

**Board of County Commissioners**

Steven L. Abrams, Chair  
Priscilla A. Taylor, Vice Chair  
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**County Administrator**  
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**Department of Planning, Zoning & Building**  
2300 North Jog Road  
West Palm Beach, FL 33411  
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**TITLE: FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING  
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2012-02**

**SUMMARY:** The proposed ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications to the Unified Land Development Code (ULDC), as well as several specific amendments.

- Ordinance Title
- Exhibit A Article 2, Development Review Procedures
- Exhibit B Article 3, Overlays and Zoning Districts
- Exhibit C Article 5, Supplementary Standards
- Exhibit D Article 6, Parking
- Exhibit E Article 11, Subdivision, Platting, and Required Improvements
- Exhibit F Article 14, Environmental Standards
- Exhibit G Improvement Value
- Exhibit H Congregate Living Facilities
- Exhibit I Funeral Homes and Crematories
- Exhibit J Outdoor Recreation Standards
- Exhibit K Convenience Store with Gas Sales
- Exhibit L Miniature or Pot Bellied Pigs
- Exhibit M Recycling Uses

**LDRAB/LDRC:** The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on August 22, 2012 and October 24, 2012, and, the Land Development Regulation Commission (LDRC) on November 14, 2012. At the last meeting on November 14, 2012, the LDRAB voted 15-0 to recommend that the BCC not take action on Exhibit M, Miniature or Pot Bellied Pigs. All proposed ULDC amendments were found to be consistent with the Plan.

**BCC PUBLIC HEARINGS:** December 5, 2012 - Request for Permission to Advertise for First Reading on January 3, 2013 and Article 13, Impact Fees pulled out from the packet to run as a separate ordinance: Approved as amended, 6 – 0.

**MOTION:** To approve on First Reading and advertise for an Adoption Hearing on January 24, 2013: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 - DEFINITIONS AND ACRONYMS;** CHAPTER H, LOT OF RECORD; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES;** CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS;** CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 - USE REGULATIONS;** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER D, EXCAVATION; **ARTICLE 5 - SUPPLEMENTARY STANDARDS;** CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER H, MASS TRANSIT STANDARDS; **ARTICLE 6 - PARKING;** CHAPTER A, PARKING; **ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS;** CHAPTER E, REQUIRED IMPROVEMENTS; **ARTICLE 14 - ENVIRONMENTAL STANDARDS;** CHAPTER B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 - DEFINITIONS AND ACRONYMS**; CHAPTER H, LOT OF RECORD; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES**; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS**; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 - USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER D, EXCAVATION; **ARTICLE 5 - SUPPLEMENTARY STANDARDS**; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER H, MASS TRANSIT STANDARDS; **ARTICLE 6 - PARKING**; CHAPTER A, PARKING; **ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS**; CHAPTER E, REQUIRED IMPROVEMENTS; **ARTICLE 14 - ENVIRONMENTAL STANDARDS**; CHAPTER B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; PROVIDING FOR; INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

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

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

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

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

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

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

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

**Section 1. Adoption**

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

- 1       ▪ Ordinance Title
- 2       ▪ Exhibit A     Article 2, Development Review Procedures
- 3       ▪ Exhibit B     Article 3, Overlays and Zoning Districts
- 4       ▪ Exhibit C     Article 5, Supplementary Standards
- 5       ▪ Exhibit D     Article 6, Parking
- 6       ▪ Exhibit E     Article 11, Subdivision, Platting, and Required Improvements
- 7       ▪ Exhibit F     Article 14, Environmental Standards
- 8       ▪ Exhibit G     Improvement Value
- 9       ▪ Exhibit H     Congregate Living Facilities
- 10      ▪ Exhibit I     Funeral Homes and Crematories
- 11      ▪ Exhibit J     Outdoor Recreation Standards
- 12      ▪ Exhibit K     Convenience Store with Gas Sales
- 13      ▪ Exhibit L     Miniature or Pot Bellied Pigs
- 14      ▪ Exhibit M     Recycling Uses
- 15

16           **Section 2. Interpretation of Captions**

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

19

20           **Section 3. Repeal of Laws in Conflict**

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

23

24           **Section 4. Severability**

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

29

30           **Section 5. Savings Clause**

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

37

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

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

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

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

3

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

6

SHARON R. BOCK, CLERK &  
COMPTROLLER

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

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

By: \_\_\_\_\_  
Steven L. Abrams, Chairman

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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

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**EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_\_ day of

10 \_\_\_\_\_, 20\_\_\_\_.

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EXHIBIT A

ARTICLE 2, DEVELOPMENT REVIEW PROCEDURE  
SUMMARY OF AMENDMENTS  
(Updated 9/17/12)

1  
2 Part 1. ULDC Art.2.G.3.H.3.c, Terms of Office [Related to Historic Resources Review Board  
3 membership) (page 78 of 88), is hereby amended as follows:  
4

**Reason for amendments:** [Planning] Due to the need for specialized expertise in the membership of the  
Historic Resources Review Board (HRRB) (i.e., archaeologists, historic architects, historians, architectural  
historians, etc.), the Planning Director is requesting to delete the restriction on reappointment to allow for  
members to serve multiple successive terms if warranted.

5 CHAPTER G DECISION MAKING BODIES

6 Section 3 APPOINTED BODIES

7 H. Historic Resources Review Board

8 3. Board Membership

9 c. Terms of Office

10 Each appointment shall be made for a term of three years. Any member may be  
11 reappointed ~~for one successive term~~ upon approval of the BCC as provided for herein.

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EXHIBIT B

ARTICLE 3, OVERLAYS AND ZONING DISTRICTS  
SUMMARY OF AMENDMENTS  
(Updated 8-9-12)

1  
2 Part 1. ULDC Art. 3.E.2.f.4.d, Landscape Buffer (Related to AGR PUD) (page 163 to 164 of 228),  
3 is hereby amended as follows:  
4

**Reason for amendments:** [Industry/Zoning] This amendment is the result of discussions with industry in conclusion to multiple approvals for Type II Variance relief from the requirements for increased perimeter buffering between the Development Area of an AGR PUD and a Rural Parkway (reductions to 15 feet in width). A minimum 50 foot wide Type 3 Incompatibility Buffer is required between the Development Area of an AGR-PUD when located adjacent to agricultural lands, mitigating any potential adverse impacts from agricultural activities with the intent of protecting agricultural rights. Width reductions are permitted for perimeter's abutting certain roadways, other PUDs or open space such as a lake; however, these reductions are not applicable to a Rural Parkway used to meet AGR-PUD Preserve Area requirements. The Rural Parkways system is primarily planned to be located along the Lyons Road corridor and provides a 100 foot wide naturalistic pathway system for pedestrians, cyclists, and equestrians. As such, the uses are generally compatible with the Development Area of an AGR-PUD, and the increased buffer width is not necessary.

5 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

6 Section 2 Planned Unit Development (PUD)

7 F. AGR PUD

8 4. Development Area

9 d. Landscape Buffer

10 A Type 3 incompatibility buffer shall be required between the Development Area and all  
11 adjacent properties zoned AGR, AP, SA, or AR; including Preservation Areas. The buffer  
12 shall be a minimum of 50 feet in width and installed in accordance with Article 7,  
13 LANDSCAPING, except that a wall shall not be required. [Ord. 2006-004] [Ord. 2008-  
14 003]

15 1) **Buffer Width Reduction**

16 *The minimum 50 foot buffer width required along the perimeter of an AGR-PUD*  
17 *Development Area may be reduced for the following:*

18 a) **Abutting R-O-W, Open Space or Another Buffer**

19 A ~~buffer required along the perimeter of a Development Area may be reduced by~~  
20 50 percent reduction (minimum of 25 feet in width) shall be permitted if:

21 (1)~~a)~~ the buffer is within a nonresidential pod and adjacent to a R-O-W greater  
22 than 50 feet in width;

23 (2)~~b)~~ the buffer is adjacent to another platted PUD buffer a minimum of 20 feet  
24 in width; or

25 (3)~~e)~~ the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than  
26 50 feet in width.

27 b) **Abutting a Rural Parkway**

28 A reduction to a minimum of 15 feet in width shall be permitted if the buffer is  
29 abutting a Rural Parkway a minimum of 100 feet in width.  
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**EXHIBIT C**  
**ARTICLE 5, SUPPLEMENTARY STANDARDS**  
**SUMMARY OF AMENDMENTS**  
**(Updated 11/14/12)**

1  
2 **Part 1. ULDC Art. 5.C.1.I.1.a, CL FLU [Related to Large Scale Commercial Development and**  
3 **Single Tenant Limit] (pages 41-42 of 92), is hereby amended as follows:**  
4

**Reason for amendments:** [Zoning] Exempt the Sluggett Commercial property from Neighborhood Oriented limitations of the Plan for the Commercial Low (CL) future land use (FLU) category in accordance with Plan amendments adopted by the BCC on October 29, 2012. The subject site would still be subject to the Single Tenant Limit of 200,000 gross square feet applicable to the CH FLU designation, inclusive of the option to expand to 210,000 gross square feet subject to specific design criteria.

5 **CHAPTER C DESIGN STANDARDS**

6 **Section 1 Architectural Guidelines**

7 **I. Large Scale Commercial Development**

8 **1. Single Tenant Limit**

9 **a. CL FLU**

10 The maximum building size for a single tenant shall be less than 65,000 gross square  
11 feet. The commercial development of the parcel located at the northwest corner of  
12 Southern Boulevard and Seminole Pratt Whitney Road and identified in the legal  
13 description in Ordinance 2010-030 (LGA 2010-012) shall be exempt from the maximum  
14 square footage limitation for single tenants in the CL FLU designation. [Ord. 2005 – 002]  
15

16 **Part 2. ULDC Art. 5.F.1.F.1.a.5), Easement (page 59 of 92), is hereby amended as follows:**  
17  
18

**Reason for amendments:** [Zoning] Correct scrivener's error to address redundant and erroneous minimum dimension for the minimum two-foot roof overhang easement for Zero Lot Line (ZLL) homes. Art. 3.D.2.C.9.c, Maintenance and Roof Overhang Easement correctly specifies a minimum roof overhang easement requirement of two feet, while Art. 5.F.1.F.1.a.5)i) incorrectly requires a minimum of three feet, which is contrary to current practice dating back to 1992.

19 **CHAPTER F LEGAL DOCUMENTS**

20 **Section 1 Maintenance and Use Documents**

21 **F. Content Requirement for Documents**

22 **1. Property Owner's Association (POA) Documents**

23 **a. Declaration of Covenants and Restrictions**

24 **5) Easements**

25 The following easements shall be granted or confirmed if already established by  
26 recorded plat or grant of easement:

27 ....

28 i) Zero-lot line (ZLL) easement, if applicable. ~~A three-foot~~ An easement with a  
29 minimum of two feet in width, and contiguous to the ZLL boundary shall be  
30 established for the purpose of incidental encroachment, access and  
31 maintenance; or

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EXHIBIT D

ARTICLE 6 – PARKING  
SUMMARY OF AMENDMENTS  
(Updated 8/9/12)

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

**Reason for amendments:** [Zoning] Amend to recognize that residential developments may have residents that use golf carts or Low Speed Electric Vehicles (LSEV) within the development which creates a need to accommodate golf carts parking areas, particularly within neighborhood recreation areas. This amendment allows a percentage of the required recreation area parking for golf courses, swimming pools and tennis courts to be reduced to the minimum dimension used in LSEV.

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

| Use Type: Recreational   | Parking (1)   | Loading (2) |
|--|---|-------------|
| ....   |   |             |
| Clubhouse (Recreational Pod) (7)   | 1 space per 300 sq.ft. of air conditioned area (includes all interior uses); and 1 bicycle parking rack shall be provided | N/A         |
| ....   |   |             |
| Golf course (7)  | 4 spaces per hole; plus 1 space per 250 sq. ft. of clubhouse  | N/A         |
| ....   |   |             |
| Swimming pool (7)  | 1 space per 200 sq. ft. of pool area; and 1 bicycle parking rack shall be provided  | N/A         |
| Tennis Courts (6)(7) And Basketball Courts (7)   | 1.5 spaces per court; and 1 bicycle parking rack shall be provided  | N/A         |
| ....   |   |             |
| <b>[Ord. 2005-002]</b>   |   |             |
| <b>Loading Key:</b>  |   |             |
| ....   |   |             |
| <b>Notes:</b>  |   |             |
| 6. ....  |   |             |
| 7. Golf cart parking may be used <del>to satisfy a portion of the required parking for residential PDD rec. pods,</del> pursuant to Art. 6.A.1.D.7, Golf Cart Parking <b>[Ord. 2007-001]</b> |   |             |
| 8. ....  |   |             |

Part 2. ULDC Art. 6.A.1.D.7, Golf Cart Parking (page 15 of 39), is hereby amended as follows:

**Reason for amendments:** [Zoning] 1) Respond to industry trend of increasing use of golf carts as a transportation system within residential developments; 2) Only recreational pods of PDDs are currently allowed to request reduction of parking spaces size to accommodate golf carts. This amendment covers any prior approved large-scaled residential subdivisions such as Lost Tree and Delray Dunes Subdivisions that without this provision would be subject to variance when looking to use the golf cart parking reduction; 3) This amendment allows recreation areas owned and operated by Property Owners Associations (POA) and intended to be used by the residents to utilize a maximum of 25 percent of the recreational uses required parking space to accommodate golf carts; and, 4) Clarify that parking spaces used for golf carts can be reduced in size to a minimum dimension of six feet consistent with Low Speed Electric Vehicles (LSEV).

