners (BCC) and Planning staff for re-evaluation.

Chris Roog representing GCBA mentioned that the market is flat and that they can't provide for the tier. He also stated if we are able to lump the 25% between the moderate to low, we would have the flexibility of the 25% and it would make it easier to meet the Inclusionary Workforce Housing standards.

A motion as amended Part 1, No. 5 notes, by Raymond Puzzitiello, seconded by David Carpenter. The motion passed (12-2)

6) Article 8 - Signage (Exhibit G)

Ann DeVeaux explained that in Part 1 there is deletion of extraneous language. William Cross pointed out that the previous sign consultant wrote language that was confusing and staff wanted to revise the table for clarity.

A motion was made by Martin Klein, seconded by Bill Gotthelf. The motion passed unanimously (14-0)

7) Article 14 - Environmental Standards (Exhibit H)

Ann DeVeaux mentioned that Part 1 to Part 4 is an amendment to change "Occupational License" to "Business Tax Receipt". Ann DeVeaux also mentioned that minor clarifications to Part 5, establishing Native Upland Preserves. Several LDRAB members had problems with the clarity of the language. Barbara Pinkston-Nau stated that we would pull this until ERM's staff can review this item.

A motion as amended excluding Page 12, Part 5, line 14, by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (14-0)

8) Article 15 - Health Regulations (Exhibit I)

William Cross pointed out that this is to change the term "Occupational License" to "Business Tax Receipt".

A motion was made by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (14-0)

9) Article 17 -Decision Making Bodies (Exhibit J)

William Cross stated that this is an amendment to correct the deleted Volunteer Density Bonus Program (VDB) to Workforce Housing Program (WHP).

A motion was made by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (14-0)

EXHIBIT A

C) Public Comments
None

D) Staff Comments
Staff discussed with the Board to choose alternative dates for November and December. The Board voted to meet on November 14, 2007 and December 12, 2007. William Cross also mentioned the upcoming meeting dates for the Subcommittees, which are: April 4th Form Base Code, April 9th Landscaping, and April 16th Nonconforming Provisions.

E) Adjourn
The Land Development Regulation Advisory Board meeting adjourned at 3:00 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 04/20/07)

1
2 Part 1. ULDC, Art. 1.F.3, Non Conforming Structure (page 18 of 104), is hereby amended as
3 follows:
4

5 Reason for amendment: [Water Utilities] Amend setbacks to allow utility structure to be conforming
6 structures; clarify the intent of architectural guidelines; clarify that utility buildings are not intended to set
7 the architectural standards for the surrounding areas.

8
9 CHAPTER F NONCONFORMITIES

10 Section 3 Nonconforming Structure

11 A nonconforming structure may continue to exist in accordance with this Section. Public utility facilities
12 with nonconforming structures on existing utility sites shall be exempt from the maintenance, renovation
13 and repair limitations in this section. The maximum percent allowed within a 12 consecutive month period
14 may include one or a combination of maintenance, renovation, or damage restoration to a nonconforming
15 structure but shall not mean one of each term.

16 The value of a nonconforming structure shall be determined by taking 125 percent of the most recent
17 assessed value of the structure, as determined by the PBC Property Appraiser. This Section shall apply
18 to the cumulative changes in total value as a nonconforming structure is renovated and repaired over the
19 previous seven years. In determining the value of an improvement necessary to reconstruct a damaged
20 structure, the "aggregate cost approach" as outlined in the most current building valuation data in
21 "Southern Building" published by the Southern Building Code Congress International or other comparable
22 guidelines adopted in law or accepted in practice by the Building Director, shall be used as the sole basis
23 for calculation
24

25
26 Part 2. ULDC, Art. 1.I.2, Definitions (pages 37, and 41 of 104), are hereby amended as follows:
27

28 Reason for amendment: [Water Utilities] To modify various definitions for the purpose of clarification and
29 to add new definitions.

30
31 CHAPTER I DEFINITIONS & ACRONYMS

32 Section 2 Definitions

33 B. Terms defined herein or referenced Article shall have the following meanings:

34 53. **Building** -

- 35 a. Any structure having a roof supported by columns or walls and intended for the shelter,
36 housing or enclosure of any individual, animal, process, equipment, goods or materials of
37 any kind or nature. For purposes of this Code, tanks (including but not limited to water,
38 gas and other types of storage tanks) and water towers will not be considered buildings.
39

40

41 M. Terms defined herein or referenced Article shall have the following meanings:

42 32. Membrane BioReactor Systems – Facilities that treat raw sewage to tertiary levels for reuse
43 water (irrigation quality water) or for discharge (ground or surface water recharge). These
44 systems are enclosed within buildings and utilize hollow fiber or flat plate membranes and
45 combine clarification, aeration and filtration to produce consistent, high quality effluent
46 suitable for any discharge or reuse application. On-site storage tanks, distribution pumps and
47 electrical equipment may also be associated with these facilities.

48

49 R. Terms defined herein or referenced Article shall have the following meanings:

50 8. Reclamation, Water – Water treated to tertiary standards considered suitable for storage,
51 distribution and application as irrigation water under FDEP guidelines.

52

53 W. Terms defined herein or referenced Article shall have the following meanings:

54 7. Water Reclamation Production Facility – These facilities can either treat raw wastewater to
55 irrigation quality water or treat secondary effluent to tertiary standards for use as irrigation
56 water. These facilities can be accessory to a Wastewater Treatment Plant or can be stand-
57 alone facilities. They are comprised of pump and filtration systems, storage tanks, electrical
58 sheds and other facilities as necessary to process, store and distribute irrigation quality water
59 to an identified and reasonably proximate service area.

60 **78. Water or Treatment Plant** - for the purposes of Art. 4, a facility designed for treatment and
61 disposal of more than 5,000 gallons per day of water or wastewater.

- 62 a. Water Treatment Plant, Open Process – These are also known as "conventional" water
63 treatment plants and use a series of unenclosed tanks without roof structures to treat raw
water to drinking water standards.

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 B

ARTICLE 1 – GENERAL PROVISIONS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

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b. Water Treatment Plant, Closed Treatment – These plants treat raw water to drinking water standards within the confines of one or more relatively small, fully enclosed buildings.

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Notes:
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EXHIBIT C

ARTICLE 2 – DEVELOPMENT REVIEW PROCESS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

1
2 Part 1. ULDC, Art. 2.B.1.B, Standards, [Related to Conditional Uses, Requested Uses and
3 Development Order Amendments] (page 16 of 50), is hereby amended as follows:
4

5 Reason for amendment: [Zoning] Amend to include rezoning requirements in keeping with F.S. Chapter
6 723.

7
8 CHAPTER A GENERAL

9 Section 2 Conditional Uses, Requested Uses and Development Order Amendments

10 B. Standards

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12 **9. Mobile Home Parks**
13 Any rezoning of property having an existing mobile home park shall comply with the
14 requirements of F.S. Chapter 723.083, Governmental Action Affecting Removal of Mobile
15 Home Owners.
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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 3 – OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS

(Updated 04/20/07)

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Part 1. ULDC, Art. 3.E.1.I.4, Architectural Guidelines (page 82 of 146), is hereby amended as follows:

Reason for amendment: [Water Utilities] Amend to clarify the intent that infrastructure approved for construction will not be used to set architectural standards for a PDD.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

Section 1 General

I. Unified Control

....

4. Architectural Guidelines

All buildings and signage shall maintain architectural consistency between all building, signage and project identification. Consistency shall include, a minimum, on overall unified image and character created by the use of common elements such as building and roofing materials, rooflines, muted colors, fenestration, architectural features, and architectural elements. Infrastructure, such as minor utilities, water and wastewater treatment plants which are approved for construction in a PDD prior to the approval of other buildings will not be used to set the architectural standards for a PDD.

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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 E

ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS

(Updated 04/20/07)

1
2 Part 1. ULDC, Art. 4.B.1.A.134, Utility, Minor [Related to Uses] (page 87 of 149), is hereby
3 amended as follows:
4

5 Reason for amendment: [Water Utilities] Amend to add additional uses to examples of a minor utility.

6
7 CHAPTER B SUPPLEMENTARY USE STANDARDS

8 Section 1 Uses

9 A. Definitions and Supplementary Standards for Specific Uses

10 134. Utility, Minor

11 Mechanical equipment associated with utility distribution, collection, or transmission
12 networks, required by their nature to be relatively dispersed throughout their service area
13 other than electric generation and transmission facilities. Typical uses include gas and water
14 regulators, electrical distribution substations, chlorine injection and potable water booster
15 pump stations; water reclamation treatment, storage and distribution facilities; membrane
16 bioreactor plants, sewage lift stations, telephone exchange buildings, and communication
17 substations. [Ord. 2006-004]

18 a. Floor Area

19 1) Residential Districts [Ord. 2004-040]

20 A maximum of 3,000 square feet of gross enclosed floor area of buildings. Square
21 footage calculations shall not include tanks and unoccupied accessory facilities).