CHAPTER A PARKING

Section 1 General

D. Off-Street Parking

7. Golf Cart Parking

Residential developments with recreation areas such as recreation pods, golf courses or recreational facilities designed and intended for use by occupants of residential developments or subdivisions, owned and operated by POA, may accommodate golf carts or LSEVs subject to the following:

- a. Utilize a A maximum of 25 percent of the recreational uses required parking spaces in a recreation pods of a residential PDD may be reduced in size and redesigned to accommodate golf carts.

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EXHIBIT D

ARTICLE 6 – PARKING  
SUMMARY OF AMENDMENTS

(Updated 8/9/12)

b. Parking dimension may be reduced consistent with Low Speed Electric Vehicle (LSEV) minimum dimensions as indicated in Table 6.A.1.D, Minimum Parking Dimensions For Nonresidential Uses and Residential Uses with Shared Parking Lots.

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EXHIBIT E

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS  
SUMMARY OF AMENDMENTS  
(Updated 11/14/12)

1 Part 1. ULDC Art. 1.H.1.B.2, Legal Access (page 29 of 115), is hereby amended as follows:  
2

**Reason for amendments:** [Land Development] To clarify that a new lot is not required to have direct access onto a right of way on the PBC Thoroughfare ROW Identification Map. Also, current code language allows for any access provided to a lot when the lot was created regardless of whether the lot was created legally. The term “legally created” is being added to indicate that a lot cannot have been illegally created and have its access be considered legal.

3 CHAPTER H LOT OF RECORD

4 Section 1 Potentially Buildable Lot

5 B. Standards

6 2. Legal Access

7 The lot has legal access ~~(that was in existence at the time the lot was created, and which~~  
8 ~~remains in place)~~ to street that ultimately connects to a right of way currently identified on the  
9 PBC Thoroughfare R-O-W Identification Map, as follows:

- 10 a. In accordance with Art. 11, Subdivision, Platting and Required Improvements, Table  
11 11.E.2.A, Chart of Access Hierarchy; or **[Ord. 2007-001]**
- 12 b. From a recorded easement exclusively for the purposes of ingress and egress  
13 access, a minimum of 20 feet in width, granting the owner, its successors and  
14 assigns a perpetual right of useable access across all properties lying between said  
15 lot and a street, provided that the easement was in existence at the time the lot was  
16 legally created, and which remains in place. **[Ord. 2007-001] [Partially relocated**  
17 **from above Art. 1.H.1.B.2, Legal Access]**

18  
19  
20 Part 2. ULDC Art. 3.D.2.C.9.c.), Maintenance at Roof Overhang Easement (page 133 - 134 of  
21 228), is hereby amended as follows:  
22

**Reason for amendments:** [Land Development] To ensure consistency between language that has been approved for plat recordation by the County Attorney's office and Engineering Department and the language that is included in the code. The goal is to keep the language on the recorded plat simple, concise and for the purposes of dedication and not to include design or permitting requirements.

23 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

24 Section 2 PDRs for Specific Housing Types

25 C. ZLL Design Standards

26 9. Permitted Openings and Attachments

27 c. Maintenance and Roof Overhang Easement

28 The subdivision plan and plat shall indicate a maintenance and roof eave encroachment  
29 easement along the ZLL for each ZLL lot for the purpose of allowing maintenance of the  
30 portion of the home with a zero setback and to accommodate any overhang of the roof  
31 eave and gutter. ~~Should a fence or wall traverse or be located within a maintenance and~~  
32 ~~roof easement, written permission from all easement beneficiaries will be required prior to~~  
33 ~~the issuance of a permit by PBC. A gate for access and maintenance purposes will be~~  
34 ~~required. Access for the owner of the lot abutting the easement and the easement~~  
35 ~~beneficiaries shall be provided after advanced notification and during reasonable hours.~~  
36 ~~No construction, landscaping, mechanical equipment, fence or wall shall prevent~~  
37 ~~perpetual access to said easement by the owner of the lot abutting the easement or the~~  
38 ~~easement beneficiaries.~~ **[Partially relocated from Art. 3.D.2.C.9.c.4), Plat]**

39 ...  
40 4) Plat

41 The following language shall be on the plat for each ZLL subdivision: Maintenance  
42 and roof overhang easements are hereby reserved in perpetuity to the owner of the  
43 lot abutting the easement and the HOA for the purpose of access to and  
44 maintenance of improvements, the roof overhang, eave, gutters, drainage and utility  
45 services within and adjacent to said easement without recourse to PBC. ~~Should a~~  
46 ~~fence or wall traverse or be located within said easement, written permission from the~~  
47 ~~HOA will be required prior to the issuance of a permit by PBC. A gate for access and~~  
48 ~~maintenance purposes will be required. Access for the owner of the lot abutting the~~  
49 ~~easement and the HOA shall be provided after advanced notification and during~~  
50 ~~reasonable hours. No construction, landscaping, mechanical equipment, fence or~~  
51 ~~wall shall prevent perpetual access to said easement by the owner of the lot abutting~~

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EXHIBIT E

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS  
SUMMARY OF AMENDMENTS  
(Updated 11/14/12)

~~the easement and the HOA.~~ [Partially relocated to Art. 3.D.2.C.9.c, Maintenance and Roof Overhang Easement]

Part 3. ULDC Art. 11.E.2.A.19, Limited Access Easements (page 36 of 47), is hereby amended as follows:

**Reason for amendments:** [Land Development] To allow the County Engineer flexibility if a limited access easement is not necessary to control access to a street. Further, since limited access easement often conflict with other requirements such as landscape buffers, this change will lessen the number of overlap conflicts that are created.

CHAPTER E REQUIRED IMPROVEMENTS

Section 2 Access and Circulation Systems

A. Vehicular Circulation Systems

19. Limited Access Easements

Limited access easements ~~may~~ shall be required along ~~all~~-non-plan collector streets and ~~all~~ major streets in order to control access to such streets from abutting property, when necessary. Easements for controlling access to local and residential access streets may also be required by the County Engineer in order to ensure continued control of access to such streets from abutting property. All limited access easements shall be conveyed or dedicated to PBC.

Part 4. ULDC Art. 11.E.4.E.5.c., Storm Sewerage (page 42 of 47), is hereby amended as follows:

**Reason for amendments:** [Land Development] To increase the minimum pipe size for roads that are to be publicly maintained which will help to prevent clogging and collection of sediment debris and allow a reduction in maintenance frequency.

CHAPTER E REQUIRED IMPROVEMENTS

Section 4 Stormwater Management

E. Tertiary Stormwater System Design and Performance

5. Storm Sewerage

c. Storm sewer pipe shall have a nominal diameter of not less than 15 inches, or equivalent oval pipe size. However, for stormwater sewerage systems to be maintained by PBC, storm sewer pipe shall have a nominal diameter of not less than 18 inches, or equivalent oval pipe size, unless otherwise approved by the County Engineer. The storm sewer pipe minimum diameter size may be reduced when the pipe is not within a right of way or residential access street, subject to County Engineer approval.

....

**Reason for amendments:** [Land Development] To prohibit metal pipe from being used beneath the pavement within a street due to the shorter life span expected from metal pipe and to require structures to meet Florida Department of Transportation standard specifications since Palm Beach County does not have applicable standards.

i. ~~When metal Metal pipe is shall not be~~ used beneath pavement within a street, ~~it shall be designed to provide a joint-free installation or, where joint-free installations are not feasible, shall be jointed with a 12-inch wide band having a mastic or neoprene gasket providing a watertight joint. Other jointing techniques meeting or exceeding these requirements may be used upon submittal to and approval by the County Engineer.~~

j. Drainage pipe shall be fitted with headwalls, endwalls, inlets and other appropriate terminating and intermediate structures. Structure design shall meet or exceed FDOT PBC standards specifications and policies applicable to the intended use.

....

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EXHIBIT E

ARTICLE 11 – SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS  
SUMMARY OF AMENDMENTS  
(Updated 11/14/12)

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Part 5. ULDC Art. 11.E.7.B., Easements (page 45 of 47), is hereby amended as follows:

**Reason for amendments:** [Land Development] To allow for flexibility in the requirement of a utility easement due to frequent conflicts between these easements with other requirements such as landscape buffers and standard utility easements. These proposed changes will allow the County Engineer flexibility in the location and size of utility easements.

**CHAPTER E REQUIRED IMPROVEMENTS**

**Section 7 Utilities**

**B. Easements**

Utility easements 12 feet wide shall be provided where necessary for the particular development or for continuity purposes to accommodate all required utilities across lots and shall have convenient access for maintenance. Where possible, utility easements shall be centered on lot lines. ~~Where possible, utility easements and~~ should be provided for underground utilities across the portion(s) of the lot abutting a street or parking area. When a utility easement is to abut a street, the width may be reduced as approved by the County Engineer to ten feet. Additional utility easements may be required by PBC when, in the opinion of the County Engineer, such easements are necessary for continuity of utility service between subdivisions or other development and where necessary for maintenance and service. Utility easements and drainage easements shall not be combined. Where crossings occur, drainage easements shall take precedent. Easements shall be coordinated with requisite utility authorities and shall be provided as prescribed by this Article for the installation of underground utilities or relocating existing facilities in conformance with the respective utility authority's rules and regulations.

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

1  
2 Part 1. ULDC Art. 1.I.2.W.21, Wellfield Zones 1, 2, 3 and 4 (page 109 of 119), is hereby  
3 amended as follows:  
4

Reason for amendments: [ERM] This amendment is intended to clarify the definition of Wellfield Zones 1, 2, 3 and 4 to wellfield protection.

5 CHAPTER I DEFINITION AND ACRONYMS

6 Section 2 Definitions

7 W. Terms defined herein or referenced in this article shall have the following meanings:

8 21. Wellfield Zones 1, 2, 3 and 4 – for the purposes of Article 14, zones of influence delineated  
9 by iso-travel time contours around public water supply wellheads. Zone 1 is identified as the  
10 land area ~~within a situated between the well(s) and the~~ 30-day travel time, ~~and~~ Zone 2 is the  
11 land area ~~within a situated between the 30-day travel time and the~~ 210-day travel time, ~~and~~  
12 Zone 3 is the land area situated between 210-day and the 500-day travel time contours.  
13 Zone 4 is determined by the area situated beyond the 500-day travel time contour and within  
14 the one foot drawdown contour. Zones of influence maps, ~~including Zones 3 and 4 are~~  
15 ~~developed pursuant to the Wellfield Protection Section and are on file and~~ maintained by  
16 ERM-Department.

17 ....

18  
19  
20 Part 2. ULDC Art. 4.D.9.A.1, Authority and Criteria (page 169 of 171), is hereby amended as  
21 follows:  
22

Reason for amendments: [ERM] This modification will allow a buy-out option for the planted littoral zone where littoral zones have been demonstrated to be not viable.

23 CHAPTER D EXCAVATION

24 Section 9 Administration and Enforcement

25 A. Administrative Waiver from Construction Criteria for Agricultural, WCAA, Type II and Type  
26 III Excavations

27 1. Authority and Criteria

28 ....

29 b. That a request for relief from the littoral planting requirements include an alternative plan  
30 with a contribution to the Pollution Recovery Trust Fund of twice the amount calculated  
31 by the formula for a guarantee located in 4.D.8.D.5.c. and for review and approval by the  
32 Director of ERM. If the littoral zone had been depicted on the site or master plan, a  
33 modification of the plan shall be processed in order to delete the littoral zone from the  
34 plan;

35 [Renumber Accordingly]

36  
37  
38 Part 3. ULDC Art. 14.B.5, Exemption (pages 14-17 of 52), is hereby amended as follows:  
39

Reason for amendments: [ERM] This modification will clarify the exemptions available to nonresidential facilities that stores, handles, produces, or uses any Regulated Substances.

40 CHAPTER B WELLFIELD PROTECTION

41 Section 5 Exemption

42 A. General Exemptions

43 A general exemption application and an operating permit issued pursuant to the provisions of  
44 Article 14.B.6.C.2, Zone 2, shall be filed with ERM for any nonresidential activity claiming a  
45 general exemption to these regulations under Article 14.B.5.A.4.a, Fire, Police, Emergency  
46 Medical Services and PBC Emergency, Article 14.B.5.A.4.b, Utilities in Zone 1, and Article  
47 14.B.5.A.4.f, Retail/Wholesale Sales Activities. ~~No new nonresidential facilities shall be permitted~~  
48 ~~into Zone 1 after March 7, 1988 if the new nonresidential facility stores, handles, produces or~~  
49 ~~uses any Regulated Substance~~ No nonresidential facility that stores, handles, produces, or uses  
50 any Regulated Substances after March 7, 1988 shall be eligible for a general exemption in Zone  
51 1 unless such facility was in existence prior to the establishment of a new Wellfield Zone 1 or a  
52 reconfigured Wellfield Zone 1 and is required to move or cease operations as a direct result of a  
53 change in the Wellfield Protection Maps.

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

....  
B. Special Exemptions

An affected person in Zones 1 or 2 may petition the hearing officer pursuant to the appeal process in Article 14.C, Appeals, for a Special Exemption, from the prohibitions and monitoring requirements set out in Article 14.B.6.C.1, Zone 1, and Article 14.B.6.C.2, Zone 2. ~~Special exemptions for Zone 1 are for existing nonresidential activities only. No new nonresidential activity shall be permitted in Zone 1 after March 7, 1988 if the new nonresidential activity stores, handles, produces or uses any Regulated Substance. No nonresidential facility that stores, handles, produces, or uses any Regulated Substances after March 7, 1988 shall be eligible for a special exemption in Zone 1 unless such facility was in existence prior to the establishment of a new Wellfield Zone 1 or a reconfigured Wellfield Zone 1 and is required to move or cease operations as a direct result of a change in the Wellfield Protection Maps.~~

....  
2. Procedures

....  
f. Action on Application

Any special exemption granted by the Reference to Article 14.C, Appeals, shall be subject to the applicable conditions which apply to Zones 1 and 2 and any other reasonable and necessary special conditions imposed by the Reference to Article 14.C, Appeals. An operating permit shall be issued by ERM with the applicable conditions of Article 14.B.6.C.1, Zone 1, and Article 14.B.6.C.2, Zone 2, and any other reasonable and necessary special conditions imposed by the ~~Environmental Ordinance Appeals Board. Hearing Officer.~~ Such special exemptions shall be subject to revocation or revision by ERM for violation of any condition of said special exemption by first issuing a written notice of intent to revoke or revise (certified mail return receipt requested or hand delivery). Upon revocation or revision, the activity will immediately be subject to the enforcement provisions of this Article.

Part 4. ULDC Art. 14.B.6.A, Maps (pages 17-18 of 52), is hereby amended as follows:

**Reason for amendments:** [ERM] This revision is to streamline the map adoption process and to update the citation of the parameters of the raw water analysis standards for each well. These tests will now require the use of the updated lists for organic and inorganic priority pollutants found in the F.A.C Table 62-550.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

A. Maps

1. Amendments

Any amendments, additions or deletions to said Maps shall be approved by the BCC ~~following written notice to property owners within the area covered by the amendment, addition, or deletion, and after public hearing. Written notice as provided herein shall be given at least 30 days prior to the public hearing on the amendment, addition or deletion. Said Maps shall be provided to any agency requesting said Maps.~~

....  
6. Reference Raw Water Analysis to be Completed for Each Well

A reference set of raw water analyses shall be completed for each Well for which a Zones of Influence map has been established. Said analyses shall be completed within 185 days after March 7, 1988, for existing wells. A copy of the analytical report shall be forwarded to ERM and the PBCHD within 14 days of completion. For any new well, this set of analyses shall be completed prior to the release of the well into service by the PBCHD ~~within in~~ and ERM. Said analyses shall address inorganic priority pollutants ~~as listed in Appendix 4, Organic Priority Pollutants,~~ and organic pollutants as listed in Chapter 62-550. F.A.C. ~~and as shown in Appendix 4, Organic Priority Pollutants.~~ The cost shall be borne by the utility. The analytical reports shall be prepared by a State of Florida certified laboratory, certified for the applicable analyses. Samples shall be taken by the State of Florida certified laboratory performing the analyses, or its authorized representative.

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

1  
2 Part 5. ULDC Art. 14.B.6, Zones of Influence (pages 17-24 of 52), is hereby amended as  
3 follows:  
4

|  |
|--|
| Reason for amendments: [ERM] This amendment clarifies the process for the BCC to approve Wellfield Protection Maps and permit conditions for wellfield zones of influence. |
|--|

5 CHAPTER B WELLFIELD PROTECTION

6 Section 6 Zones of Influence

7  
8 **B. Protection of Future Wellfields**

9 The prohibitions and restrictions set forth in this Chapter and in regulations promulgated pursuant  
10 hereto shall apply to any sites officially designated by the BCC as future wellfields. Such  
11 prohibitions and restrictions shall become effective upon approval by the BCC of the Zones of  
12 Influence Maps for the designated future wellfield. ~~Prior to final action by the BCC in designating  
13 a future wellfield or approving the Zones of Influence Maps for those wellfields, all property  
14 owners and discernable operating activities within the area affected shall receive written notice at  
15 least 30 days prior to the proposed public hearing at which the action shall be considered.~~

16 **C. Prohibitions and Restrictions**

17  
18 **2. Zone 2**

19  
20 **b. Permit Conditions**

21  
22 **9) Alterations and Expansions**

23 ERM shall be notified in writing prior to the expansion, alteration or modification of an  
24 activity holding an operating permit. Such expansion, alteration, or modification may  
25 result from increased square footage of production or storage capacity, or increased  
26 quantities of Regulated Substances, or changes in types of Regulated Substances  
27 beyond those square footages, quantities, and types upon which the permit was  
28 issued. Should a facility add new Regulated Substances which individually are below  
29 the non-aggregate limits identified in the definition of "Regulated Substance", it shall  
30 notify ERM on ~~thean~~ annual basis of the types and quantities of such substances  
31 added and the location of the use, handling, storage, and production of said  
32 substances.

33  
34 **c. Permits for Existing Uses**

35 All existing non-residential activities in Zone 2 which use, handle, store, or produce  
36 Regulated Substances shall file an application for an operating permit ~~or closure permit~~  
37 within 90 days of the receipt of written notice from ERM.

38 **3. Zone 3**

39  
40 **b. Permit Conditions**

41  
42  
43 **7) Permit Process**

44 Operating permits required by this Chapter shall be applied for and processed in  
45 accordance with Article 14.B.6.C.2.c, Permits for Existing Uses, by filing an application  
46 for an operating permit ~~or closure permits~~ within 90 days of the receipt of written notice  
47 from ERM.

48 **4. Zone 4**

49  
50 **b. Permit Conditions**

51  
52 **4) Permit Process**

53 Operating permits required by this Chapter shall be applied for and processed by filing an  
54 application for an operating permit ~~or closure permit~~ within 90 days of the receipt of  
55 written notice from ERM. Said permit application shall be prepared and signed by a  
56 Professional Engineer or Professional Geologist registered or licensed in the State of  
57 Florida. However, a nonresidential activity in Zone 4 is not required to retain an engineer  
58 or geologist to prepare the operating permit if the revocation for spill provisions of this  
59 Chapter do not apply. Within 30 days of receipt of said notice, the owner or operator shall  
60 file with ERM proof of retention of said engineer or geologist. If application is made for an  
61 operating permit, such a permit shall be issued or denied within 60 days of the filing of  
62 the completed application. If the application for an operating permit is denied, then the

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

activity shall cease within 180 days of the denial ~~and an application for a closure permit shall be filed with ERM within 120 days of the denial of the operating permit.~~ All Regulated Substances and contaminated containers shall be disposed in a lawful and environmental sound manner in accordance with applicable state and federal laws, and the activity and environs shall be cleaned up so as to preclude leaching of residual Regulated Substances into the environment.

....  
**E. Domestic Wastewater and Stormwater Treatment**  
**1. Sanitary Sewer Mains**

All new or replacement installations of sanitary sewer mains in Zone 1 or Zone 2 of a public drinking water wellfield shall be constructed ~~to force main standards using pressure pipe.~~ Standards for installation are shown in Appendix 54, Minimum Standards for Sewer Pipe Fittings, Coatings and Leakage Testing, and shall be enforced by PBCHD through the permit process. For new wells placed in areas of existing sanitary sewers, the sewers in Zones 1 and 2 must be pressure tested at each joint, grouted and sealed with proof of testing provided to the PBCHD prior to release of the well for service.

....  
**G. Closure Activity**

When an activity in any Zone ceases operation, all Regulated Substances and contaminated containers shall be disposed of in a lawful and environmentally sound manner in accordance with applicable state and federal laws, and the activity and environs shall be cleaned up so as to preclude leaching of residual Regulated substances into the environment. When an activity in Zone 1 ceases operation, a closure permit shall be obtained.

Part 6. ULDC Art. 14.B.7.B.2, Closure Permit (page 25 - 26 of 52), is hereby amended as follows:

**Reason for amendments:** [ERM] This amendment specifies which zones require a closure permit.

**CHAPTER B WELLFIELD PROTECTION**

**Section 7 Wellfield Protection (Operating and Closure Permits)**

**B. Applications**  
**2. Closure Permit**

Closure permit applications shall be required in Zone 1 and contain the following information:

....  
Part 7. ULDC Art. 14.B.9, Petition for Compensation (pages 27-30 of 52), is hereby amended as follows:

**Reason for amendments:** [ERM] This Amendment is to address the potential for compensation should the establishment of a new Wellfield Zone 1 or a reconfigured Wellfield Zone 1 require a facility to move or cease operations as a direct result of a change in the Wellfield Protection Maps.

**CHAPTER B WELLFIELD PROTECTION**

**Section 9 Petition for Compensation**

~~Parties affected by the requirements of this Chapter may petition PBC for a determination of the effect of said requirements on those activities and the issue of compensation. The purpose of this section is to provide a means of petitioning PBC for reasonable compensation in the event a person operating a facility in existence prior to the establishment of a new Wellfield Zone 1 or a reconfigured Wellfield Zone 1 is required to move or cease operations as a direct result of a change in the Wellfield Protection Maps. This section shall apply only in the event an application for a General or Special Exemption, as set forth in Article 14.B.5, and all subsequent appeals, are denied. ERM may impose a reasonable fee for each petition in order to defray the costs to PBC in administering this section.~~

**A. Filing**

A petition for compensation shall be filed with ERM no later than 90 days after an application for a General or Special Exemption, as set forth in Article 14.B.5, and all subsequent appeals, are denied. The petition shall be heard by a Hearing Officer as established in Article 2.G.3.G, Hearing Officers.

**B. Contents of Petition**

A petition for compensation shall contain, as applicable, the following:

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

- 1 ~~1. A copy of the closure permit required by this Chapter or the required operating permit~~  
2 ~~showing the change in operation;~~  
3 ~~21. An analysis of the need to cease, move, or change-cease operations including a summary of~~  
4 ~~alternatives investigated and estimated costs of those alternatives;~~  
5 ~~32. A list of all previously issued EPA notices of violation by ERM, Florida Department of~~  
6 ~~Environmental Protection or the EPA regarding use of Regulated Substances including a~~  
7 ~~description of any corrective action taken or pending;~~  
8 ~~43. Detailed specification of the amount for which compensation is being requested. Petitions~~  
9 ~~shall include documentation to verify all costs for which compensation is sought.; and~~  
10 ~~5. ERM shall review all petitions for compensation and make recommendations to the Hearing~~  
11 ~~Officer regarding the reasonableness of any amounts requested by the petitioner, whether~~  
12 ~~the requested compensation consists of amounts greater than the cost of any reasonable~~  
13 ~~facility/operation modifications and whether the facility may potentially qualify for a special~~  
14 ~~exemption. Based upon such recommendations, the Hearing Officer may deny such petition.~~  
15 **[Partially relocated below under new Art. 14.B.9.C]**

16 **C. Administrative Review**

17 ERM shall review all petitions for compensation for completeness within 30 working days of  
18 receipt of the petition. If ERM determines the petition is not complete, written notice shall be  
19 mailed to the Petitioner specifying the deficiencies. No further action shall be taken on the  
20 petition until the deficiencies are remedied. If the deficiencies are not remedied within 30 working  
21 days of receipt of written notice, the petition shall be deemed abandoned and any rights that may  
22 be conferred under this Section shall be waived. Upon a finding of sufficiency, ERM shall review  
23 the petition and make recommendations to the Hearing Officer regarding the reasonableness of  
24 any amounts requested by the Petitioner, whether the requested compensation consists of  
25 amounts greater than the cost of any reasonable facility/operation modifications. Based upon  
26 such recommendations, the Hearing Officer may deny such petition.

27 **[Partially relocated from above Art. 14.B.9.B.5]**

28 **CD. Hearing on Petition**

29 As soon as practicable after submission of a petition for compensation, but no later than 90 days,  
30 by an owner or operator of an activity, the Hearing Officer shall hold a hearing to determine the  
31 eligibility of the activity for compensation pursuant to this Chapter. The Hearing Officer may  
32 extend the 90 day period for good cause based on the request of the Petitioner, PBC, or on its  
33 own initiative. Petitioner shall be given written notice by certified mail or hand delivery of such  
34 hearing at least 30 days prior to the hearing. At least ten days prior to the hearing, the Petitioner  
35 and PBC shall exchange names and addresses of witnesses and copies of all documentary  
36 evidence intended to be used at the hearing. Formal Rules of Evidence shall not apply to such  
37 hearing, but fundamental due process shall be observed and shall govern the proceedings.  
38 Petitioner and PBC shall have the right to:

- 39 1. Call and examine witnesses;  
40 2. Introduce exhibits;  
41 3. Cross examine witnesses on any relevant matter;  
42 4. Rebut the evidence; and  
43 5. Be represented by counsel.

44 **DE. Review and Evaluation Criteria**

45 **1. Cessation or Move**

46 In determining whether the petitioner is eligible for compensation for cessation or moving, the  
47 Hearing Officer shall consider:

- 48 a. Whether a reasonable, cost effective alternative to cessation or moving of operations  
49 exists for complying with this Chapter, including reconfiguring of the wellfield. Applicant  
50 Petitioner, with the cooperation of ERM and the affected public utility, shall address the  
51 issue of reconfiguration;  
52 b. Whether the requirements of this Chapter were the sole reason for cessation or moving  
53 of the operation;  
54 c. Past environmental record; and  
55 d. Efforts to mitigate financial impact of this Chapter and these corresponding regulations.