22 2) Non-residential Districts

23 A maximum of 10,000 square feet of gross enclosed floor area of buildings. Square
24 footage calculations shall not include tanks and unoccupied accessory facilities.
25 [Ord. 2004-040]

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

28
29 Part 2. ULDC, Art. 4.B.1.A.139, Water or Treatment Plant (page 92 of 149), is hereby amended
30 as follows:
31

32 Reason for amendment: [Water Utilities] Amend to add additional uses to examples of a minor utility.

33
34 CHAPTER B SUPPLEMENTARY USE STANDARDS

35 Section 1 Uses

36 A. Definitions and Supplementary Standards for Specific Uses

37 139. Water or Treatment Plant

38 A facility designed for treatment and disposal of more than 5,000 gallons per day of water or
39 wastewater.

40 a. Location

41 b. Odor

42 c. Compatibility

43 For purpose of this Section, the AR district is not considered a residential district.
44 Required setbacks, screening and buffering are as follows:
45

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 E

**ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS**

(Updated 04/20/07)

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Table 4.B.1.A-12 - Wastewater Treatment Facility Setbacks

Type/Capacity	Type of Facility	Setback from Residential and Commercial District	Setback From Non-Residential and Non-Commercial District
Wastewater treatment facilities over one million gallons per day capacity:	Head works, clarifiers, sludge treatment & handling facilities without odor control	750 feet	500 feet
	Head works, clarifiers, sludge treatment & handling facilities with odor control	300 feet ²	200 feet ¹
	Chemical storage facilities	300 feet	200 feet
	Accessory facilities	200 feet	100 feet
Wastewater treatment facilities up to one million gallons per day capacity including package treatment facilities	Treatment units without odor control	150 feet	150 feet
	Treatment units with odor control	100 feet ¹	100 feet ¹
	Chemical storage facilities	100 feet	100 feet
	Accessory facilities	100 feet	100 feet
<u>Water Reclamation Production Facility (any capacity stand alone facility which is filtering already treated wastewater (secondary effluent) ^{3,4}</u>	<u>Storage Tanks, Filtration System, Hypochlorite tanks, Office/Lab/Generator buildings, and accessory facilities</u>	<u>50 feet front; 15 feet side; 25 feet side street; and 20 feet rear.</u>	<u>50 feet front; 15 feet side; 25 feet side street; and 20 feet rear.</u>
<u>Membrane Bio-Reactor (MBR) System³</u>	<u>Storage tanks, enclosed reinforced hollow fiber or flat plate membranes, clarification, aeration and filtration of wastewater for discharge or reuse applications</u>	<u>50 feet front; 15 feet side; 25 feet side street; and 20 feet rear.</u>	<u>50 feet front; 15 feet side; 25 feet side street; and 20 feet rear.</u>
Notes:			
1. Minimum lot dimensions shall be governed by the regulations above or the most recent standards adopted by the District and shall apply only to new schools. The District shall forward any changes in the standards to the Department within 20 days of School Board adoption. Minimum lot dimensions shall include, if applicable, sufficient room for any onsite retention.			
2. Tertiary filters do not require odor control.			
3. <u>If an existing utility site is being redeveloped into a water reclamation production facility or MBR, the setbacks established for the original use will be utilized for the water reclamation facility unless they are more restrictive than the setbacks noted in this table.</u>			
4. <u>A Water Reclamation Production Facility treating raw wastewater to tertiary levels must meet the setback requirements for a Wastewater Treatment Plant of similar capacity unless it qualifies as a minor utility, in which case, those regulations will apply.</u>			

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Part 3. ULDC, Table 4.B.1.A-13, Wastewater Treatment Facility Setbacks, (page 93 of 149), is hereby amended as follows:

Reason for amendment: [Water Utilities] Title of table revised to reflect that the setbacks shown are appropriate for the older, more industrial style, open treatment process water treatment plant.

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 E

**ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)**

Table 4.B.1.A-13 - Water Treatment Facility Setbacks For Open Treatment Process

Type/Capacity	Type of Facility	Setback ¹
Water treatment facilities over two millions gallons per day capacity.	Treatment units and chemical storage	200 feet
	Units which cause airborne sulfides	500 feet ²¹
	Accessory facilities	100 feet
Water treatment facilities up to two million gallons per day capacity, including package treatment facilities	Treatment units and chemical storage	100 feet
	Units which cause airborne sulfides	250 feet ³²
	Accessory units	100 feet
[Ord. 2004-054] Notes: <ol style="list-style-type: none"> Setbacks may be reduced by fifty percent for facilities using enclosed membrane treatment process without Chlorine gas, along property lines adjacent to parcels with a PO zoning district and INST-FLU designation, or AP zoning district and FLU designation. [Ord. 2004 – 054] Odor Control. Unless treatment for removal of sulfides for odor control is included. [Ord. 2004 – 054] Maximum Building Height. <u>Structures Buildings not including storage tanks and water towers</u> higher than 35 feet are allowed provided the following setbacks are met: [Ord. 2004 – 054] <ol style="list-style-type: none"> minimum yard setback of this section; and an additional foot setback for each one foot of height exceeding 35 feet. 		

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Part 4. ULDC, Table 4.B.1.A-14, Wastewater Treatment Facility Setbacks, (page 93 of 149), is hereby amended as follows:

Reason for amendment: [Water Utilities] Amend to add table depicting setbacks that are more appropriate for the new enclosed treatment technology.

Table 4.B.1.A-13(a) - Water Treatment Facility Setbacks For Enclosed Treatment Process without Gas Chlorine

Type/Capacity	Yard	Setback
<u>Water treatment facilities over two million gallons per day capacity.</u>	<u>Front</u>	<u>80 feet</u>
	<u>Side</u>	<u>50 feet</u>
	<u>Rear</u>	<u>50 feet</u>
	<u>Chemical Storage</u>	<u>200 feet¹</u>
<u>Water treatment facilities up to two million gallons per day capacity, including package treatment facilities</u>	<u>Front</u>	<u>80 feet</u>
	<u>Side</u>	<u>50 feet</u>
	<u>Rear</u>	<u>50 feet</u>
	<u>Chemical Storage</u>	<u>100 feet</u>
Notes: <ol style="list-style-type: none"> <u>Chemical storage setbacks may be reduced by fifty percent for facilities using enclosed treatment process without Chlorine gas, along property lines adjacent to parcels with a PO Zoning district and INST FLU, or AP zoning district and FLU designations.</u> 		

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- 1) **Buffer**
Perimeter landscape buffers shall have a minimum width of 25 feet or be equal to the setback requirements if less than 25 feet.
 - 2) **Trees**
A double single row of trees shall be planted in all landscape buffers at a ratio of one 12 14 foot tall tree for each 30 25 linear feet.
 - 3) **Screening**
Screening consisting of a hedge, berm, or fence or wall which will present a solid visual screen at least six feet in height upon within one year of installation shall be provided around the perimeter of the site.
-
- e. **Effect on Previously Approved Facilities**
Water and wastewater treatment facilities approved prior to the effective date of this Code shall be considered conforming uses. Expansion or redevelopment of existing facilities or an existing utility site to the same or a different utility use or treatment technology may be allowed with setbacks lower than those listed in this Section of the Code provided the expansion or redevelopment is reviewed and approved by the DRO and odor control is provided if applicable.

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Notes:
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EXHIBIT F

ARTICLE 5 – SUPPLEMENTARY STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

1
2 Part 1. ULDC, Art. 5.B.1.A.2.h, Exceptions [Related to Wastewater Treatment Plants] (page 11
3 of 68), is hereby amended as follows:
4

5 Reason for amendment: [Water Utilities] Exception to allow for fence placement and height, with or
6 without barbed wire, around high security minor utilities, water and wastewater treatment plants as well as
7 other security sensitive land uses, to be modified from Code requirements at the discretion of the DRO.
8

9 CHAPTER B ACCESSORY AND TEMPORARY USES

10 Section 1 Supplementary Regulations

11 A. Accessory Uses and Structures
12 2. Fences, Walls and Hedges
13 h. Exceptions

14
15 4) DRO may approve increased fence heights and modify allowable locations for fences
16 with and without barbed wire for minor utilities, water and wastewater treatment
17 plants.
18

19
20 Part 2. ULDC, Art. 5.C.1.C, Exemptions, [Related to Architectural Guidelines] (page 28 of 68),
21 is hereby amended as follows:
22

23 Reason for amendment: [Water Utilities] Amend to exempt unseen water utilities from architectural
24 requirements and review. Exempts public entrance and pedestrian/walkway from high security water
25 utility projects.
26

27 CHAPTER C DESIGN STANDARDS

28 Section 1 Architectural Guidelines

29 C. Exemptions

- 30 5. Palm Beach County Water Utility Facilities which are not visible from a public street or
31 residential zoning district and are limited access, high security facilities not open to the
32 general public.
33 6. All of the uses/features (except for parapet screening of mechanical equipment noted in the
34 height exceptions in Article 3, Chapter D, Section 1.E.4.a are also exempt from architectural
35 requirements. These uses/features include:
36 a. Tanks;
37 b. Water towers;
38 c. Cooling towers;
39 d. Miscellaneous, unoccupied utility support structures of 1,000 SF or less (proposed
40 addition to list).
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Notes:

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EXHIBIT G

ARTICLE 6 – PARKING
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

Part 1. ULDC, Art. 6.A.1.D.12.a, Grass Parking (page 16 of 35), is hereby amended as follows:

Reason for amendment: [Zoning] Amend to allow an increase in grass parking to accommodate establishments (other than business offices or industrial facilities) where there is substantial turnover in parking during the day so that the parking demand at any one time will not be great. Create application criteria and additional standards to address overland flow (surface water runoff) and grass parking construction.

CHAPTER A PARKING

Section 1 General

D. Off-Street Parking
12. Grass Parking

Grass parking is permitted, subject to approval by the DRO, pursuant to the following procedures and standards:

a. Application

In addition to the application requirements for a site plan/final subdivision plan, the applicant shall submit the following:

- 1) a site plan showing the area proposed for grass parking;
- 2) the proposed method of traffic control to direct vehicular flow and parking;
- 3) description of the method to ensure that the grass parking surface will be maintained in its entirety with a viable turf cover; ~~and~~
- 4) a conceptual drainage plan for the entire parking area; ~~and~~
- 5) a written statement that the area proposed for grass parking shall be used for parking on an average of no more than (3) days or nights each week.

b. Standards

The following standards shall apply to grass parking:

- 1) ~~only parking spaces provided for peak demand may be allowed as grass parking. Paved parking shall be provided for average daily traffic, including weekday employees and visitors;~~
- 2) ~~Paved parking shall be provided for average daily traffic, including weekday employees and visitors;~~ **[Relocated from above]**
- 23) a grass parking area shall not include any existing or proposed landscaped area, surface water management area or easement, other than a utility easement;
- 34) handicap parking shall not be located in a grass parking area;
- 45) grass parking areas shall meet the landscape requirements in Article 7, LANDSCAPING. ~~No grass parking areas shall not~~ be counted toward meeting minimum landscape or open space standards; and
- 56) all access aisles ~~or lanes~~ shall either:
 - a) be paved and meet the same substructural and surface standards required for paved parking surfaces; or
 - b) be surfaced with paver block or other semi-pervious coverage approved by the DRO and County Engineer; ~~or~~
 - c) be stabilized with sub-base underlayment subject to approval by Land Development.
- 7) Grass parking shall be located a minimum of 100 feet from the overland flow prior to entering into a body of water or water systems.
- 8) Materials utilized in the construction of grass parking shall be drought tolerant and subject to approval by Land Development.

c. Permit

If at any time it is determined that a grass parking area does not meet the standards established in this Section, the Zoning Director shall require the restoration of the grass surface or the paving of the grass for parking.

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

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Part 1. ULDC, Art. 1.1.2, Definitions (pages 38, and 41 of 104), are hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Language being deleted from definitions transferred to Section 1.B.3. of Chapter C – Traffic Impact Studies so it resides within the text of Article 12 rather than in Definitions, Article 1.1.2.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

68. **Buildout Period** – for the purposes of Art. 12, the anticipated time between the issuance of the Specified Development Order and December 31st of the year of completion of a proposed Project as assumed in the Traffic Impact Study and approved by the County Engineer in accordance with the standards set forth in Art.12.C.1.B.3, Projected Buildout Period; ~~of this Section. For the purpose of preparing and reviewing traffic studies, e~~ Completion of a project shall mean the issuance of the final certificates of occupancy (CO) for buildings in a project. ~~In the case of a non-residential project, final CO for interior tenant improvements for 80 percent of the gross leasable area shall be the completion of the proposed project for purposes of this Article. In the case of a residential project, the completion of the proposed project shall be the issuance of building permits for 80 percent of the units as set forth in the master plan or site plan as applicable.~~ [Ord. 2005-002] [Text relocated to Art. 12.C.1.B.3.b.1]

....

Part 2. ULDC, Art. 1.1.2, Definitions (pages 38, and 41 of 104), are hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] New definition consistent with existing language in text.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

21. Five-Year Analysis Period
a. For the purposes of Art. 12, the period of time between the submittal of a Traffic Impact Study and the end of the fifth year of the Florida Department of Transportation Five-Year Transportation Improvement Program in effect at the time of Traffic Impact Study submittal.
[Renumber accordingly]

Part 3. ULDC, Art. 1.1.2, Definitions (pages 38, and 41 of 104), are hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] New definition consistent with existing language in text.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

P. Terms defined herein or referenced Article shall have the following meanings:
48. Previously Captured Project - for the purposes of Art. 12, a Project approved after May 21, 1987 in the Unincorporated Area or after February 1, 1990 in the incorporated Area.
[Renumber accordingly]

Part 4. ULDC, Art. 1.1.2, Definitions (pages 38, and 41 of 104), are hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] To correct reference to table, which now defines radius for both Test 1 and Test 2.

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

1 CHAPTER I DEFINITIONS & ACRONYMS

2 Section 2 Definitions

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

4 20. ~~Test 2~~ **Radius of Development Influence** – for the purposes of Art. 12, the radius of
5 development influence used in Test 2 as set forth in Table ~~12.B.2.D-10-4B: Test 2~~ 12.B.2.D-
6 7.3A– Radius Development Influence. The distance shall be measured in road miles from the
7 point at which the Proposed Project's traffic enters the first Link, not as a geometric radius.
8 [Ord. 2006-043]
9

10
11 Part 5. ULDC, Art. 3.F.4.D.2.a.1, Design Exception, [Related to Traditional Marketplace
12 Development (TMD)] (page 134 of 146), is hereby amended as follows:
13

14 Reason for amendment: [Traffic Performance Standards] To provide criteria for County Engineer to
15 consider in determining the proper safe width for a roadway within a TMD that has angled parking.
16

17 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDs)

18 Section 4 Traditional Marketplace Development (TMD)

19 D. Development Standards for all TMDs

20
21 2. Street Designations and Configurations

22
23 a. Mainstreet

24
25 1) Design Exception

26 Main streets designed as an access way or non-residential parking lot may increase
27 the overall width to provide for angled parking, not to exceed a 70 degree angle, as
28 indicated in Figure 3.F.4.D-29, Typical Example of TMD Commercial Street with
29 Angled Parking. The required width of travel lanes shall be as approved by the
30 County Engineer based upon such factors as anticipated average daily traffic and
31 overlap of back-out maneuvers. Parking stall dimensions shall be in accordance with
32 Table 6.A.1.D-3, Minimum Parking Dimensions for Non-residential Uses and
33 Residential Uses with Shared Parking Lots. [Ord. 2005 – 002]
34

35
36 Part 6. ULDC, Art. 6.C.1 Driveways and Access, (page 34 of 35), is hereby amended as
37 follows:
38

39 Reason for amendment: [Traffic Performance Standards]
40 (a) To prevent land developments from proposing an inappropriate access connection just to avoid
41 compliance with the Traffic Performance Standards (TPS) and to avoid the fantasy of a “virtual radius of
42 development influence” measured from these inappropriate locations rather than from the actual
43 acceptable alternative access locations. If measurement of the radius from a “virtual location” (where the
44 project access can not be placed) were to be accepted, then the real impacts of the development on
45 roadway links/intersections would be ignored under TPS, and
46 (b) changes that apply to double-frontage lots are to provide cross-reference to other already existing
47 Code provisions and Standards that apply.
48

49 CHAPTER C DRIVEWAYS AND ACCESS

50 Section 1 Standards and Access

51 A. Driveways Access Connections

52 For the purposes of this section, an access connection means the point or points at which a
53 proposed development's traffic meets the existing right-of-way system. Access connections
54 Driveways shall be subject to the following standards:

55 1. Spacing

56 a. Local or Residential Access Streets

57 ~~Lots located on local or residential access streets shall have a maximum of two~~
58 ~~accessways. Access connections Driveways~~ for lots located on local or residential access
59 streets shall maintain a minimum set back from a side or rear lot line as follows:
60

- 1) Single-family or Multi-family 2 feet

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

- 2) Zero Lot Line 1 foot
- 3) Townhouse 1 foot

b. Arterial and Collector Streets

~~Access connection Driveway~~ locations and spacing shall be in accordance with the PBC ~~Access Management Standards standards for street connections along arterial and collector roads.~~ Provided, however, that ~~access driveway~~ connections to any street which is part of the State Highway System, as defined in F.S. §334.03, shall meet the permit requirements of FDOT for street connections, pursuant to F.S. Chapter 335.

2. Construction

~~Access Driveways~~ connections to streets under the jurisdiction of PBC shall be constructed in accordance with the standards ~~established by the~~ DEPW.

3. Number of Access Connections

a. Local or Residential Access Streets

~~Lots located on local or residential access streets shall have a maximum of two access connections.~~

b. Arterial and Collector Streets

~~The number of access connections to serve a site shall be kept to a minimum. The County Engineer may restrict the number of access points or require construction of an additional access point(s) based upon the following criteria:~~

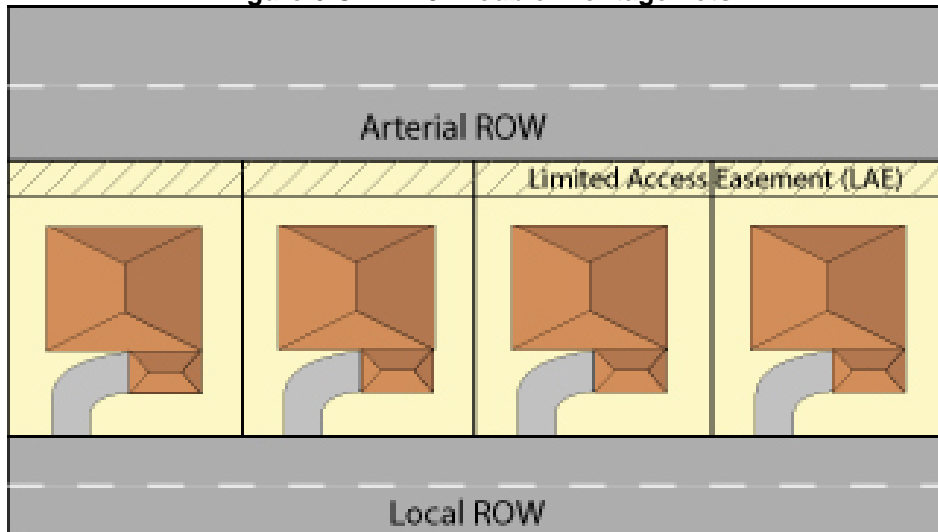
- 1) ~~Proposed development frontage on roadways shown on the Thoroughfare Right of Way Identification Map;~~
- 2) ~~The projected daily and peak hour traffic impacts of the development;~~
- 3) ~~Proposed land use;~~
- 4) ~~Traffic operations and safety on the major roadway network;~~
- 5) ~~Existing or anticipated traffic volume along adjoining R-O-W;~~
- 6) ~~Access connections on contiguous land or land on the opposite side of the street;~~
- 7) ~~Median opening locations; and~~
- 8) ~~Safe sight distance.~~

B. Double Frontage Lots and Corner Lots

1. Double Frontage Lots

~~The number of access connections serving a double frontage lot shall be governed by provisions of Article 11.E.2.A.4 and the following.~~ When a double frontage residential lot is located adjacent to a collector or an arterial road, it shall also be required to front and have access on a local or residential access street. A limited access easement shall be placed along the property line that abuts either the collector or arterial road.

Figure 6.C.1.B-19- Double Frontage Lots



2. Corner Lots

~~The number of access connections serving a corner lot shall be governed by the provisions of this Article and Section 300 of the Land Development Design Standards Manual.~~

Part 7. ULDC, Art. 12.A.3.B, Credits Against Project Traffic (page 8 of 57), is hereby amended as follows:

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

Reason for amendment: [Traffic Performance Standards] Implementation of Policy 1.2-g of the Transportation Element of the Palm Beach County Comprehensive plan that recommends not allowing the urban redevelopment credit in coastal high hazard areas. Also, clarification of language currently applied that does not allow for the existing use credit to be utilized for redevelopment of parcels if the existing use has been completely discontinued or abandoned for more than 5 years.

CHAPTER A GENERAL

Section 3 Applicability

B. Credits Against Project Traffic

This Section establishes a method for calculating credits against Project Traffic that may apply when seeking to amend a Previously Approved Development Order, or when applying for a Site Specific Development Order on property, which has an existing use. The burden shall be on the applicant to demonstrate the eligibility and the amount of credit for a proposed Project.