56 ~~**2. Change In Operations**~~

57 ~~In deciding whether a petitioner is eligible for compensation for a change in operations, the~~  
58 ~~Hearing Officer shall consider:~~

- 59 ~~a. Whether the proposed change is a reasonable, cost effective method for complying with~~  
60 ~~this Chapter; and~~  
61 ~~b. Whether the requirements of this Chapter were the sole reason for the change in the~~  
62 ~~operation.~~

63 **EF. Classes of Impact for Which Compensation May Be Granted**

64 **1. Actual Reasonable Relocation Expenses**

65 ~~**a. Examples of Reasonable or Reimbursable Relocation Costs**~~

66 The owner or operator of an affected activity may be paid the actual reasonable cost of  
67 relocation within PBC, such amount to include the cost of:

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

- 1) Dismantling operation;
  - 2) Actual moving;
  - 3) Reassembling equipment;
  - 4) Installation of equipment;
  - 5) Internal connection of utilities to equipment;
  - 6) Minor modification of site to accommodate operation, specifically excluding structural changes to the building or paving and drainage requirements at the site;
  - ~~7) The additional costs which would have to be incurred to move the activity due to changed circumstances or applicable laws, ordinances or regulations; and~~
  - 8) Any losses caused by the necessity of terminating a lease, such compensation not to exceed three months rent. ~~Landlord and tenant are required to make a bona fide effort to mitigate this loss. This compensation shall be paid to either the landlord or the tenant, to be decided by agreement between the landlord and tenant.~~
- b. Documentation of Costs**  
The eligible costs for actual reasonable relocation expenses shall be supported by two itemized and sealed bids and a detailed listing of the claimed items. The amount to be paid shall not exceed the lower of the two bids. In order to verify such information, ERM shall have the right to enter the activity's premises at reasonable times. Such bids and detailed listing of the cost shall be verified by ERM.
- c. Self-Moves**  
In the case of a self move the owner of a relocated activity may be paid the lower of two sealed and itemized bids from licensed moving companies based on a detailed listing of the cost.
- 2. Actual Reasonable Modification of Operation Expenses**  
~~The owner or operator of an affected activity may be paid the actual reasonable expense to modify the operation of the activity in order to comply with this Chapter. Such amount to include cost of:~~
- ~~a. Modification of machinery;~~
  - ~~b. Dismantling and moving unusable machinery;~~
  - ~~c. Unsalvageable inventory per Article 14.B.9.E.3, Actual Direct Losses of Tangible Personal Property; and~~
  - ~~d. Moving equipment out of a Zone 1 on the activity's property per Article 14.B.9.E.1, Actual Reasonable Relocation Expenses.~~
- 3. Actual Direct Losses of Tangible Personal Property**  
Actual direct losses of tangible personal property are allowed when a person closes or relocates an activity. Payment may only be made after a diligent effort is made by the owner to sell the item(s) involved.
- a. If the activity is to be re-established and an item of property to be used therewith is not moved but promptly replaced with a comparable item at the new site, reimbursement shall be either:
    - 1) Replacement cost, taking into account depreciation, less the proceeds of the sale. Present value based on accepted standards in the related business community may be substituted for net proceeds of a sale where applicable; or
    - 2) Estimated cost of moving the item to the replacement site within the geographic boundaries of PBC.
  - ~~b. If a process at the activity is being discontinued or an existing item is not to be replaced in a re-established business, payment will be either:
    - 1) The difference between fair market value as evidenced by two written appraisals of the item for continued use at its prior location less its net proceeds at the sale; or
    - 2) The estimated cost of moving the item to the replacement site within the geographic boundaries of PBC.~~
  - eb.** If a sale is not affected because no offer is received and the item is abandoned, payment for the loss may be its fair market value for continued use at its existing location plus the costs of the attempted sale, less the equipment's salvage value.
- ....
- 7. Appeal**  
PBC or the applicant Petitioner seeking compensation under this Section may appeal the final decision of the Hearing Officer by filing a Petition for Writ of Certiorari in the 15th Judicial Circuit Court in and for PBC.

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

Part 8. ULDC Appendix 4 Organic Priority Pollutants and Appendix 5 Minimum Standards for Sewer Pipe Fittings (pages 47 - 48 of 52), is hereby amended as follows:

**Reason for amendments:** [ERM] This revision is to update the location of the parameters of the raw water analysis standards for each well. These tests will now require the use of the updated lists for organic and inorganic priority pollutants found in the F.A.C Table 62-550. This revision also clarifies that the most current ANSI/AWWA standard is to be followed in all sewer installations in Zones 1 and 2.

**APPENDIX 4 ORGANIC PRIORITY POLLUTANTS**

|                                     |  |
|-------------------------------------|--|
| endrin                              | bromobenzene                           |
| lindane (g-BHC)                     | bromomethane                           |
| methoxychlor                        | chlorobenzene                          |
| toxaphene                           | chloroethane                           |
| 2, 4-D                              | p-chlorotoluene                        |
| 2, 4, 5-TP                          | chloromethane                          |
| bromedichloromethane                | dibromomethane                         |
| dibromochloromethane                | dichlorodifluoromethane                |
| bromoform                           | 1,1-dichloroethane                     |
| chloroform                          | trans-1, 3-dichloropropene             |
| trichloroethene                     | cis-1, 2-dichloroethane                |
| tetrachlorethene                    | 1, 2-dichloropropane                   |
| carbon tetrachloride                | 1, 3-dichloropropane                   |
| vinyl chloride                      | 2, 2-dichloropropane                   |
| 1, 1, 1-trichloroethane             | cis-1, 3-dichloropropane               |
| 1, 2-dichloroethane                 | ethylbenzene                           |
| benzene                             | methylene chloride                     |
| ethylene dibromide                  | 1, 1, 2-trichloroethane                |
| p-chlorobenzene                     | trichlorofluoromethane                 |
| 1, 1-dichloroethene                 | 1, 2, 3-trichloropropane               |
| styrene                             | toluene                                |
| m-dichlorobenzene                   | m-xylene                               |
| o-dichlorobenzene                   | o-xylene                               |
| 1, 2-dibromo-3-chloropropane (DBCP) | p-xylene                               |
| 1, 1, 1, 2-tetrachloroethane        | bis (2-ethylhexyl) phthalate           |
| 1, 1, 2, 2-tetrachloroethane        | butyl benzyl phthalate                 |
| methyl tert-butyl-ether (MTBE)      | di-n-butylphthalate                    |
| 1, 1-dichloropropene                | diethylphthalate                       |
| o-chlorotoluene                     | dimethylphthalate                      |
| aldrin                              | 2, 4-dinitrotoluene                    |
| chloradane                          | dioctylphthalate                       |
| dieldrin                            | hexachlorocyclopentadiene              |
| heptachlor                          | isophorone                             |
| aldicarb                            | 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin |
| aldicarb sulfoxide                  | 1, 2, 4-trichlorobenzene               |
| aldicarb sulfone                    | PCB-1016                               |
| dalapon                             | PCB-1221                               |
| carbofuran                          | PCB-1232                               |
| oxymyl                              | PCB-1242                               |
| simine                              | PCB-1248                               |
| atrane                              | PCB-1254                               |
| picloram                            | PCB-1260                               |
| dinoseb                             | 2-chlorophenol                         |
| alachlor                            | 2-methyl-4, 6-dinitrophenol            |
| metolachlor                         | phenol                                 |
| dicamba                             | 2, 4, 6-trichlorophenol                |
| pentachlorophenol                   |  |

**Inorganic Priority Pollutants**

|  |          |
|--|----------|
| Mercury  | Lead     |
| Cadmium  | Arsenic  |
| Chromium   | Selenium |
| Nickel   | Cyanide  |
| <b>Note:</b><br>Parameters reflected in this table may be adjusted by ERM. |          |

**APPENDIX 54 MINIMUM STANDARDS FOR SEWER PIPE AND FITTINGS**

**A. Ductile Iron Pipe and Fittings for Gravity Sewer and Force Main Application**

- Ductile iron pipe shall conform to the requirements of ANSI/AWWA C151/A21.52-8651 unless otherwise noted on the plans. The pipe shall be Class 50 thickness 350 for pipe six sizes 4 inches through 24 inches and class 250 for sizes from 30 inches to 36 inches. or larger in

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EXHIBIT F

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/11/12)

- 1 ~~size and Class 51 for pipe smaller than six inches~~ Glands for mechanical joints shall be of
- 2 ductile iron ~~or cast iron.~~
- 3 2. Fittings shall ~~conform to the requirements of ANSI/AWWA C110/A21.10-87. Fittings 12~~
- 4 ~~inches and smaller shall have a 250 psi minimum working pressure have mechanical joints or~~
- 5 ~~flanged ends unless an approved flexible joint restraint system is used. The fittings shall~~
- 6 ~~conform to the requirements of AWWA C-110 or AWWA C-153.~~
- 7 3. Flanged ductile iron pipe shall be "special thickness Class 53". Flanged ductile iron pipe and
- 8 fittings shall have threaded flanges, unless otherwise noted on the drawings, and shall
- 9 conform to ANSI/AWWA C115/A21.15-~~83~~. All flanges shall be Class 1560, ANSI B16.5. All
- 10 above grades flanges shall be flat faced unless they are mating up to existing, or otherwise,
- 11 specified, raised flanges. All gaskets shall be full faced 1/8" red rubber.
- 12 4. Joints shall conform to the requirements of ANSI/AWWA C111/A21.11-~~85~~.
- 13 5. All ductile iron pipe and fittings shall have an epoxy lining and a bituminous coating on the
- 14 exterior per AWWA specification C-210. The coating and lining shall be applied in
- 15 accordance with the manufacturer's recommendations.
- 16 **B. Polyvinyl Chloride Pipe (PVC) (gasketed joint) and Fittings for Gravity Wastewater and**
- 17 **Sewer Force Main Applications**
- 18 **1. ~~Gasketed Joint Pipe~~**
- 19 ~~a-~~ Pipe four inches or larger in diameter shall conform to the requirements as set forth in AWWA
- 20 C900-~~84~~/C905 with minimum dimension ratio ~~n~~ DR 18. Provisions must be made for
- 21 contraction and expansion at each joint, or with a rubber ring and an integral bell as part of
- 22 each joint, or by a rubber ring sealed coupling. Clean, reworked material generated from the
- 23 manufacturer's own pipe production may be used. Fittings shall be cast or ductile iron. Pipe
- 24 shall have cast iron pipe equivalent outside dimensions.
- 25 2.b- Pipe smaller than four inches in diameter shall conform to Commercial Standard CS 256 and
- 26 ASTM D-22141. Provisions shall be made for contraction and expansion at each joint with a
- 27 rubber ring, and an integral bell as part of each joint, or by a rubber ring sealed coupling. Pipe
- 28 shall be made from SDR 21, 200 psi clean, virgin NSF approved Type I, Grade 1 PBC
- 29 conforming to ASTM D 1784. Clean reworked material generated from the manufacturer's
- 30 own pipe production may be used. Fittings for pipe smaller than four inches in diameter shall
- 31 be PVC.
- 32 **C. ~~Coatings-High Density Polyethylene pipe for force mains:~~**
- 33 ~~The lining material for ductile iron pipe and fittings shall be virgin polyethylene complying with~~
- 34 ~~ANSI/AWWA D1248 compounded with an inert filler and with sufficient carbon black to resist~~
- 35 ~~ultraviolet rays during above ground storage of the pipe and fittings. The polyethylene shall be~~
- 36 ~~bonded to the interior of the pipe or fitting by heat. HDPE pipe for force mains shall be AWWA~~
- 37 ~~C906, minimum 40 feet standard lengths, DR 11 minimum, DIPS size.~~
- 38 **D. Leakage Tests**
- 39 The test shall be of two hour duration. During the test, the pipe being tested shall be maintained
- 40 at a pressure of not less than 150 psi. Leakage is defined as the quantity of water added to the
- 41 pipe being tested during the test period. No pipe installation will be accepted if the leakage
- 42 exceeds the quantities specified in AWWA C-600, Sec. 4.25.2. No more than 500 feet of gravity
- 43 sewer main or 1000 feet of force main shall be tested at one time. Pressure tested gravity
- 44 wastewater mains and laterals located in wellfield zones 1 and 2 shall be PVC C900 SDR 18
- 45 minimum. The tested portion of the laterals shall end at the "upper" bend using a temporary
- 46 mechanical joint restrained cap.
- 47 **E. Manholes**
- 48 Manholes shall be precast and coated with an inert impervious material approved corrosion
- 49 barrier system. Exterior manhole joint seal application is required. Manhole inlets and outlets shall
- 50 be tightly sealed around the sewer pipe and coated to prevent leakage.
- 51 ....

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EXHIBIT G

IMPROVEMENT VALUE  
SUMMARY OF AMENDMENTS  
(Updated 10/9/12)

1  
2 Part 1. ULDC Art. 1.F.3.D.4.b, Use Regulations [Related to the Repair, Reconstruction,  
3 Restoration, or Alteration of a Structure within Airport Zone] (page 22 of 119), is hereby  
4 amended as follows:  
5

**Reason for amendments:** [Zoning] Repair, reconstruction, restoration or alterations of nonconforming structures within airport zone are allowed to be improved by certain percentage of the value placed on the structure. This amendment replaced the term "assessed value" with "improvement value" which is the appropriate term to reflect the value of the building for consistency with the Palm Beach County Property Appraiser.

6 CHAPTER F NONCONFORMITIES  
7 Section 3 Nonconforming Structure

8 D. Uses and Structures within an Airport Zone  
9 4. Repair, Reconstruction, Restoration, or Alteration of a Structure  
10 b. Use Regulations

11 Any permits to substantially alter, repair, restore, reconstruct, or rebuild a structure  
12 supporting a non-conforming use shall comply with Art. 16.C.1.E, General Land Use  
13 Regulations Off-Airport Land Use Compatibility Schedule. In such cases, the entire  
14 building or structure shall be brought into conformance with these requirements. For the  
15 purposes of this Article, substantially alter shall mean: [Ord. 2010-005]  
16 1) the structure is more than 80 percent torn down, destroyed, deteriorated, or decayed;  
17 or [Ord. 2010-005]  
18 2) the cost of repair, reconstruction or restoration exceeds 80 percent of the ~~assessed~~  
19 ~~Improvement Value value~~ of the existing building or structure; or [Ord. 2010-005]  
20 3) the non-structural alterations or repairs exceed 50 percent of the ~~assessed~~  
21 ~~Improvement Value value~~ of the existing building or structure. [Ord. 2010-005]  
22 If the structure does not meet these criteria, then only the new construction, alteration or  
23 repair shall be subject to the requirements of Art. 16, Airport Regulations. [Ord. 2010-  
24 005]

25 ....