- 3. A Project shall be eligible for a 100 percent credit against Project Traffic if the Previously Approved or Previously Captured non-residential Project has received CO for interior tenant improvements for at least 80 percent of the gross leasable area for more than five years or ~~a the Previously Approved or Previously Captured~~ residential Project has received building permits for shall be deemed completely built when 80 percent of the units as set forth in the master plan or site plan as applicable ~~have been issued building permits.~~
- 4. An urban redevelopment project located within a defined and mapped existing urban service area and not in the Coastal High Hazard Area shall not be subject to the standards of ~~Chapter B of this Article this Section~~, for up to 110 percent of the traffic generation of the previously existing development. The credit shall be calculated by applying current trip generation rates and pass-by rates that would be generated by the most recent existing use at the time of application. The credit shall be adjusted as necessary to account for changes in traffic distribution as a result of the proposed Project. A proposed Project shall not be eligible for an existing use credit if the structure or land on the property has been discontinued or abandoned for more than five years prior to the time of application.

Part 8. ULDC, Art. 12.B.1, General, (page 11 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Clarification of language that distinguishes the Test 2 standard from the Test 1 standard.

CHAPTER B STANDARD

Section 1 General

There is hereby established a TPS for all Major Thoroughfares within PBC. Except as specifically provided in this Article, no Site Specific Development Order shall be issued for a proposed Project which would violate this standard. This standard consists of two tests. The first test relates to the Buildout Period of the Project and requires that the Project not add Traffic in the Radius of Development Influence which would have Total Traffic exceeding the Adopted LOS at the end of the ~~Project~~ Buildout Period. The second test relates to the evaluation of traffic five years in the future and requires that the Project not add Traffic in the Radius of Development Influence which would have Total Traffic exceeding the Adopted LOS at the end of the Five-Year Analysis Period. Where a CRALLS service volume has been adopted, those volumes shall apply. Where a CRALLS service volume has been adopted for the LINK only, the allowable service volume for the intersections at both ends of the CRALLS links shall be calculated as follows: Allowable CRALLS intersection volume = CRALLS Link volume/LINK LOS D volume x 1400. Where CRALLS service volumes have been adopted for contiguous links that meet at a common intersection, the allowable service volume for the intersection shall be calculated as follows: Allowable CRALLS intersection volume = the average of the two CRALLS Link volumes/Link LOS D volume x 1400. For Test 2 purposes, LOS E volumes and a 1500 critical sum shall be used in the preceding formulas for determination of the allowable CRALLS intersection volumes ~~The second test relates to the evaluation of traffic five years in the future based upon information compiled in the TPS Database. It requires that Total TPS Database Traffic not exceed the Adopted LOS on any Link or intersection. [Ord. 2006-043]~~

Part 9. ULDC, Art. 12.B.2.A.1, Part One – Intersections, (page 11 of 57), is hereby amended as follows:

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

Reason for amendment: [Traffic Performance Standards] (a) Implementation of Florida DOT Rule 14-94 that prohibits the use of the HCM 1985 Planning Methodology (CMA) on the SIS, SIS Connector, FIHS, and TRIP funded facilities; and (b) Clarification and rearrangement of existing language so that it is located in the same paragraph as other relevant material.

CHAPTER B STANDARD

Section 2 Project Buildout/Five Year Standard

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

1. Part One – Intersections

This Part requires analysis of Major Intersections, within or beyond the Radius of Development Influence, where a Project’s traffic is significant on a Link within the Radius of Development of Influence. For purposes of this Part One, Major Intersections also includes intersections of a Major Thoroughfare and a non-thoroughfare road or other point of access where: 1) the intersection is signalized or where projected traffic volumes warrant a signal; and 2) the non-thoroughfare approach is projected to carry at least 200 two-way, peak hour trips and, 3) the non-thoroughfare approach represents 20 percent or more of the intersection critical sum volume. [Ord. 2005-002]

a. The following major intersections shall be analyzed:

1) ~~At the~~ The Major Intersections in each direction nearest to the point at which the ~~proposed~~ Project’s Traffic enters each Project Accessed Link, and where the Project Traffic entering and exiting the intersection is significant, ~~Analyze the Major Intersections using the Highway Capacity Manual (HCM) 1985 Planning Methodology (CMA).~~ The intersections analyzed shall not exceed two intersections per Project Accessed Link.

2) The Single Point Urban Interchange(s) on Southern Blvd. where it is the nearest Major Intersection to the point at which the Project’s Traffic enters the Project Accessed Link and where the Project Traffic entering and exiting the intersection is significant. For purposes of determining significance of the traffic entering and exiting the intersection, the traffic entering and exiting the ramps shall be considered against the combined LOS D capacity of the ramps, which shall be 4,200 vehicles per hour.

~~b3) At all~~ All Major Intersections where the Project Traffic comprises ten percent or more of the Total Traffic on at least one approach, ~~the applicant shall conduct a CMA analysis .~~

eb) For intersections that are not part of the SIS, SIS Connectors, FIHS, or TRIP funded facilities, analyze the Major Intersections using the Highway Capacity Manual (HCM) 1985 Planning Methodology (CMA). The intersections shall operate below the threshold of 1,400 vehicles per hour as a Critical Volume using CMA, or the Project shall fail Test One. In the event that one or more intersections exceed the 1,400 threshold or the intersections are part of the SIS, SIS Connectors, FIHS, or TRIP funded facilities, the applicant ~~shall may elect to~~ conduct the intersection analysis of those intersections using the HCM Operational Analysis using the most recent version of the HCM.

dc) ~~If~~ The HCM Operational Analysis ~~is selected, the analysis will~~ shall comply with the default input values published by the County Engineer no more frequently than twice per year. Revisions to the input values may be made subject to approval by the County Engineer to reflect actual or projected field conditions where substantial differences from the ~~default published~~ values can be demonstrated. If the intersection average total delay or the Critical Volume is at or below the thresholds identified in Table 12.B.2.C-2 1B, the Project passes Part One of Test One and continues with the Part Two – Link Analysis. If the intersection average total delay or the Critical Volume exceeds the thresholds identified in Table 12.B.2.C-2 1B, the Project fails Part One of Test One.

e. ~~For the projects on or having a directly accessed link to Southern Boulevard, the single Point Urban Interchange shall be treated as one of the nearest Major Intersections. For purposes of determining significance of the traffic entering and exiting the intersection, the traffic entering and exiting the ramps shall be considered against the combined LOS D capacity of the ramps, which shall be 4,200 vehicles per hour. [Ord. 2005 – 002]~~

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS SUMMARY OF AMENDMENTS

(Updated 04/20/07)

1
2 **Part 10. ULDC, Art. 12.B.2.A.2, [Part Two–Links], (page 11 of 57), is hereby amended as follows:**

3
4 Reason for amendment: [Traffic Performance Standards].

5 (a) This limits use of Arterial Analysis procedure (Optional Analysis iii) to roadway segments with traffic
6 signal spacing of 2 miles or less in conformance with Chapters 10 and 15 of the Highway Capacity
7 Manual. If signal spacing is greater, the roadway segment capacity is determined by “uninterrupted flow”
8 FDOT generalized table values; and

9 (b) This limits use of the Arterial Analysis procedure (Optional Analysis iii) to development projects with
10 buildout periods of 5 or less years in conformance with FDOT policy. It is recognized that the forecasting
11 of signal timing characteristics more than 5 years into the future is highly questionable and therefore such
12 Arterial Analyses would be error-prone.

13
14 **CHAPTER B STANDARD**

15 **Section 2 Project Buildout/Five Year Standard**

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

17

18 **2. Part Two–Links**

19 This Part requires analysis of Links and Major Intersections as necessary within or beyond
20 the Radius of Development Influence, where a Project’s traffic is significant on a Link within
21 the Radius of Development influence. The Total Traffic in the peak hour on the Link shall be
22 compared to thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Peak Hour
23 Traffic; two-way volume threshold. If the Total Traffic is equal to or lower than the thresholds,
24 the Project shall pass Part Two of Test One. If the Total Traffic is higher than the threshold,
25 then the Project fails Part Two. If the Project fails, the applicant may elect to complete a
26 more detailed analysis as outlined below, to demonstrate compliance with Part Two. **[Ord. 2005 – 002]**

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

35 b. Optional Analysis ii, On all Links where the Total Traffic peak hour directional volumes
36 exceed the thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Class II,
37 the Total Traffic peak hour directional volumes shall be compared to the thresholds in
38 Table 12.B.2.C-1 1A: LOS D Link Service Volumes, Class I and the Major Intersections
39 on each end of the failing Link shall be analyzed using the CMA analysis. If the project is
40 on Southern Boulevard, the intersection created by the Single Point Urban Interchange
41 shall not be considered the intersection at the end of the link since the intersection is
42 actually not on Southern Boulevard. The ~~p~~Project should include the next intersection
43 with Southern Boulevard for analysis ~~and compliance~~. ~~If these intersections exceed the~~
44 ~~1,400 Critical Volume, these intersections must meet LOS D using the HCM Operational~~
45 ~~analysis. The Project shall pass Part Two of Test One if:~~ **[Ord. 2005 – 002]**

- 46 1) the Total Traffic peak hour directional volume on the Link is less than the thresholds
47 in Table 12.B.2.C-1, 1A: LOS D. Link Service Volumes Class I; and,
48 2) ~~and~~ the intersections are below the 1,400 Critical Volume or below the Delay
49 Threshold in Table 12.B.2.C-2, 1B: LOS D Intersection Thresholds.

50 If the Project fails Part Two of Test One using optional analysis ii but the intersections
51 at the end of the failing link are below the 1,400 Critical Volume or below the Delay
52 Threshold in Table 12.B.2.C-2,1B a more detailed analysis as outlined in Optional
53 Analysis iii may be completed to demonstrate compliance with Part Two. **[Ord. 2005**
54 **– 002]**

55 c. Optional Analysis iii, On all Links where the Total Traffic peak hour; two-way and
56 directional volumes exceeded the allowable thresholds in Optional Analysis ii, but the
57 intersections at the end of the Link did not exceed the 1,400 Critical Volume or the LOS D
58 Intersection Threshold;

- 59 1) ~~t~~he HCM Arterial Analysis Operational methodology shall be conducted if the
60 Buildout period is five years or fewer and the traffic signals projected to be in place
61 on the Link during the Buildout Period of the Traffic Impact Study are less than or
62 equal to 2 miles apart. For these Links, the Project shall demonstrate that the Total
63 Traffic peak hour, directional volumes do not result in an average speed on the
64 Segment that is lower than the speed thresholds for LOS D as defined in Table
65

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

12.B.2.C-3, 1C: LOS D. Speed Thresholds. If the speed is lower than LOS D then the Project fails Part Two of Test One. If the speed is equal to or higher than the LOS D speed threshold, then the Project shall pass Part Two of Test One. [Ord. 2005-002]

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

3) If the Buildout Period is greater than five years, the traffic signals projected to be in place on the Link during the Buildout Period of the Traffic Impact Study are less than or equal to 2 miles apart, and the Total Traffic peak hour; two-way and directional volumes exceeded the allowable thresholds in Optional Analysis ii, then the Project fails Part Two of Test One.