26  
27  
28 Part 2. ULDC Art. 1.I.2, Definitions (page 66, 90, 104 and 111 of 119), is hereby amended as  
29 follows:  
30

**Reason for amendments:** [Zoning] 1) Clarify definition of Improvement Value by indicating that relates to the most recent value placed by the Property Appraiser on a structure; and 2) Delete reference to the definition of improvement which applies exclusively to Article 9, Archaeological and Historic Preservation from the Improvement Value definition.

31 CHAPTER I DEFINITIONS & ACRONYMS  
32 Section 2 Definitions

33 I. Terms defined herein or referenced Article shall have the following meanings:  
34 5. **Improvement** - for the purposes of Art. 9, any building, structure, fence, gate, wall, walkway,  
35 parking facility, light fixture, bench, foundation, sign, work of art, earthworks, sidewalk, or  
36 other man-made objects constituting a physical change or betterment of real property, or any  
37 part thereof.  
38 ....  
39 7. **Improvement Value** – For the purposes of Article 1 ~~and Article 5, E and Article 1.F,~~  
40 ~~Improvement Value~~ means the most recent a value placed on a structure ~~and shall be~~  
41 ~~determined~~ by the PBC Property Appraiser. ~~Also see Article 1.I.2.I, for definition of~~  
42 ~~Improvement.~~ [Ord. 2010-005]  
43 ....

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EXHIBIT G

IMPROVEMENT VALUE  
SUMMARY OF AMENDMENTS  
(Updated 10/9/12)

**Reason for amendments:** [Zoning] Different thresholds to the value placed on a building are used through the Code to determine what kind of improvement is going to take place on a structure. This amendment replaced the term "assessed value" with "improvement value" in order to be consistent with the appropriate use of the term by the Palm Beach County Property Appraiser which applies directly to structures or buildings while assessed value relates mainly to the taxable value of a property which includes cost of structures and land.

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

6. **Rebuild or Reconstruct** - replacement or rehabilitation of a structure due to damage or proposed modification in excess of 30 percent of its' original ~~assessed~~ Improvement Value value.

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

127. **Substantial Renovation** - for the purposes of Art. 5, any expansion, alteration, renovation, addition, redevelopment, or similar improvement to an existing building that exceeds 75 percent of the ~~assessed~~ Improvement Value value of the building, as indicated in the latest official PBC Property Appraiser's records.

....  
**Reason for amendments:** [Zoning] 1) Deletes duplicated definition already used under Improvement Value definition.

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

4. **Value** -

a. ~~For the purposes of Art. 1, the most recent PBC Property Appraiser's assessed improvement value of the structure.~~

b. For the purposes of Art. 13, in the case of land, the appraised value as determined by an appraiser from a list of approved appraisers of Palm Beach County. In the case of improvements to real property or chattel, it means the actual cost to the feepayer or developer of such improvements or chattel. In all cases, the values shall be established in or as if in an arm's length, bona fide transaction in a competitive market between a willing seller and a willing buyer, neither of whom are under any special circumstances, as approved by the Impact Fee Coordinator based upon the standards in Art. 13, Impact Fees. If the Impact Fee Coordinator rejects an appraised value, the Impact Fee Coordinator may obtain another appraisal using an appraiser from the approved list, in which case that appraisal shall prevail.

....  
Part 3. **ULDC Art. 5.B.1.A.18.a.2)a), Exemptions [Related to Permanent Generators used in Type II and III CLF, Club Houses and Nursing or Convalescent Facilities](page 25 of 92), is hereby amended as follows:**

**Reason for amendments:** [Zoning] When the Code refers to improvement value of a structure it relates to the Palm Beach County Property Appraiser's value assigned to a building. For consistency with Article 1, General Provisions and thresholds applicable to improvements of existing structures, the term assessed valued is changed to improvement value to reflect consistency between definitions and used of the term through the Code.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

18. Permanent Generators

a. Applicability

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

A permanent emergency generator shall be required for all Type II and III CLFs, Nursing or Convalescent Facilities, and PDD or TDD clubhouses 20,000 square feet, or greater. [Ord. 2006-004] [Ord. 2007-013]

a) **Exemptions**

(1) Developments that have a BCC or DRO approved plan that graphically indicates a clubhouse(s) shall be exempt from the generator requirement except for projects that exceed 75 percent or more of the ~~assessed~~ Improvement Value value as stated below. [Ord. 2007-013]

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EXHIBIT G

IMPROVEMENT VALUE  
SUMMARY OF AMENDMENTS  
(Updated 10/9/12)

1 (2) Renovations or additions that do not exceed 75 percent or more of the  
2 Improvement Value may be exempt from these requirements. [Ord. 2007-  
3 013] [Ord. 2011-016]

4 ....

5  
6  
7 **Part 4. ULDC Art. 5.H.2.A, Modifications of Previous Approvals (page 87 of 92), is hereby**  
8 **amended as follows:**  
9

**Reason for amendments:** [Zoning/Palm Tran] Amend to reflect correct term applicable to the improvement of structures as it is defined and used by the PBC Property Appraiser.

10 **CHAPTER H MASS TRANSIT STANDARDS**

11 **Section 2 Applicability and Standards**

12 The standards of this Chapter shall apply to all residential and non-residential development or  
13 redevelopment in unincorporated PBC, as follows: [Ord. 2008-003]

14 **A. Modifications to Previous Approvals**

15 Modifications to previous approvals shall comply with this Chapter for un-built projects without an  
16 approved DRO plan, or to the greatest extent possible in the affected area without the loss of  
17 density, intensity or parking, for un-built projects with a DRO approved plan, built projects that  
18 have constructed less than eighty percent of approved density or intensity, structural renovations  
19 in excess of 75 percent or more of the current ~~assessed~~ Improvement Value ~~value~~ of the  
20 structure, and parking lot alternations or additions. [Ord. 2008-003]

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EXHIBIT H

CONGREGATE LIVING FACILITIES (CLF'S)  
(Updated 10/24/12)

1  
2 Part 1. ULDC Art. 4.B.1.A.34, Congregate Living Facility (page 44 of 171), is hereby  
3 amended as follows:  
4

**Reason for amendments:** [Zoning] 1) Update separation requirements for Type 1 and 2 CLF's to be consistent with Florida Statutes regarding community residential homes; and, 2) Distinguish between Separation and Location requirements.

5 CHAPTER B SUPPLEMENTARY USE STANDARDS

6 Section 1 Uses

7 A. Definitions and Supplementary Standards for Specific Uses  
8 34. Congregate Living Facility

9 ....  
10 b. Separation

11 ....  
12 1) ~~Location of Type 1 CLF~~  
13 A Type 1 CLF regulated by F.S. §419.001(1)(a), as amended, shall not be located  
14 within 1,000 feet of another Type 1 CLF regulated by F.S. §419.001(1)(a). [Ord.  
15 2013-...]

16 2) ~~Location of Type 2 and Type 3 CLF in RM District~~  
17 a) ~~RM District~~  
18 A Type 2 CLF located in the RM District shall be allowed as a permitted  
19 use, provided that it is not located within a radius of 1,200 feet of another  
20 CLF. [Ord. 2008-003] [Ord. 2013-...]

21 ~~b) Frontage~~  
22 ~~A Type 3 CLF shall front on and access from a collector or an arterial~~  
23 ~~street. A Type 3 facility having 25 residents or less may front on a local~~  
24 ~~street. [Ord. 2005-002]~~

25 ~~c) Fire Rescue~~  
26 ~~A Type 2 or 3 CLF shall be located within five miles of a full service fire-~~  
27 ~~rescue station.~~

28 c. Type 3 CLF Frontage  
29 *A Type 3 CLF shall front on and access from a collector or an arterial street. A*  
30 *Type 3 facility having 25 residents or less may front on a local street. [Ord.*  
31 *2005-002] [Ord. 2013-...]*

32 d. Type 2 or 3 CLF – Distance From Fire Rescue Station  
33 *A Type 2 or 3 CLF shall be located within five miles of a full service fire-rescue*  
34 *station. [Ord. 2013-...]*

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EXHIBIT I

FUNERAL HOMES AND CREMATORIES  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

1  
2 Part 1. ULDC Art. 1.1.2, Definitions & Acronyms (pages 46, 51 and 61 of 119), is hereby  
3 amended as follows:  
4

**Reason for amendments:** [Zoning] To revise the definitions for: 1) Cemetery, to clarify that there are other means of laying a deceased to rest other than burial, including being interred in a mausoleum or cremated and placed in a columbarium, and to omit crematories as a use automatically associated as accessory with a cemetery; 2) to create a definition for Crematory; and, 3) to clarify that funeral homes are to prepare animal or human remains for interment, as all are not buried.

5 CHAPTER I DEFINITIONS & ACRONYMS

6 Section 2 Definitions

- 7  
8 C. Terms defined herein or referenced Article shall have the following meanings:  
9  
10 21. Cemetery - land used or intended to be used for human or animal ~~burial interment~~. A  
11 cemetery may include an office, chapel, mausoleum, ~~or~~ columbarium ~~or crematory~~.  
12 [Ord. 2013-...]  
13  
14 ~~113. Crematory – a facility used for the incineration of human or animal remains, excluding~~  
15 ~~activities related to funeral homes.~~ [Ord. 2013-...]  
16 [Re-number accordingly.]  
17  
18 F. Terms defined herein or referenced Article shall have the following meanings:  
19  
20 63. Funeral Home - an establishment which arranges and manages funerals and prepares ~~the~~  
21 human ~~or animal remains deceased~~ for ~~burial interment, excluding cremation~~.  
22 [Ord. 2013-...]  
23  
24  
25

26 Part 2. ULDC Table 3.B.16.E., PRA Use Matrix (page 87 of 229), is hereby amended as follows:  
27

**Reason for amendments:** [Zoning] 1) Clarify that crematories are to be the subject of a separate approval process as a Class A Conditional Use in the UC and UI sub-zones, whether they are collocated with another use, such as a funeral home, or as a separate use. This amendment will ensure that adjacent property owners shall be informed of any proposal for a use with potential for real or perceived physiological or psychological impacts; and, 2) current language states that funeral homes without a crematory may be permitted through review by the DRO without a Class A Conditional Use. Since crematories can no longer be an accessory use to a funeral home, and will now require a separate approval as a Conditional Use, the table is being revised to reflect that funeral homes can now be approved by the DRO.

28 Table 3.B.16.E - PRA Use Matrix (1)(2)(3)

| Use Type                             | Transect Sub-Zones  |      |      |      |      | Note |
|--------------------------------------|---|------|------|------|------|------|
|                                      | UC 1  | UC 2 | UC 3 | UI 1 | UI 2 |      |
| ....                                 |   |      |      |      |      |      |
| Funeral Home <del>or Crematory</del> | AD  | AD   | AD   | AD   | AD   | 59.1 |
| <del>Crematory</del>                 | A   | A    | A    | A    | A    | 59.2 |
| ....                                 |   |      |      |      |      |      |
| [Ord. 2011-016] [Ord. 2013-...]      |   |      |      |      |      |      |
| Note:                                |   |      |      |      |      |      |
| ....                                 |   |      |      |      |      |      |
| Key:                                 |   |      |      |      |      |      |
| P                                    | Permitted by Right  |      |      |      |      |      |
| S                                    | Permitted subject to Special Permit approval.             |      |      |      |      |      |
| D                                    | Permitted subject to DRO approval.                        |      |      |      |      |      |
| B                                    | Permitted subject to Zoning Commission Approval.          |      |      |      |      |      |
| A                                    | Permitted subject to Board of County Commission Approval. |      |      |      |      |      |

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EXHIBIT I

FUNERAL HOMES AND CREMATORIES  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

1 Part 3. ULDC Table 3.E.1.B, PDD Use Matrix (page 141 of 229), is hereby amended as follows:  
2

**Reason for amendments:** [Zoning] 1) To clarify that crematories are a separate use subject to review as a Class A Conditional Use whether they are collocated with another use, such as a funeral home, or approved separately. This amendment will ensure that adjacent property owners shall be informed of any proposal for a use with potential for real or perceived physiological or psychological impacts; and, 2) To expand the locations where crematories may be permitted as a Requested Use to include the Industrial Pods of MUPD's, due to the compatibility of cremation with other uses taking place in these areas.