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Part 11. ULDC, Art. 12.B.2.B, Five Year Analysis – Test 2, (page 13 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] This limits use of Arterial Analysis procedure (Optional Analysis iii) to roadway segments with traffic signal spacing of 2 miles or less in conformance with Chapters 10 and 15 of the Highway Capacity Manual. If signal spacing is greater, the roadway segment capacity is determined by "uninterrupted flow" FDOT generalized table values.

CHAPTER B STANDARD

Section 2 Project Buildout/Five Year Standard

B. Five Year Analysis - Test 2

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b. Optional Analysis ii. On all links where the Total Traffic peak hour directional volumes exceed the thresholds in Table 12.B.2.C-4 2A, Class II, the Total Traffic peak hour directional volumes shall be compared to the thresholds in Table 12.B.2.C-4 2A, Class I, and the Major Intersections on each end of the failing Link shall be analyzed, using the CMA analysis. If these intersections exceed the 1400 Critical Volume, these intersections must meet LOS E using the HCM Operational Analysis. The Project shall pass Test Two using this Optional Analysis if: [Ord. 2006-043]

....

c. Optional Analysis iii. On all links where the Total Traffic peak hour two-way and directional volumes exceeded the allowable thresholds in Optional Analysis ii, but the intersections at the end of a link did not exceed the 1500 Critical Volume or the LOS E Intersection Threshold:

1) The HCM Arterial Analysis Operational methodology shall be conducted. If the traffic signals projected to be in place on the Link during the Five Year Analysis Period are less than or equal to 2 miles apart. For these links, the project shall demonstrate that the Total Traffic peak hour directional volumes do not result in an average speed on the Segment that is lower than the speed thresholds for LOS E as defined in Table 12.B.2.C-6 2C. If the speed is lower than LOS E, then the project fails Test Two. If the speed is equal to or higher than the LOS E speed threshold, then the project shall pass Test Two. [Ord. 2006-043]

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

Part 12. ULDC, Art. 12.B.2.C, Level of Service Standard, (page 14 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards]
(a) Implementation of Florida DOT Rule 14-94 that mandates the adopted level-of-service on the SIS, SIS Connector, FIHS, and TRIP funded facilities, and
(b) FDOT Level of Service Manual adopted level-of-service values for "Uninterrupted Flow conditions" that must be used for Optional Analysis iii on roadways with traffic signals more than 2 miles apart.

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

1 CHAPTER B STANDARDS

2 Section 2 Project Buildout/Five Year Standard

3 C. Level of Service Standard

4

- 5 3. For roads on the SIS, SIS Connectors, FIHS, and TRIP-funded facilities, the LOS standard shall be LOS D in Urban Areas, and LOS C in Transitioning Urban Areas, Urban Areas, or Communities; and, LOS B in Rural Areas as adopted by the FDOT. This standard must be met for roadways on a peak hour/peak direction basis. ~~Numeric values for this standard, for planning purposes, are shown in Table 4-7 in FDOTs "LOS Manual." For more specific capacity determinations, numeric calculations of this standard shall be in accordance with the methodologies for roadway capacity, (Chapter 11) contained within the Highway Capacity Manual, Special Report 209, Third Edition, as published by the Transportation Research Board or the FDOTs "Level of Service Manual" (1995 or as amended), using "ART-Plan". For Projects with impacts on the FIHS roadways the LOS standard shall be established and met for each Project phase, and at Project completion.~~
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16 a. A Project with traffic impacts on roads on the FIHS, that received a Development Order prior to the implementation of the methodology described above, may readdress its traffic impacts on the FIHS based on the methodology described in Article 12.B.2.C.3, above using updated traffic information.
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20 4. A different service volume may be adopted for a specific road or intersection as part of the Plan as a CRALLS. A required roadway improvement that is the subject of a development order condition may not be necessary due to the adoption of a CRALLS. An applicant with a Project that has a development order condition for a roadway improvement or is phased to the unnecessary roadway improvement may request the appropriate governing body to remove the applicable roadway phasing condition. The application may be approved provided that the concurrency reservation (for unincorporated Projects) or determination of the County Engineer (for municipal Projects) has been amended to delete the applicable roadway phasing condition.
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Table 12.B.2.C-1 1A: LOS D Link Service Volumes

FACILITY TYPE	ADT	Peak Hour Two Way	Peak Season, Peak Hour, Peak Direction			
			(Class I)	(Class II)	<u>Uninterrupted Flow</u>	
2 lanes undivided ¹	2L	12,300	1,170	690	650	<u>1030</u>
2 lanes one-way	2LO	19,600	1,870	2,230	2,050	
3 lanes two-way	3L	15,400	1,460	860	810	
3 lanes one-way	3LO	29,500	2,810	3,350	3,080	
4 lanes undivided ¹	4L	24,500	2,330	1,400	1,280	<u>3490</u>
4 lanes divided	4LD	32,700	3,110	1,860	1,710	<u>3490</u>
5 lanes two-way	5L	32,700	3,110	1,860	1,710	
6 lanes divided	6LD	49,200	4,680	2,790	2,570	<u>5230</u>
8 lanes divided	8LD	63,800	6,060	3,540	3,330	
4 lanes expressway	4LX	67,200	6,250	3,440	3,440	
6 lanes expressway	6LX	105,800	9,840	5,410	5,410	
8 lanes expressway	8LX	144,300	13,420	7,380	7,380	
10 lanes expressway	10LX	182,600	16,980	9,340	9,340	

[Ord. 2005 – 002]

Based on the FDOT Quality/ LOS Manual, 2002 edition.

¹Service volumes for "undivided" roadways assume no left turn lanes are available. [Ord. 2005 – 002]

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

1

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

FACILITY TYPE	ADT	Peak Hour	Peak Season, Peak Hour, Peak Direction			
			Two-Way	Class I	Class II (Uninterrupted Flow)	
2 lanes undivided ¹	2L	13,000	1,240	710	680	1410
2 lanes one-way	2LO	20,700	1,960	2,230	2,160	
3 lanes two-way	3L	16,300	1,550	890	850	
3 lanes one-way	3LO	31,100	2,950	3,350	3,250	
4 lanes undivided ¹	4L	25,900	2,450	1,400	1,350	3970
4 lanes divided	4LD	34,500	3,270	1,860	1,800	3970
5 lanes two-way	5L	34,500	3,270	1,860	1,800	
6 lanes divided	6LD	51,800	4,920	2,790	2,710	5960
8 lanes divided	8LD	67,000	6,360	3,540	3,500	
4 lanes expressway	4LX	76,500	7,110	3,910	3,910	
6 lanes expressway	6LX	120,200	11,180	6,150	6,150	
8 lanes expressway	8LX	163,900	15,240	8,380	8,380	
10 lanes expressway	10LX	207,600	19,310	10,620	10,620	

[Ord. 2005 – 002]

Based on the FDOT Quality/LOS Manual, 2002 edition

¹Service volumes for “undivided” roadways assume no left turn lanes are available. [Ord. 2005 – 002]

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Part 13. ULDC, Art. 12.B.2.D, Radius of Development Influence/Project Significance (page 16 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Clarification and correction of radius of development influence requirements. The radius is now proposed to be the same for both Test 1 and Test 2, since Test 2 is also based upon peak hour traffic;

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CHAPTER B STANDARDS

Section 2 Project Buildout/Five Year Standard

D Radius of Development/Project Significance

Table 12.B.2.D-7, 3A ~~and Table 12.B.2.D-8, 3B~~ represent the Radius of Development Influence-~~(Test One)~~ and ~~Radius of Development Influence (Test Two)~~ for the specific volume of the proposed Project’s Net Trips. [Ord. 2006-043]

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Table 12.B.2.D-7 3A: ~~Test One – Maximum~~ Radius of Development Influence

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

[Ord. 2005 – 002] [Ord. 2006-043]

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Table 12.B.2.D-8 3B: ~~Test Two – Model Test – Maximum~~ Radius of Development Influence

Net-Daily Trip Generation	Radius
1–50	Need not address any Link under Test 2
51–1,000	Only address Project-Accessed Link on first accessed major thoroughfare.
1,001–4,000	1-mile
4,001–8,000	2-miles
8,001–12,000	3-miles
12,001–20,000	4-miles
20,001–up	5-miles

[Ord. 2006-043]

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- For Test One, a Project must address those Links within the Radius of Development Influence on which its Net Trips are greater than one percent of the LOS D of the Link affected on a peak hour basis AND those Links outside the Radius of Development Influence on which its Net Trips are greater than five percent of the LOS D of the Link affected on a peak hour ~~two-way~~ basis up to the limits set forth in Table 12.B.2.C-1 1A: LOS D Link Service Volumes. Provided, in all cases, I-95 and Florida’s Turnpike shall be addressed only if Net

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

1 Trips on these facilities are greater than five percent of the LOS D of the Link affected on a
2 peak hour basis up to the limits set forth in Table 12.B.2.C-1 1A: LOS D Link Service
3 Volumes. [Ord. 2006-043]
4 2. For Test Two, a Project must address ~~only~~ those Links within the Radius of Development
5 Influence on which its Net Trips are greater than three percent of the LOS E of the Link
6 affected on a peak hour two-way basis up to the limits set forth in Table 12.B.2.C-4, 2.A: LOS
7 E Link Service Volumes AND those Links outside the Radius of Development Influence on
8 which its Net Trips are greater than five percent of the LOS ~~D~~ E of the Link affected on a
9 peak hour two-way basis up to the limits set forth in Table 12.B.2.C-4, 2A: LOS E Link
10 Service Volumes. Provided, in all cases, I-95 and Florida's Turnpike shall be addressed only
11 if Net Trips on these facilities are greater than five percent of the LOS E of the Link affected
12 on an Peak Hour basis up to the limits set forth in Table 12.B.2.C-4, 2.A: LOS E Link Service
13 Volumes. [Ord. 2006-043]
14 Table 12.B.2.D-9-3B identifies the thresholds for the purposes of defining project significance for
15 Test One. The LOS D thresholds shall mean those peak hour two-way volumes listed in Table
16 12.B.2.c-1 1A. Table 12.B.2.D-10-4B identifies the Significance thresholds for Test Two. The LOS
17 E thresholds shall be those Peak Hour volumes listed in Table 12.B.2.C-4, 2A. [Ord. 2006-043]

Part 14. ULDC, Table 12.B.2.D-9.3C, Test One Levels of Significance and Table 12.B.2.D-10 3D
Test Two Levels of Significance, (page 17 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Implementation of Florida Legislature's year
2005 changes to Chapter 163.3180 (6) of the Florida Statutes with regard to how "de minimus traffic" is to
be addressed. It requires that any trips on a roadway segment within the radius of development influence
must be addressed against the Test 1 standard if the segment is more than 110% overcapacity with
existing and approved development traffic volumes (100% of capacity if the segment is a hurricane
evacuation route).

CHAPTER B STANDARDS

Section 2 Project Buildout/Five Year Standard

D Radius of Development/Project Significance

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

Table with 3 columns: Facility, All Links (except I-95 and the Turnpike), I-95/Turnpike. Row 1: Significance Level, one percent LOS D within Radius, five percent LOS D outside Radius, five percent LOS D.

[Ord. 2006-043]

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

Table with 3 columns: Facility, All Links (except I-95 and the Turnpike), I-95/Turnpike. Row 1: Significance Level, three percent LOS E within Radius, five percent LOS E outside Radius, five percent LOS E.

[Ord. 2006- 043]

Pursuant to section 163.3180(6), Florida Statutes, any Project which is below the Significance
level identified in Tables 12.B.2.D-9 3C on a Link within its Radius of Development Influence that
has been identified as ineligible for de minimis exception by the Florida Department of
Community Affairs (DCA) must still meet the requirements of Test 1 for that Link. This subsection
shall not apply to a Project that consists of one single family home on an existing lot.

Part 15. ULDC, Art. 12.B.2.E, Phasing, (page 17 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Amend for clarification.

CHAPTER B STANDARDS

Section 2 Project Buildout/Five Year Standard

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

E Phasing

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

- 5. For any Assured Construction which is to be completed by the Applicant as to the Unincorporated Area, the Applicant must agree in writing prior to approval of the Traffic Impact Study ~~the application being accepted~~ that a condition of approval must be imposed or an Agreement executed and sufficient Performance Security must be required; and as to the Incorporated Area either an Agreement must be executed by all parties prior to or concurrent with the issuance of the Site Specific Development Order, or the Site Specific Development Order must have as a condition the completion of the Assured Construction and timely posting of Performance Security.

Part 16. ULDC, Art. 12.B.2.F, Reliance on Assured Road Construction, (page 18 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Elimination of arbitrary limitation on reliance on County and State Five Year Road Programs when construction of a roadway project is postponed. It would allow a land development phased to a 5-Year Road Program project to pull building permits if the roadway project is postponed for more than one year beyond its original construction year in the Program.

CHAPTER B STANDARDS

Section 2 Project Buildout/Five Year Standard

F Reliance on Assured Road Construction

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

- 2. If the Assured Construction is in ~~the first three years of~~ PBCs Five Year Road Program Ordinance as construction, or ~~the first three years of~~ the FDOT Adopted Work Program for construction, and was relied upon for the issuance of the Site Specific Development Order and the construction is subsequently deleted from the PBC Five Year Road Program Ordinance, or the FDOTs Adopted Work Program, Building Permits for development that was phased to that Assured construction shall be issued, but not sooner than the end of the fiscal year construction was to commence. For purposes of this paragraph, "deleted" shall mean the elimination of the construction project, the material reduction in the scope of construction work or funding thereof (as it affects the construction project), the postponement of the construction project for more than two years (one year for projects approved prior to June 16, 1992) beyond the year the construction was originally programmed in ~~the first three years of~~ PBCs Five-Year Road Program or ~~the first three years of~~ the FDOTs Adopted Work Program.

Part 17. ULDC, Art. 12.C.1, Traffic Impact Study, (page 18 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Clarification of "Project Buildout", which has two different meanings depending upon the context. For purposes of preparing a Traffic Impact Study, the "Project Buildout" is defined as the anticipated time period for 100% completion of the project. If an already-approved Project is subject to Monitoring requirements under Chapter E of ULDC Article 2, it will be considered complete and not subject to revisitation under the Traffic Performance Standards if the Project has reached the defined 80% levels under the "Enforcement" paragraph above.

CHAPTER C TRAFFIC IMPACT STUDIES

Section 1 Traffic Impact Study

A. Scope

A Traffic Impact Study shall be required for any Proposed Project, except as set forth in Article 12.E.1.C, No Study Needed. It shall be presented concisely using maps whenever practicable; and shall state all assumptions and sources of information.

B. Criteria

The following criteria shall be addressed:

2. Radii of Development Influence

The traffic study shall use the Radius ~~o~~f Development Influence for Test One and Test Two.

3. Projected Buildout Period

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

a. Assumption

The ~~Projected~~ Buildout Period of the Project shall be set forth in the Traffic Impact Study study and shall be subject to the review and approval of the County Engineer, based on the following criteria.

~~a.1)~~ The size, type and location of the proposed Project.

~~b.2)~~ Customary Buildout Periods for Projects of similar size, type, and location.

~~c.3)~~ Any other factors or conditions relevant to the specific Project, including special market conditions and schedules of Assured Construction.

b. Enforcement

The Buildout Period of the Project shall be regulated by a condition of approval restricting issuance of building permits for primary structures after December 31st of the last year of the Buildout Period. However, the Buildout Period condition shall be deemed complete if any of the following are true:

1) In the case of a non-residential project, final COs have been issued for interior tenant improvements for 80 percent of the gross leasable area.

2) In the case of a residential project, building permits have been issued for 80 percent of the units as set forth in the master plan or site plan as applicable. [Text relocated from Art. 1.I.2.B.68]

Part 18. ULDC, Art.12.C.1.C Traffic Impact Study, (page 18 of 57), is hereby amended as follows:

Reason for amendment: [Traffic Performance Standards] Clarification of some policies already being implemented.

CHAPTER C TRAFFIC IMPACT STUDIES

Section 1 Traffic Impact Study

C. Traffic Volume Components

The traffic impact study shall address the Total Traffic volumes at the Project Buildout Year and at a five-year time horizon as outlined for Test One and Test Two. [Ord. 2006-043]

1. Existing Traffic - (Peak Season Peak Hour Traffic)

Peak Hour Traffic, two-way and directional shall be counted by PBC during the Peak Season as defined in this Article. Where current data (collected no more than 30 months prior to submittal of the Traffic Impact Study) are not available the Project shall conduct counts or upon approval by the County Engineer may establish the Peak Hour Traffic using approved K and D factors.

b. Factors

Where a Peak Season, Off-Peak Season or directional traffic count is not readily available, the count ~~for the Link or Intersection which is unavailable~~ may be established using factors established by the County Engineer for various areas of PBC based on the best available data and generally accepted traffic engineering principles.

4. Background Traffic

b. Historical Growth Tables

Using the Historical Traffic Growth Tables of the County Engineer, the study shall forecast the change in traffic volumes based on Background Traffic within the proposed Project's Radius of Development Influence during the Buildout Period of the proposed Project. The Historical Growth Tables shall be based on historical daily traffic volumes. However, this change shall be applied on an average peak hour basis and a Peak Season, Peak Hours-Peak direction basis if optional analyses are selected. The effect of residential and non-residential projects shall be considered in projecting the increase or decrease in traffic volumes so as to ensure that there is no double counting or omission in Background Traffic. In using the historical growth tables, engineering judgment shall be used to take into account special circumstances such as the opening of a parallel road or a high traffic generation that may distort the growth trend. For Projects with a lengthy buildout time (five years or more) an area wide growth rate using a number of locations in the tables may be appropriate. No growth rate less than zero percent may be used without approval of the County Engineer when the growth rate is a negative. Zero percent shall be used unless approved by the County Engineer. [Ord. 2006-043]

5. Assured Construction

Notes:

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS SUMMARY OF AMENDMENTS (Updated 04/20/07)

1 Assured Construction shall be considered completed as scheduled at the time of submittal of
2 the Traffic Impact Study for the purpose of preparation of the study. Whether it is in fact
3 Assured Construction and the timing of the Assured Construction shall be subject to the
4 confirmation of the County Engineer. The Traffic Impact Study shall specifically identify the
5 need for phasing based on Assured Construction.
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8 **Part 19. ULDC, Art. 12.D, Procedure, (page 22 of 57), is hereby amended as follows:**
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10 Reason for amendment: [Traffic Performance Standards] To implement the same process of project
11 approval notification that is already being followed for municipal project approvals under the Countywide
12 Traffic Performance Standards, especially since Concurrency Certificates are no longer being issued by
13 the County Zoning Division.

14 **CHAPTER D PROCEDURE**

15 **Section 1 Required Submission of Impact Study**

16 **A. Application Procedure**

17 Prior to acceptance of any application for a Site Specific Development Order in the
18 unincorporated area, or issuance of a Site Specific Development Order in the incorporated area,
19 a non-refundable application fee established by the BCC from time to time to defray the actual
20 cost for processing the application, shall be submitted along with the Traffic Impact Study or
21 documentation sufficient to establish that the application is not subject to the standards of this
22 Article.

23 In order to receive a time extension pursuant to Article 2.E, MONITORING, the applicant shall be
24 required to submit either:

- 25 1. ~~a~~A new Traffic Impact Study that meets the standards of this Article in effect at the time the
26 extension is requested, or
- 27 2. ~~d~~Documentation sufficient to establish that the Project with the additional time provided by
28 the extension meets the standards of this Article in effect at the time the extension is
29 requested granted.

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32 **Section 3 Approval of Traffic Impact Study**

33 When the County Engineer has found the proposed Traffic Impact Study to comply with the requirements
34 of this Article, the County Engineer shall issue an approval letter to the applicant with copies to the
35 appropriate local governing bodies. This approval letter shall contain, at a minimum, a summary of the
36 project, its impacts on the surrounding roadway network, and any conditions of approval necessary to
37 ensure compliance with this Article.
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40 **Part 20. ULDC, Art. 12.R, Corridor Master Plans, is hereby added as follows:**
41

42 Reason for amendment: [Traffic Performance Standards] To detail the specific guidelines for preparing
43 Corridor Master Plans called for in Policy 1.1-n of the Transportation Element of the Palm Beach County
44 Comprehensive Plan.