3

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

| Use Type  | PUD         |             |             |             |                       | MUPD     |          |        |        |        | MXPD     |             | PIPD             |          |        | LCC |             | NOTE     |             |             |                  |                  |        |        |
|---|-------------|-------------|-------------|-------------|-----------------------|----------|----------|--------|--------|--------|----------|-------------|------------------|----------|--------|-----|-------------|----------|-------------|-------------|------------------|------------------|--------|--------|
|   | Pods        |             |             |             |                       | FLU      |          |        |        |        | FLU      |             | Use Zone         |          |        | FLU |             |          |             |             |                  |                  |        |        |
|   | R<br>E<br>S | C<br>O<br>M | R<br>E<br>C | C<br>E<br>V | A<br>I<br>G<br>/<br>P | C<br>L   | C<br>H   | C<br>L | C<br>H | C<br>O | I<br>R   | I<br>N<br>D | I<br>N<br>S<br>T | C<br>H   | C<br>H | O   | I<br>N<br>D |          | C<br>O<br>M | I<br>N<br>D | M<br>H<br>P<br>D | R<br>V<br>P<br>D | C<br>L | C<br>H |
| <b>Commercial Uses</b>  |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| ....  |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| Funeral Home <del>or Crematory</del>  |             | P           |             |             |                       | R        | R        |        |        |        | <u>D</u> | R           |                  | R        |        |     |             | P        |             |             |                  |                  |        | 59.1   |
| <u>Crematory</u>  |             |             |             |             |                       | <u>R</u> | <u>R</u> |        |        |        |          | <u>R</u>    | <u>R</u>         | <u>R</u> |        |     |             | <u>R</u> |             |             |                  |                  |        | 59.2   |
| ....  |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| [Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016] [Ord. 2012-003] [Ord. 2013-...] |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| <b>Notes:</b>   |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| P Permitted by right  |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| D Permitted subject to approval by the DRO  |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| S Permitted in the district only if approved by Special Permit  |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a <u>Requested Use-requested use</u> .                               |             |             |             |             |                       |          |          |        |        |        |          |             |                  |          |        |     |             |          |             |             |                  |                  |        |        |

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EXHIBIT I

FUNERAL HOMES AND CREMATORIES  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

1  
2 Part 4. ULDC Table 4.A.3.A - Use Matrix (page 13 of 171), is hereby amended as follows:  
3

**Reason for amendments:** [Zoning] To clarify that: 1) Crematories are a separate use from cemeteries and funeral homes, requiring a separate Class A Conditional Use approval; 2) Should collocation with a cemetery or funeral home be desired, this amendment will ensure that adjacent property owners shall be informed of any proposal for a use with potential for real or perceived physiological or psychological impacts; and, 3) Permits crematories as a Class A Conditional Use in the IG and PO zones, as the use is compatible with other uses currently permitted in these districts, with limitations in Industrial districts.

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

| Use Type  | Zoning District/Overlay  |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          | NOTE     |          |          |
|---|--------------------------|-------------|--------|-------------------|--------------|--------|--------|------------|--------|--------|--------|--------|-----------------|----------|-------------|----------|----------|----------|----------|
|   | Agriculture/Conservation |             |        | Residential       |              |        |        | Commercial |        |        |        |        | Industry/Public |          |             |          |          |          |          |
|   | P<br>C                   | A<br>G<br>R | A<br>P | AR<br>R<br>S<br>A | RU<br>S<br>A | R<br>E | R<br>T | R<br>S     | R<br>M | C<br>N | C<br>L | C<br>C | C<br>H          | C<br>G   | C<br>R<br>E | I<br>L   |          | I<br>G   | P<br>O   |
| <b>Commercial Use</b>   |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| ....  |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| Funeral Home of Crematory   |                          |             |        |                   |              |        |        |            |        |        |        |        | A               | A        |             | D        | <u>D</u> | <u>A</u> | A        |
| Crematory   |                          |             |        |                   |              |        |        |            |        |        |        |        | <u>A</u>        | <u>A</u> |             | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> |
| ....  |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| <b>Public and Civic Uses</b>  |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| Cemetery  |                          |             |        | A                 | A            | A      | A      | A          | A      |        |        |        | B               | B        |             |          |          | B        | A        |
| [Ord. 2005-002] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2011-016] [Ord. 2013-...] |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| <b>Key:</b>   |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| P Permitted by right  |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| D Permitted subject to approval by the DRO  |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| S Permitted in the district only if approved by Special Permit  |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| B Permitted in the district only if approved by the Zoning Commission (ZC)                                      |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |
| A Permitted in the district only if approved by the Board of County Commissioners (BCC)                         |                          |             |        |                   |              |        |        |            |        |        |        |        |                 |          |             |          |          |          |          |

5  
6 Part 5. ULDC Art.4.B.1.A.59, Funeral Home (page 40 of 171), is hereby amended as follows:  
7  
8

**Reason for amendments:** [Zoning] 1) To clarify that there are other means of laying a deceased to rest than through burial; 2) To establish supplemental regulations for the development of a crematory as a principal use, which is to be approved as a Conditional Use by the Board of County Commissioners; 3) stipulates that cemeteries in the RM district can have a funeral home or crematory approved through the Conditional Use process, provided the use of these facilities is limited to those to be interred within the cemetery; and, 4) Permits pet cemeteries as a Class A Conditional Use in the IPF district, to accommodate an existing pet cemetery located at the Tri-County Humane Society currently.

9 CHAPTER B SUPPLEMENTARY USE STANDARDS

10 Section 1 Uses

11 A. Definitions and Supplementary Standards for Specific Uses

12 27. Cemetery

13 Land used or intended to be used for human or animal burial interment. A cemetery may  
14 include an office, chapel, mausoleum, *or* columbarium ~~or crematory~~.

15 a. Frontage

16 In all residential districts, a cemetery shall have frontage on and access from an arterial  
17 or a collector street.

18 b. Lot Size

19 In accordance with F.S. §497.027, a cemetery for human burial interment shall be located  
20 on a site with a minimum contiguous area of 15 acres.  
21

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EXHIBIT I

FUNERAL HOMES AND CREMATORIES  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

- 1 c. **RM District**
- 2 In the RM district, a cemetery may include ~~an accessory a~~ funeral home or a crematory
- 3 subject to approval as a Class A Conditional Use conditional use, provided the use is
- 4 restricted to those being interred within that cemetery.
- 5 d. **Pet Cemetery**
- 6 A pet cemetery shall be permitted ~~only~~ in the CG and IPF districts as a Class A
- 7 Conditional Use conditional use and may include an accessory crematory.
- 8 [Ord. 2013-...]
- 9

10  
11 **Part 6. ULDC Art.4.B.1.A.59, Funeral Home (page 56 of 171), is hereby amended as follows:**

Reason for amendments: [Zoning] 1) Establish separate standards for crematory. See prior Parts for permitted locations and approval processes; and, 2) Clarify that a crematory facility shall not include activities classified under funeral home, unless located in a district where a funeral home may be approved (this shall not be misconstrued to imply that a funeral home will be permitted in a district where the use is not permitted within the Use Matrices).

13 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

14 **Section 1 Uses**

15 **59.1. Funeral Home**

16 An establishment which arranges and manages funerals and prepares ~~the~~ human or animal

17 remains deceased for burial interment, excluding cremation.

18 **a. CG, IL and MUPD Districts**

19 ~~A funeral home may include a crematorium located within the principal building.~~

20 **ab. IL or IG District and MUPD with IND FLU**

21 A funeral home shall be limited to ~~the preparation for interment an embalming service.~~

22 No public observances, sermons or funerals shall be permitted.

23 **c. ~~UC and UI Districts DRO Approval~~**

24 ~~A funeral home without a crematory may be approved by the DRO.~~ [Ord. 2011-016]

25 [Ord. 2013-...]

26  
27 **59.2. Crematory**

28 A facility used for the incineration of human or animal remains, excluding activities related to

29 funeral homes.

30 **a. Equipment Location**

31 Crematory equipment shall be located within a fully enclosed building.

32 **b. Services Prohibited**

33 Services such as public observances, sermons or other similar activities shall be

34 prohibited, unless collocated with an approved funeral home. [Ord. 2013-...]

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EXHIBIT J

OUTDOOR RECREATION STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

1  
2 Part 1. ULDC Art. 1.I.2.R.9, Recreation Facility (page 90 of 119), is hereby amended as follows:  
3

**Reason for amendments:** [Zoning] 1) Clarify that a recreation facility only applies to the recreational pod of a Planned Unit Development (PUD) or where permitted in a residential subdivision.

4 CHAPTER I DEFINITIONS & ACRONYMS

5 Section 2 Definitions

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

7  
8 9. ~~Recreation, Facility, Neighborhood~~ - a non-profit facility designed and intended for  
9 recreational use by occupants of a residential development or subdivision owned and  
10 operated by a Property Owners Association or equivalent. Typical uses include clubhouses,  
11 golf courses, swimming pools and tennis courts and other recreational areas. [Ord. 2011-  
12 001]  
13

14  
15  
16 Part 2. ULDC Art. 2.D.3.C, Type IB Administrative Variances (page 43 of 88), is hereby  
17 amended as follows:  
18

**Reason for amendments:** [Zoning] This amendment updates the name of a section that is referenced in this article from Swimming Pools and Spas to Outdoor Recreation Amenities. This change is in conjunction with the amendments contained in Part 5 of this exhibit.

19 CHAPTER D ADMINISTRATIVE PROCESS

20 Section 3 Type IA and Type IB Administrative Variances

21 C. Type IB Administrative Variances

22 1. Residential Lots of Three Units or Less

23  
24 b. Relief from Article 5.B.1.A, Accessory Uses and Structures as follows: General; Fences,  
25 Walls and Hedges; Docks; Entry Features; Fuel, Gas, or Chemical Storage Tanks;  
26 Dumpsters; Neighborhood Recreation Facility; Outdoor Recreation Amenities Swimming  
27 Pools and Spas; Screen Enclosures; and Permanent Generators. [Ord. 2008-003]  
28

29 2. Non Residential Projects

30  
31 c. Relief from Article 5.B.1.A., Accessory Uses and Structures as follows: General; Fences,  
32 Walls and Hedges; Outdoor Storage; Outdoor Display; Entry Features; Fuel, Gas, or  
33 Chemical Storage Tanks; Dumpsters; Neighborhood Recreation Facility; Outdoor  
34 Recreation Amenities Swimming Pools and Spas; Screen Enclosures; and Permanent  
35 Generators. [Ord. 2008-003]  
36  
37

38  
39 Part 3. ULDC Art. 3.E.2.E.3, Recreation Pod (page 162 of 229), is hereby amended as follows:  
40

**Reason for amendments:** [Zoning] Update reference to indicate corrected title related to recreation facilities standards located in recreation pod of Planned Unit Development (PUD) as it is indicated in Part 4 of this exhibit.

41 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

42 Section 2 Planned Unit Development (PUD)

43 E. Pods

44 3. Recreation Pod

45 Recreation areas shall be designated on the Master Plan as recreation pods and shall  
46 comply with Art. 5.B.1.A.9, Neighborhood Recreation Facility, and Art. 5.D, Parks and  
47 Recreation Standards, in addition to the requirements of this section. [Ord. 2011-001]  
48  
49

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EXHIBIT J

OUTDOOR RECREATION STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

1 Part 4. ULDC Art. 5.B.1.A.9, Recreation Facility (pages 15 – 16 of 92), is hereby amended as  
2 follows:  
3

**Reason for amendments:** [Zoning] 1) Clarify that standards for Recreation Facility apply to Neighborhood, meaning that they are intended to serve limited population; and, 2) Relocate PDRs for outdoor recreation uses and consolidate with standards for pools, spas and tennis courts in existing Section renamed “Outdoor Recreation Amenities.”

4 CHAPTER B ACCESSORY AND TEMPORARY USES

5 Section 1 Supplementary Regulations

6 A. Accessory Uses and Structures

7 9. **Neighborhood Recreation Facility**

8 A non-profit facility designed and intended for recreational use by occupants of a residential  
9 development or subdivision owned and operated by a POA or equivalent. Recreation  
10 facilities shall be subject to the following standards: [Ord. 2011-001]

11 a. **Property Development Regulations (PDRs)**

12 1) PDRs shall be in accordance with the standards for a recreation pod in Table  
13 3.E.2.D, PUD Property Development Regulations. [Ord. 2011-001]

14 2) PDRs for outdoor recreation amenities shall be in accordance with Art. 5.B.1.A.10,  
15 Outdoor Recreation Amenities.

16 ~~Outdoor recreational facilities, including but not limited to: basketball courts, tennis~~  
17 ~~courts, playgrounds and tot lots shall be setback a minimum of 50 feet from any~~  
18 ~~residential property line, unless stated otherwise herein.~~ [Relocated to next  
19 Section, renamed Art. 5.B.1.A.10, Outdoor Recreation Amenities]

20 3) ~~Swimming pools and spas shall be setback in accordance with Table 5.B.1.A,~~  
21 ~~Pool/Spa Setbacks.~~

22 ....

25 Part 5 ULDC Art. 5.B.1.A.10, Swimming Pools, Spas, and Tennis Courts (pages 16-18 of 92), is  
26 hereby amended as follows:  
27

**Reason for amendments:** [Zoning] 1) Introduce outdoor recreation amenities to encompass all open-air amenities or facilities developed for the practice of a sport or recreational activity. It also clarifies that certain uses such as Outdoor Entertainment are subject to the specific regulations that apply to the use; 2) Consolidate setbacks applicable to any outdoor recreational facilities other than swimming pools and spas; 3) Clarify that the play area of a golf course green is not subject to the setbacks contained in the outdoor recreation amenities; and, 4) Relocate and expand existing setback provisions for tennis courts under general setbacks applicable to all outdoor recreations amenities.

28 CHAPTER B ACCESSORY AND TEMPORARY USES

29 Section 1 Supplementary Regulations

30 A. Accessory Uses and Structures

31 10. **Outdoor Recreation Amenities Swimming Pools, Spas, and Tennis Courts**

32 An open-air amenity designed and intended to support recreation activities including but not  
33 limited to: basketball courts, tennis courts, playgrounds and tot lots, excluding those uses  
34 regulated elsewhere such as Outdoor Entertainment.