45 **CHAPTER R CORRIDOR MASTER PLANS**

46 **Section 1 General**

47 The County and affected municipalities shall develop individual corridor master plans to address each
48 projected corridor failure In corridors identified in the Comprehensive Plan Transportation Element Policy
49 1.1n, where the adopted Level of Service may not be achieved pursuant to the 2025 Transportation
50 System for Palm Beach County, Highway Component, prepared by the Metropolitan Planning
51 Organization (hereinafter referred to as the "MPO Model"). Once a Corridor Master Plan (hereinafter
52 referred to as "CMP") has been adopted by the County and any affected municipality for a particular
53 corridor, no project which is Significant on that corridor shall be approved for development by the County
54 or affected municipality unless the project meets the requirements of that Corridor Master Plan.

55 **A. Corridor Identification.**

56 A corridor subject to CMP shall consist of a series of continuous Major Thoroughfare Links, two or
57 more of which exceed a volume to capacity ratio of 1.0 as projected by the MPO model. All
58 corridors subject to this section are identified in the Comprehensive Plan.
59

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EXHIBIT H

TRAFFIC PERFORMANCE STANDARDS SUMMARY OF AMENDMENTS (Updated 04/20/07)

B. Development and Implementation.

Corridor Master Plans shall initially be prepared by designated representatives of the County and any affected municipalities. Corridor Master Plans shall be based generally upon the following Outline:

1. Overview of the Study Process
 - a. Study Purpose and objectives
 - b. Identification of study area
 - c. Corridor History
 - d. Agency Coordination
 - e. Public notice and participation of affected property owners
 - f. Decision chronology
2. Corridor problems and needs
3. Evaluation Criteria and Methodology
4. Development and Analysis of Detailed Alternatives
5. Financial Analysis to determine the Preferred Alternative
6. Action Plan

C. Adoption by the County and Affected Municipalities.

1. The Corridor Master Plan must be adopted and implemented by the County and any affected municipalities in order for the terms of the Plan to be enforceable within their respective jurisdictions. If there are outstanding issues that the County and municipal representatives not agree to in the initial draft of the CMP, these issues shall be documented by setting forth the areas of disagreement, the positions of the representatives participating, and any alternatives and compromises offered
2. The draft Corridor Master Plan will be presented to the governing body of the County and each affected municipality for review and comment. If there are also outstanding issues identified by the staffs, the areas of disagreement will also be presented to the respective elected Boards/Commissions for input on how the disagreement should be resolved. If there are remaining unresolved issues identified pursuant to sections C.1., C.2., or C.5, the elected officials shall appoint a negotiator to speak for that local government.
3. The designated negotiators shall meet in an attempt to resolve those issues. If agreement is reached, the Corridor Master Plan shall be finalized and presented to the local governments for adoption pursuant to section C.5.
4. If outstanding issues remain after the negotiators meet, the parties will schedule a joint mediation meeting of the elected bodies to attempt to resolve those issues. A facilitator/mediator shall chair the meeting. If the parties cannot agree to a facilitator/mediator, the parties will request that the Treasure Coast Regional Planning Council either assist them in selecting a facilitator/mediator or actually select the facilitator/mediator.
5. The Corridor Master Plan shall be finalized to include all the items agreed upon by the parties. The Corridor Master Plan shall be presented to the County and each affected municipality for adoption. If any additional areas of disagreement are identified in the adoption process, the local government raising the issue shall present a written report to the other jurisdictions detailing the area of disagreement and reasons for the disagreement. If this occurs, the report will be presented to the other parties. If all of the other parties do not agree to the requested change to the Corridor Master Plan, each local government shall appoint a negotiator as set forth in section C.3. to resolve the issue.
6. The Corridor Master Plans shall become effective upon adoption by all of the appropriate local governments.

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Notes:

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EXHIBIT I

**WCRAO, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY
SUMMARY OF AMENDMENTS
(Updated 04/20/07)**

Part 1 ULDC Table 3.B.15.E-7, WCRAO Sub-area Use Regulations (page 38 of 146), is hereby amended as follows:

Reason for amendment: [WCRAO] 1) Encourage redevelopment and commercial infill for smaller parcels by encouraging uses that may help to reduce dependency on automobiles. This will be consistent with the WCRA Master Plan, and Plan Policy TE 1.2-r (WCRA Transportation Concurrency Exception Area [TCEA]; and 2) To clarify that no form of adult entertainment shall be permitted within the WCRAO.

CHAPTER B OVERLAYS

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

E. Use Regulations

2. Sub-area Use Regulations

a. Use Regulations

In addition to the requirements of Table 3.E.1.B-21, Table 3.F.I-44, and Table 4.A.3.A-1 the following uses shall be prohibited or permitted in the WCRAO Sub-areas: **[Ord. 2006-004]**

Table 3.B.15.E-7 – WCRAO Sub-area Use Regulations

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	NOTE ²
Residential Uses								
Multi-family	X	-	-	-	-	-	-	87
Commercial Uses								
Adult entertainment ³	X	X	X	X	X	X	X	2
Auto Service Station	X	X	X	-	-	-	-	18
Convenience Store with Gas Sales	X	X	X	-	-	-	-	37
Day Labor Employment Serv.	X	X	X	X	X	X	X	41
Repair and Maintenance, General	X	X	X	-	-	-	-	107
Self-service Storage	X	X	X	X	-	-	-	120
Vehicle Sales and Rental	X	X	X	-	-	-	-	135
Office Warehouse	X	X	X	X	A ¹	A ¹	A ¹	138
<u>Work/Live Space</u>	<u>X</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>141</u>
Industrial Uses								
Warehouse	X	X	X	X				138
Key								
X	Prohibited in Sub-area.							
-	Subject to Use Regulations of zoning district.							
A	Class A Conditional or Requested Use.							
<u>P</u>	<u>Permitted by Right.</u>							
Notes:								
1. Limited to lots with a CH or IND FLU Designation and corresponding zoning district. [Ord. 2006-004]								
2. A number in the NOTE column refers to Art 4.B, Supplementary Use Standards, which are applicable to the use. [Ord. 2006-004]								
3. <u>Adult entertainment shall also be prohibited as an accessory use to other principal uses within the sub-areas.</u>								
4. <u>Limited to lots with a CH or CL FLU Designation and corresponding zoning district.</u>								

Part 2. ULDC, Art.3.B.15.H.1.a, WCRA Recommendation [Related to Density Bonus Pool] (page 45 of 146), is hereby amended as follows:

Reason for amendment: [WCRA] 1) Density bonus pool thresholds need to be reduced for specific sub-areas due to parcel limitations that would automatically preclude some sites from eligibility; 2) Add Type I Restaurant as a preferred use in the NG; 3) Substantially decrease the thresholds for approval for density bonus pool units; 4) Changes affordability standards and adds a Master Covenant requirement similar to WHP.

CHAPTER B OVERLAYS

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

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EXHIBIT I

**WCRAO, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY
SUMMARY OF AMENDMENTS**

(Updated 04/20/07)

H. Density Bonus Programs

1. Density Bonus Pool

Notwithstanding the provisions of Art. 5.G, Density Bonus Programs, an additional 1,300 residential units are available in the WCRAO in accordance with Plan Policy 1.2.4-b, and the following: **[Ord. 2006-004]**

Table 3.B.15.H-12 – WCRAO Density Bonus Pool Limits

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Max WCRAO Density Bonus Per Acre	n/a	20	30	50	150	150	n/a
Ord. 2006-004							
Notes:							
1) Additional Density Bonus Pool Units are only permitted where a project utilizes all allowed density as indicated by FLU designation and the Plan. [Ord. 2006-004]							

a. WCRA Recommendation

Any proposed project that includes a request from the Density Bonus Pool shall obtain a recommendation from the WCRA in accordance with the standards of 3.B.15.D.1.b, Timeframe for Response. A project that meets three, for the UH and UG Sub-areas, and four for the NRM, NG, and NC Sub-areas, of the following six factors shall receive a recommendation for approval from the WCRA: **[Ord. 2006-004]**

- 1) The proposed project meets the minimum building frontage requirements of Table 3.B.15.F-9, WCRAO Sub-area PDRs. **[Ord. 2006-004]**
- 2) The proposed project includes sufficient land area to and a rear lot line abutting a R-O-W to ensure that vehicular access is limited to a rear, in accordance with Art. 3.B.15.I.1.a.1). **[Ord. 2006-004]**
- 3) Where permitted, the proposed project includes mixed use with a minimum of ten percent and a maximum of 50 percent of the GFA dedicated to non-residential uses. **[Ord. 2006-004]**
- 4) A minimum of five percent of the gross lot area is set aside for open space with a public amenity or a public plaza, with a minimum size of 800 square feet and 25 feet in width, including but not limited to public art (not depicting any advertising); fountains of at least eight feet in height and 16 feet in diameter; pergolas; bell or clock tower; and public seating areas (not in conjunction with any restaurant seating). **[Ord. 2006-004]**
- 5) A minimum of 40 percent of the projects allowed density is reserved for affordable housing meeting the requirements of Art. 3.B.15.H.1.c, Affordability Standards. **[Ord. 2006-004]**
- 6) Preferred uses: **[Ord. 2006-004]**
 - a) NRM Sub-area: business or professional office, medical or dental office, personal services, and townhouses. **[Ord. 2006-004]**
 - b) NG Sub-area: business or professional office, medical or dental office, personal services, printing and copying services, Type I restaurants that meet the requirements of Art. 4.B.1.A.109.c.2), Permitted By Right, and Type II restaurants. **[Ord. 2006-004]**
 - c) NC, UG and UH Sub-areas: business or professional office, personal services, printing and copying services, Type I restaurants that meet the requirements of Art. 4.B.1.A.109.c.2), Permitted By Right, and Type II restaurants. **[Ord. 2006-004]**

b. Approval Process

The review process for a WCRAO Density Bonus Pool approval is based on the density bonus requested in accordance with Table 3.B.15.H-13, WCRA Density Bonus Pool Approval. Notice of all proposed projects shall be forwarded to the BCC by the Division responsible for reviewing the application. **[Ord. 2006-004]**

Table 3.B.15.H-13 – WCRAO Density Bonus Pool Approval

Approval Process Required ¹	Range of Bonus Units per Acre	Min. % of Density Bonus Units Required to be Affordable ³
Permitted by Right	0.1 – 1.99 ⁴	40%
DRO Approval	<u>2.401 – 3.99</u> ²²	
BCC Approval	<u>4.22.01</u> or more	
[Ord. 2006-004]		
Notes:		
1. The transfer of density to a PDD or TDD requires approval as a requested use. [Ord. 2006-004]		
2. Up to one unit may be permitted by right for projects less than one acre in size. [Ord. 2006-004]		
3. Affordable units shall include very low and low-income households as required by the Plan. [Ord. 2006-004]		

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EXHIBIT I

WCRAO, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

c. Affordability Standards

~~Units required to be affordable shall comply with the standards for WHP units, as follows: Art. 5.G.1.G.2.b, Design Standards; Art. 5.G.1.G.2, Management Plan; Art. 5.G.1.G.4, Mix of Units; Art. 5.G.1.G.5, Assurance of Affordability; and, Art. 5.G.1.G.6, Limitation on Restrictions. [Ord. 2006-004]~~

Where required by Table 3.B.15.-13, Density Bonus Pool Approval, units required to be affordable shall comply with the following:

1) Design Requirements

All density bonus units required to be affordable shall be designed to a compatible exterior standard as other units within the development or pod. These units may be clustered or dispersed throughout the project.