35 a. **Principal and Accessory Use**

36 1) **Principal Use**

37 Any outdoor recreation amenities swimming pool, spa or tennis courts owned and  
38 operated as a commercial enterprise or in combination with other commercial  
39 recreation uses on the same property shall be considered a principal use subject to  
40 the PDRs of the applicable district. [Ord. 2011-001]

41 2) **Accessory Use**

42 Any outdoor recreation amenities swimming pool, spa or tennis court operated by a  
43 non-profit assembly, social, civic organization, Property Owners Association (POA),  
44 or resident of a dwelling unit shall be considered an accessory use. The accessory  
45 use shall be located on the same lot as the principal use except if operated by a  
46 residential POA. If operated by a POA, the accessory use shall be located within the  
47 boundaries of the development, or a Neighborhood Recreation Facility recreational  
48 facility. [Ord. 2011-001]

49 b. **Setbacks – General**

50 Outdoor recreation amenities shall be setback a minimum of 50 feet from any residential  
51 property line, unless stated otherwise herein. The following setbacks shall apply to

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EXHIBIT J

OUTDOOR RECREATION STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/24/12)

1 outdoor recreation amenities, excluding swimming pools and spas, and shall be  
2 measured to the edge of the court surface or fence, whichever is more restrictive: [Ord.  
3 2006-004] [Ord. 2011-001] [Relocated from Art. 5.B.1.A.9.2 and Art. 5.B.1.A.10.c,  
4 Standards for Tennis Courts]  
5

Table 5.B.1.A – Setbacks – General

| Zoning  | Setbacks  |          |             |          |
|---|---|----------|-------------|----------|
|   | Front   | Side     | Side Street | Rear     |
| Residential Lot   | 25 feet   | 7.5 feet | 15 feet     | 7.5 feet |
| Other (1)(2)  | 50 foot setback or separation to the nearest residential lot line |          |             |          |
| <b>Note:</b>  |   |          |             |          |
| 1. Tennis courts with a valid Development Order approved prior to the adoption of setbacks for tennis courts permitted on other than residential lots shall be considered legally-conforming. [Ord. 2011-001] |   |          |             |          |
| 2. Golf course greens, excluding driving ranges, shall be exempt from these setbacks.   |   |          |             |          |

[Relocated from Table 5.B.1.A, Tennis Court Setbacks]

6  
7  
8 **cb. Standards for Swimming Pools and Spas**

9 **1) Setbacks for Pools or Spas**

10 **a) Setbacks**

11 The following setbacks shall apply to pool and spas, and shall be measured to  
12 the water's edge:  
13

Table 5.B.1.A - Pool/Spa Setbacks

| Setbacks  | Front   | Side                           | Side Street | Rear      |
|---|---|--------------------------------|-------------|-----------|
| Single Family                                     | 28 feet   | 10.5 feet                      | 18 feet     | 10.5 feet |
| ZLL   | 13 feet   | ZLL: 3 feet<br>Non-ZLL: 5 feet | 13 feet     | 5 feet    |
| Townhouse   | Parking Tract: 13 feet<br>Street: 28 feet                         | 3 feet                         | 18 feet     | 5 feet    |
| Multi-Family                                      | 28 feet   | 18 feet                        | 28 feet     | 15 feet   |
| Neighborhood Recreation Facility less than 1 acre | 25 foot setback or separation to the nearest residential lot line |                                |             |           |
| Neighborhood Recreation Facility 1 acre or more   | 50 foot setback or separation to the nearest residential lot line |                                |             |           |

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....

**Reason for amendments:** [Zoning] Note – Other ULDC references to Art. 3.D.1.D.4.a, Open Space include the additional clarification that Open Space must be dedicated. While the definition for Open Space includes requirements for "...land reserved or shown on an approved plan..." or "...well site dedicated to PBCWUD..." adding the term herein helps to provide additional guidance to users with the intent of pre-empting any misinterpretations of the use of Open Space to qualify for these reductions.

16  
17 **b) Exceptions**

18 ....

19 **(2) Single Family and ZLL Homes Adjacent to Open Space**

20 Swimming pools or spas may be constructed with a three-foot rear or side  
21 interior setback if adjacent to dedicated open space 50 feet in width or  
22 greater.

23 **(3) Neighborhood Recreation Facility Facilities**

24 Swimming pools or spas may be constructed with a ten-foot rear or side  
25 interior setback if adjacent to dedicated open space 50 feet in width or  
26 greater in accordance with Art. 3.D.1.D.4,a Open Space. [Ord. 2008-037]  
27

28 ....

29 **c. Standards for Tennis Courts**

30 **1) Setbacks**

31 ~~The following setbacks shall apply to tennis courts, and shall be measured to the~~  
32 ~~edge of the court surface or fence: [Ord. 2011-001]~~

Table 5.B.1.A – Tennis Court Setbacks

| Setbacks  | Front   | Side     | Side Street | Rear     |
|---|---|----------|-------------|----------|
| Residential Lot   | 25 feet   | 7.5 feet | 15 feet     | 7.5 feet |
| Other (1)   | 50 foot setback or separation to the nearest residential lot line |          |             |          |
| <b>Note:</b>  |   |          |             |          |
| 1. Tennis courts with a valid Development Order approved prior to the adoption of setbacks for tennis courts permitted on other than residential lots shall be considered legally-conforming. [Ord. 2011-001] |   |          |             |          |

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EXHIBIT K

CONVENIENCE STORE WITH GAS SALES  
SUMMARY OF AMENDMENTS  
(Updated 11/02/12)

1 Part 1. ULDC Table 3.E.1.B – PDD Use Matrix (page 142 of 229), is hereby amended as follows:  
2

**Reason for amendments:** [Zoning] Correct scrivener’s error to include use classification inadvertently omitted from the Commercial Low (CL) future land use (FLU) designation of a Multiple Use Planned Development (MUPD) district.

- 1) A Convenience Store with Gas Sales is permitted in the Community Commercial (CC) Zoning district subject to Class A Conditional Use Approval. The CC district is permitted in the CL FLU designation and accommodates parcels far smaller than the minimum required for a MUPD;
- 2) Gas and Fuel Retail (superseded Auto Service Station) allows for gas sales in the CL/MUPD district subject to BCC approval (Requested Use. A Convenience Store); and,
- 3) Amendments dating back to 2001 (Ord. 2001-029 and Ord. 2001-100) established provisions to allow for Convenience Store with Gas Sales in the Rural, Exurban, Glades and Agricultural Reserve Tiers, in which commercial land uses are typically limited to CL.

3

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

| Use Type  | PUD  |   |   |   |   | MUPD |   |   |   |   |   | MXPD |   | PIPD     |   |   | LCC |   | NOTE |   |
|---|------|---|---|---|---|------|---|---|---|---|---|------|---|----------|---|---|-----|---|------|---|
|   | Pods |   |   |   |   | FLU  |   |   |   |   |   | FLU  |   | Use Zone |   |   | FLU |   |      |   |
|   | R    | C | R | C | A | C    | C | C | C | C | I | I    | C | C        | I | C | I   | M |      | R |
| E   | O    | E | I | G | L | H    | L | H | R | N | N | H    | H | N        | O | N | H   | V | L    | H |
| S   | M    | C | V | R |   |      | O | O |   | D | S | O    |   | D        | M | D | P   | P |      |   |
|   |      |   |   | P |   |      |   |   |   | T |   |      |   | L        | G |   |     |   |      |   |
| <b>Commercial Uses</b>  |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| ....  |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| Convenience Store With Gas Sales  |      |   |   |   | R | R    |   |   |   | R |   | R    |   | R        | P |   |     |   |      | R |
| ....  |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| [Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016] [Ord. 2012-003] [Ord. 2012-027] |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| <b>Notes:</b>   |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| P Permitted by right  |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| D Permitted subject to approval by the DRO  |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| S Permitted in the district only if approved by Special Permit  |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.   |      |   |   |   |   |      |   |   |   |   |   |      |   |          |   |   |     |   |      |   |

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6 Part 2. ULDC Art. 4.B.1.A.c.3), U/S Tier [Related to Location Criteria] (pages 46-47 of 171), is  
7 hereby amended as follows:  
8

**Reason for amendments:** [Zoning] Correct Scrivener’s error to recognize that a Convenience Store with Gas Sales on parcels with a CL FLU designation shall comply with Major Intersection Criteria.

- 1) In addition to Part 1 above for CL/MUPD, staff notes that the use is already permitted in the CC district, and would be subject to these requirements; and,
- 2) Other similar uses such as a Type I Restaurant with a Drive Through located in the CL FLU designation are also subject to the same Major Intersection Criteria.

9 CHAPTER B SUPPLEMENTARY USE STANDARDS

10 Section 1 Uses

11 A. Definitions and Supplementary Standards for Specific Uses

12 37. Convenience Store with Gas Sales

13 A convenience store which includes accessory gasoline retail sales to the general public.

14 c. Location Criteria [Ord. 2006-004]

15 ....

16 3) **Major Intersection Criteria for CL FLU U/S Tier**

17 A convenience store with gas sales with a CL FLU designation shall ~~also~~ comply with  
18 Art. 5.E.1, Major Intersection Criteria. [Ord. 2006-004]

19 ....

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EXHIBIT L

MINIATURE OR POT BELLIED PIGS  
SUMMARY OF AMENDMENTS  
(Updated 11/16/12)

**Reason for amendments:** A Board of County Commission (BCC) Workshop was conducted on September 25, 2012 to discuss “Miniature or Pot Bellied Pigs as Household Pets.” The BCC directed PZ&B to amend the ULDC to allow for the keeping of miniature or pot bellied pigs as household pets, to be limited to Single-family Residences, a maximum of two per household, and to reside within the dwelling unit. The Division of Animal Care and Control (ACC) was also directed to undertake concurrent amendments to provide for regulation similar to those applicable to cats and dogs.

**Part 1. ULDC Art. 1.I.2, [Related to Definitions] (pages 69 and 86 of 119), are hereby amended as follows:**

**Reason for amendments:** [BCC] Establish definition for Miniature or Pot Bellied Pigs to allow for the differentiation between a pot bellied pig kept as a household pet and other members of the porcine family (meaning pigs) that are classified as livestock.

**CHAPTER I DEFINITIONS & ACRONYMS**

**Section 2 Definitions**

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

....  
3. **Kenel, Type I (Private)** - any building or land used, designed or arranged to facilitate the non-commercial care of domestic animals, such as dogs and cats (excluding horses or livestock), owned by the occupants of the premises. [Ord. 2006-036]

....  
P. Terms defined herein or referenced in this Article shall have the following meanings:

....  
68. Pot Bellied Pig – for the purposes of Art. 5.B.1.A, Accessory Uses and Structures, means a domesticated miniature or pot-bellied or pot belly pig kept as a household pet for the sole purpose of providing human companionship and not kept or raised for human consumption or other similar use attributed to the raising of livestock.

**Renumber Accordingly.**

**Part 2. ULDC Art. 4.B.1.A.73, Type I (Private) Kenel (page 63-64 of 171), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Clarify that Pot Bellied Pigs are not allowed in Type I Kenel as specific standards are created in Article 5.B under Accessory and Temporary Uses.

**CHAPTER B SUPPLEMENTARY USE STANDARDS**

**Section 1 Uses**

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

**73. Kenel, Type I (Private)**

Any building or land used, designed or arranged to facilitate the non-commercial care of domestic animals, such as dogs and cats (excluding horses or livestock), owned by the occupants of the premises. [Ord. 2006-036] [Ord. 2008-036]

**a. Limitations of Use**

A private kennel shall be limited to domestic animals owned by the occupants of the premises only, or a private non profit animal organization ~~licensed by PBC ACC~~ that is not open to the public and located on less than 2.5 acres. The care, breeding, boarding, raising, sale or grooming of dogs, cats, or any other domestic animal, bird, reptile or mammal is prohibited, except as permitted ~~by PBCACC~~ under provisions for Hobby Breeder contained herein. The raising of domestic animals for sale is prohibited. The sale of domestic animals on site is prohibited. Property size and restrictions on the number of animals permitted shall be regulated by the PBCACC. [Ord. 2006-036] [Ord. 2008-037]

....  
**c. Pot Bellied Pigs**

The keeping of pot bellied pigs in a Type I Kenel shall be prohibited.

**Notes:**

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EXHIBIT L

MINIATURE OR POT BELLIED PIGS  
SUMMARY OF AMENDMENTS  
(Updated 11/16/12)

1  
2 Part 3. ULDC Art. 5.B.1.A, Accessory Uses and Structures (page 27 of 92), is hereby amended  
3 as follows:  
4

**Reason for amendments:** [Zoning] Establish that pot bellied pigs may be considered as pets when owned by residents of a Single-family Dwelling Unit. Pursuant to the November 14, 2012 LDRAB, it was advised that there had been a miscommunication at the September 25, 2012 BCC Workshop on this topic, and that the direction had been to permit in all single-family detached housing types, which would include Zero Lot Line homes. Subsequently, allowances for ZLL homes have been added. Note: Pot bellied pigs exceeding the limitations for permitted household pets would only be permitted when in compliance with Art. 4.B.1.A.6, Bonafide Agriculture, or Art. 5.B.1.A.20, Livestock.

5 CHAPTER B ACCESSORY AND TEMPORARY USES

6 Section 1 Supplementary Regulations

7 A. Accessory Uses and Structures

8 **21. Pot Bellied Pigs**

9 Pot bellied pigs may be kept as pets in a Single Family or Zero Lot Line Home, subject to the  
10 following:

11 **a. Maximum Number**

12 No more than two pot bellied pigs per household are allowed.

13 **b. Residence**

14 Pot bellied pigs shall reside within the residence (Single Family or ZLL Home) of its  
15 owner.

16 **c) Limitations**

17 The commercial care, boarding or grooming, and the breeding of domesticated miniature  
18 or pot-bellied pigs is prohibited.