2) Sales and Rental Prices

Affordable units shall be offered for sale or rent to very-low and low income households. For the purposes of this section and in accordance with Plan TE Policy 1.2-r, very-low and low income shall be defined as less than or equal to 50 percent, and more than 50 percent but less than or equal to 80 percent County's Area Medium Income (AMI), respectively. The sale and rent prices may be updated annually by the County Administrator, or designee, based on the AMI, and household income limits for PBC (West Palm Beach/Boca Raton metropolitan statistical area) as published annually by HUD.

3) Master Covenant

Prior to final DRO approval, the applicant shall record in the public records of Palm Beach County a Covenant binding the entire project, in a form provided by the County, which identifies each required affordable unit. In the event the project is not subject to final DRO approval, the applicant must submit a recorded copy of the Covenant to the Building Division prior to issuance of the first building permit. The Covenant shall include but not be limited to restrictions requiring: that all identified affordable units shall be sold, resold, or rented only to very-low and low income qualified households at an attainable housing cost for each of the targeted income ranges; that these restrictions remain in effect for a minimum of ten years for units sold to eligible households, and a minimum of 20 years for rental units, from the date of each unit is first purchased or designated as a rental unit; and that in the event a unit is resold before the ten or 20 year periods conclude, a new 10 or 20 year period shall take effect on the date of resale. The Covenant shall further provide monitoring and compliance requirements including but not limited to those set forth below to ensure compliance with Plan TE Policy 1.2-r. Every deed for sale of an affordable housing unit shall incorporate by reference the controlling Covenant.

4) Monitoring and Compliance

Shall be in accordance with the monitoring and compliance requirements of Art. 5.G.1, Workforce Housing Program.

5) Enforcement

Shall be in accordance with the enforcement requirements of Art. 5.G.1, Workforce Housing Program.

6) Limitations on Restrictions

Shall be in accordance with the limitations and restriction requirements of Art. 5.G.1, Workforce Housing Program.

Part 3. ULDC, Art. 3.B.15.I, Parking and Streets, (pages 46 and 47 of 146), is hereby amended as follows:

Reason for amendment: [WCRA] 1) To add greater loading zone flexibility for smaller redevelopment parcels; and, 2) request to add UG and UH to sub-areas to areas eligible for parking reductions.

CHAPTER B OVERLAYS

Section 15 WCRAO, Westgate Community Redevelopment Area Overlay

I. Parking and Streets

1. Parking

a. General

- 1) Parking in the NRM, NG, NC and UG Sub-areas shall be accessed from the rear from a street or alleyway, when available. [Ord. 2006-004]
- 2) Reserved parking, including spaces reserved for valet parking, shall be prohibited except for parking provided above the minimum required, or for individual garages for residential units. [Ord. 2006-004]

b. Parking Exemption in the NC Sub area

Notes:

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EXHIBIT I

WCRAO, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY
 SUMMARY OF AMENDMENTS
 (Updated 04/20/07)

Projects on lots less than 10,000 square feet in size shall be exempt from on site parking requirements if fronting on a street with on-street parking. [Ord. 2006-004]

c. Allowable Reductions in Required On-site Parking and Loading

The required amount of on-site parking, or loading dimensions, may be reduced in accordance with any of the following provisions. These provisions may be applied cumulatively. [Ord. 2006-004]

1) UG, UH, NRM, NG and NC Deviations

Deviations in the required parking may be reduced in Table 6.A.1.B-1, Minimum Off Street Parking and Loading Requirements shall be permitted for mixed-use or residential projects in the UG, UH, NRM, NG, or NC Sub-areas as specified in Table 3.B.15.I-14, WCRAO Mixed-use Parking Deviations. [Ord. 2006-004]

2) Curbside Parking

On street parking available along the frontage, side or rear lot lines that directly abuts the subject lot may be applied toward the parking requirements of the uses on the lot. Applicable spaces shall be calculated by taking the total linear distance of parking spaces and abutting the site's lot lines and dividing ~~but~~ by the average length of spaces. [Ord. 2006-004]

Table 3.B.15.I-14 – WCRAO Mixed Use Parking Deviations

Use	Parking
Multi-family Residential	1 Bedroom 2 Bedroom <u>3 or more bedrooms</u>
Hotel or Motel (other areas calculated separately)	1 per unit plus required guest parking 1.5 per unit plus required guest parking <u>2 spaces per unit plus required guest parking²</u>
Office, Business or Professional and Medical or Dental	1.25 per room
Commercial Uses	2.5 per 1,000 sq. ft.
Commercial, General Retail Sales	2.5 per 1,000 sq. ft.
Restaurant, Bar <u>Cocktail Lounge</u>	3 per 1,000 sq. ft. 1 per 4 seats
Notes:	
1. <u>Unless stated otherwise in this section, parking and loading</u> Loading shall be in accordance with Table 6.A.1.B-1, Minimum Off Street Parking and Loading Requirements. [Ord. 2006-004]	
2. <u>A parking ratio of 1.5 spaces per unit plus required guest parking shall also be permitted for any unit required to be deed restricted for very-low and low income households.</u>	

3) Connections to Adjacent Parking

Parking areas connecting to adjoining or future adjoining lots shall be granted a five percent reduction in the amount of required parking. This five percent reduction shall be deducted from the final calculated parking requirement, after all other eligible reductions are taken into consideration. [Ord. 2006-004]

4) Loading Exceptions

Lots 2.5 acres or less may utilize the access aisles adjacent to the building for loading purposes subject to DRO approval of documentation including but not limited to: evidence of actual loading demand for the proposed use(s), as well as other available technical data, traffic engineering, and planning information.

2. Access and Circulation System

a. Construction in Existing R-O-W

The County Engineer may approve alternatives to PBC standard design sections for local street construction, where streets are maintained by PBC, in order to accommodate construction or reconstruction of paving and drainage improvements to an existing public local street, or segment thereof. The eligible R-O-Ws shall have a width of less than 50 feet. The alternative design(s) shall provide for paved travel-way widths, structural sections, drainage, pedestrian access, dead-end turnarounds, and safe sight corners as prescribed by PBC standards for local streets, or as deemed equivalent by the County Engineer. All required treatment and discharge control of storm-water runoff to the street drainage system shall be provided by secondary storm-water management facilities located outside the street R-O-W, permitted and constructed in accordance with applicable regulations of all agencies having jurisdiction over the receiving waters at the point of legal positive outfall. [Ord. 2006-004]

b. Access to Residential Subdivision Lots

In lieu of minimum legal access requirements pursuant to Art. 11.E.1.A.1, Access and Circulation Systems, a local street improved pursuant to Art. 3.B.15.I.2.a, Construction in Existing R-O-Ws, and having continuous paved access to at least one public street on the perimeter of the WCRAO, shall be deemed by the County Engineer to meet the requirement of local street access for residential lots created by subdivision of abutting property. Nothing herein shall prohibit the owner of abutting property from making application for and receiving appropriate approval of a final subdivision plan or waiver of platting prior to completion of the above-noted improvements; provided, however, that the applicable plat or affidavit of waiver shall not be approved for recordation until construction has commenced for said improvements. [Ord. 2006-004]

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EXHIBIT I

WCRAO, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY
SUMMARY OF AMENDMENTS
(Updated 04/20/07)

- 1 c. **Alleys**
- 2 Removal of existing alleys is prohibited, unless approved by the WCRA. [Ord. 2006-004]
- 3 d. **Driveways**
- 4 In the NRM, NG, NC, and UG Sub-areas, a maximum of one driveway is permitted for
- 5 lots less than 100 feet wide, or for one driveway for each 100 linear feet of frontage (or
- 6 rear property line for double frontage where applicable). [Ord. 2006-004]
- 7
- 8

9 **Part 4. ULDC Art 4.B.1.A.141, Work/Live Space (page 95 of 149), is hereby amended as**
10 **follows:**

12 **Reason for amendment:** 1) [WCRA] Allow Work/Live Space in the WCRAO for consistency with
13 proposed amendments to Table 3.B.15.E-2 – WCRAO Sub-area Use Regulations; and 2) [Zoning] To
14 clarify that all Work/Live Space units shall be calculated as non-residential square footage.

15
16 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

17 **Section 1 Uses**

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

19 **141. Work/Live Space**

20 A space within a building that is used jointly for residential, commercial and/or industrial
21 purposes, where the residential space is accessory to the primary use as a place of work.
22 *Work/Live Space shall be counted as non-residential square footage.*

23 **a. Floor Area**

24 Shall not exceed 1,000 square feet of living area.

25 **ab. Office Space**

26 A minimum of ten percent of the living area shall be designated as office space.

27 ~~**b. TDDs/PDDs**~~

28 ~~Shall be counted as non-residential square footage.~~

29 **c. WCRAO**

30 Shall be permitted in accordance with Table 3.B.15.E-7 – WCRAO Sub-area Use
31 Regulations.

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