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

1  
2 Part 1. ULDC Art. 1.I.2, Definitions [ Related to Recycling] (page 90 of 119), is hereby amended  
3 as follows:  
4

**Reason for amendments:** [Zoning] 1) Deletion of “Recycling Collection Station” to allow for consolidation with Recycling Drop-Off Bin; and, 2) Clarification of definition to delete word “structure” as the definition of such was contradictory to the preceding “mobile” requirement; 3) Clarify that materials to be collected are “recyclable” consistent with F.S. definition; and, 4) Delete reference to size to accommodate consolidation with Recycling Collection Station. Size will be addressed through Supplemental Use Regulations, if necessary to clarify “mobile.”

5 CHAPTER I DEFINITIONS & ACRONYMS

6 Section 2 Definitions

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

- 8 ....
- 9 13. **Recycling Center** - for the purposes Art. 4, a permanent facility designed and used for  
10 collecting, purchasing, storing, dropping-off and redistributing of pre-sorted, recyclable  
11 materials that are not intended for disposal. A recycling center shall be used for limited  
12 processing of recyclable materials, such as can and glass crushing and sorting.
- 13 14. **Recycling Drop-Off Bin** - for the purposes of Art. 4, a totally enclosed mobile structure or  
14 container, containing no more than four cubic yards, within which the following pre-sorted,  
15 non-biodegradable recyclable recovered materials are collected: glass, aluminum, steel and  
16 plastic containers no greater than six gallons in capacity, and paper for redistribution or sale  
17 for the purpose of reuse.
- 18 15. **Recycling Plant** - for the purposes of Art. 4, a permanent facility designed and used for  
19 receiving, separating, storing, converting, baling or processing of non-hazardous recyclable  
20 materials that are not intended for disposal. The use may include construction debris  
21 recycling or other intensive recycling processes such as chipping and mulching.
- 22 ~~16. **Recycling Collection Station** - for the purposes of Art. 4, a totally enclosed structure or~~  
23 ~~mobile container, containing more than four cubic yards, within which pre-sorted, recyclable~~  
24 ~~and recovered materials are collected for redistribution or sale for the purpose of reuse.~~
- 25 ....

26  
27  
28 Part 2. ULDC Table 3.B.2.B, Airport Use Regulations (page 22 of 229), is hereby amended as  
29 follows:  
30

**Reason for amendments:** [Zoning] 1) Deletion of “Recycling Collection Station” to allow for consolidation with Recycling Drop-Off Bin; and, 2) Change Special Permit approval to DRO approval, as existing provisions under Recycling Drop-Off Bin will be retained to allow for use of a Special Permit in lieu of DRO approval where an there is not an existing DRO Final Site Plan.

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Table 3.B.2.B - Airport Use Regulations

| Use Type  | Airport Related Uses | Non-Airport Related Uses | Corresponding Zoning District PDRs (1) | Note (2)       | Use Applicable to Specific Airport |
|---|----------------------|--------------------------|--|----------------|------------------------------------|
| <b>Utilities &amp; Excavation</b>                               |                      |                          |  |                |                                    |
| ....  |                      |                          |  |                |                                    |
| Recycling Center  | <u>DS</u>            | <u>DS</u>                | CG or IG                               | 103            | All                                |
| Recycling Drop-Off Bin  | <u>DS</u>            | <u>DS</u>                | CG or IG                               | 104            | All                                |
| Recycling Plant   | P                    | D                        | IG                                     | 105            | All                                |
| <del>Recycling Collection Station</del>                         | <del>S</del>         | <del>S</del>             | <del>CG or IG</del>                    | <del>106</del> | <del>All</del>                     |
| ....  |                      |                          |  |                |                                    |
| [Ord. 2006-036] [Ord. 2008-003] [Ord. 2010-022] [Ord. 2012-007] |                      |                          |  |                |                                    |

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

1  
2 Part 3. ULDC Art. 3.B.11.C, Use Regulations (page 33-34 of 229), is hereby amended as  
3 follows:  
4

**Reason for amendments:** [Zoning] Require DRO approval for Recycling Drop-Off Bin, noting that existing language will be retained that permits approval by Special Permit for properties without a DRO Final Site Plan.

5 CHAPTER B OVERLAYS

6 Section 11 SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay

7 C. Use Regulations

8 The following uses shall be permitted in the SCGCFO, subject to Article 4.A, USE  
9 CLASSIFICATION: [Ord. 2004-040]

10  
.....  
DRO Uses:  
.....  
Recycling Drop-Off Bin  
.....  
Special Permit:  
.....  
Recycling drop-off bin  
.....

11  
12  
13 Part 4. ULDC Table 3.B.15.F, IRO Permitted Use Schedule (page 75 of 229), is hereby amended  
14 as follows:  
15

**Reason for amendments:** [Zoning] Deletion of "Recycling Collection Station" to allow for consolidation with Recycling Drop-Off Bin.

16 Table 3.B.15.F - IRO Permitted Use Schedule (continued)

| Use Type              | Land Use |        |             |             | NOTE | Use Type                            | Land Use |        |             |             | NOTE |
|-----------------------|----------|--------|-------------|-------------|------|-------------------------------------|----------|--------|-------------|-------------|------|
|                       | C<br>L   | C<br>H | C<br>L<br>O | C<br>H<br>O |      |                                     | C<br>L   | C<br>H | C<br>L<br>O | C<br>H<br>O |      |
| Public and Civic Uses |          |        |             |             |      | Utilities and Excavation            |          |        |             |             |      |
| .....                 |          |        |             |             |      | .....                               |          |        |             |             |      |
|                       |          |        |             |             |      | <u>Recycling Collection Station</u> | D        | D      |             |             | 104  |
|                       |          |        |             |             |      | <u>Recycling Drop-Off Bin</u>       | D        | D      |             |             | 105  |
|                       |          |        |             |             |      | .....                               |          |        |             |             |      |

[Ord. 2010-005] [Ord. 2012-007]  
Key:  
P Permitted by right.  
D Permitted subject to DRO approval.  
L Permitted by right, subject to accessory use limitations.  
S Permitted subject to Special Permit approval.  
A Permitted subject to Board of County Commission Approval.

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

1  
2 Part 5. ULDC Table 3.B.16.E, PRA Use Matrix (pages 87-89 of 229), is hereby amended as  
3 follows:  
4

**Reason for amendments:** [Zoning] Deletion of "Recycling Collection Station" to allow for consolidation with Recycling Drop-Off Bin; and, 2) Change Special Permit approval to DRO approval, as existing provisions under Recycling Drop-Off Bin will be retained to allow for use of a Special Permit in lieu of DRO approval where an there is not an existing DRO Final Site Plan.

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Table 3.B.16.E - PRA Use Matrix (1)(2)(3)

| Use Type  | Transect Sub-Zones |              |              |              |              | Note           |
|---|--------------------|--------------|--------------|--------------|--------------|----------------|
|   | UC 1               | UC 2         | UC 3         | UI 1         | UI 2         |                |
| <b>Utilities and Excavation</b>                             |                    |              |              |              |              |                |
| ....  |                    |              |              |              |              |                |
| Recycling Drop-Off Bin                                      | <u>DS</u>          | <u>DS</u>    | <u>DS</u>    | <u>DS</u>    | <u>DS</u>    | 104            |
| <del>Recycling Collection Station</del>                     | <del>S</del>       | <del>S</del> | <del>S</del> | <del>S</del> | <del>S</del> | <del>106</del> |
| ....  |                    |              |              |              |              |                |
| <b>[Ord. 2011-016]</b>                                      |                    |              |              |              |              |                |
| <b>Note:</b>  |                    |              |              |              |              |                |
| ....  |                    |              |              |              |              |                |
| <b>Key:</b>   |                    |              |              |              |              |                |
| P Permitted by Right  |                    |              |              |              |              |                |
| S Permitted subject to Special Permit approval.             |                    |              |              |              |              |                |
| D Permitted subject to DRO approval.                        |                    |              |              |              |              |                |
| B Permitted subject to Zoning Commission Approval.          |                    |              |              |              |              |                |
| A Permitted subject to Board of County Commission Approval. |                    |              |              |              |              |                |

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Part 6. ULDC Art. 3.D.3.A.3, District Specific Regulations (pages 136-138 of 229), is hereby amended as follows:

**Reason for amendments:** [Zoning] 1) Clarify that Recycling Center is not an appropriate outdoor use in the Neighborhood Commercial (CN) Zoning district; and, 2) Clarify use terminology for consistency.

11 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

12 Section 3 District Specific Regulations

13 A. District Specific Regulations

14 3. CN District

15 a. Enclosed Uses

16 All uses shall be operated entirely within enclosed buildings, with the following  
17 exceptions: [Ord. 2005 – 002]

18 ....

19 ~~5) Recycling center~~ Ord. 2005 - 002]

20 ~~56) Recycling drop-off bins;~~ [Ord. 2005 -002]

21 [Re-number accordingly.]

22 4. CLO District

23 a. Enclosed Uses

24 All uses shall be operated entirely within enclosed buildings, with the following  
25 exceptions:

26 ....

27 6) Recycling drop-off bin station;

28 7) Solid waste transfer station;

29 ....

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

1  
2 Part 7. ULDC Table 3.E.1.B, PDD Use Matrix (page 146 of 229), is hereby amended as follows:  
3

**Reason for amendments:** [Zoning] 1) Deletion of "Recycling Collection Station" to allow for consolidation with Recycling Drop-Off Bin; 2) Change Special Permit approval to DRO approval, as existing provisions under Recycling Drop-Off Bin will be retained to allow for use of a Special Permit in lieu of DRO approval where an there is not an existing DRO Final Site Plan; 3) Require BCC approval for Recycling Center in Commercial districts (see additional amendments for option for DRO approval); and, 4) Delete from Mobile Home Planned Development (MUPD) Zoning district, as such defers to standards for PUD Commercial, Recreation and Civic Pods, where approvals are noted. This change is necessary to ensure that a Recycling Drop-Off Bin is not located within the Residential Pod of a MHPD.

4  
Table 3.E.1.B - PDD Use Matrix

| Use Type  | PUD         |               |               |               |                       | MUPD          |               |               |               |               |               | MXPD          |               | PIPD          |               |               | LCC           |               | NOTE          |                  |                  |               |
|---|-------------|---------------|---------------|---------------|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|------------------|------------------|---------------|
|   | Pods        |               |               |               |                       | FLU           |               |               |               |               |               | FLU           |               | Use Zone      |               |               | FLU           |               |               |                  |                  |               |
|   | R<br>E<br>S | C<br>O<br>M   | R<br>E<br>C   | C<br>I<br>V   | A<br>G<br>E<br>/<br>P | C<br>L        | C<br>H        | C<br>L        | C<br>H        | C<br>R        | I<br>N        | I<br>N        | C<br>H        | C<br>H        | I<br>N        | C<br>O        | I<br>N        | I<br>N        |               | M<br>H<br>P<br>D | R<br>V<br>P<br>D | C<br>L        |
| <b>Utilities and Excavation Uses</b>  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| ....  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| Recycling Center  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| Recycling <del>Drop-off</del> <u>Drop-Off</u> Bin   |             | <del>DS</del> | <del>DS</del> | <del>DS</del> |                       | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del> | <del>DS</del>    | <del>DS</del>    | <del>DS</del> |
| Recycling Plant   |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| <del>Recycling Collection Station</del>   |             | <del>S</del>  |               | <del>S</del>  |                       | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>  | <del>S</del>     | <del>S</del>     | <del>S</del>  |
| ....  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005]                             |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| <b>Notes:</b>   |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| P Permitted by right  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| D Permitted subject to approval by the DRO  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| S Permitted in the district only if approved by Special Permit  |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |
| R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. |             |               |               |               |                       |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |                  |               |

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

1  
2 Part 8. ULDC Table 3.F.1.F, Traditional Development Permitted Use Schedule (pages 193-194  
3 of 229), is hereby amended as follows:  
4

**Reason for amendments:** [Zoning] 1) Deletion of "Recycling Collection Station" to allow for consolidation with Recycling Drop-Off Bin; and, 2) Delete use from Residential areas of a Traditional Neighborhood Development (TND) Zoning district – as provisions referring to PUD Recreation and Civic Pods provide for appropriate location within a TND.

5  
**Table 3.F.1.F - Traditional Development Permitted Use Schedule**

| District<br>Tier<br>Land Use Zone  | TND                  |                          |                |               |     |                | TMD |          |     |          | NOTES |
|--|----------------------|--------------------------|----------------|---------------|-----|----------------|-----|----------|-----|----------|-------|
|  | Urban/Suburban (U/S) |                          |                | Exurban/Rural |     |                | U/S | Ex/Rural | AGR |          |       |
|  | Res                  | Neighborhood Center (NC) | Open Space/Rec | Res           | N/C | Open Space/Rec |     |          | Dev | Preserve |       |
| <b>Utilities and Excavation</b>  |                      |                          |                |               |     |                |     |          |     |          |       |
| ....   |                      |                          |                |               |     |                |     |          |     |          |       |
| <del>Recycling collection station</del>  |                      |                          |                |               |     |                | D   | D        | D   |          | 106   |
| Recycling <del>Drop-Off Bin</del> drop-off bin   | D                    | D                        |                | D             | D   |                | D   | D        | D   |          | 104   |
| ....   |                      |                          |                |               |     |                |     |          |     |          |       |
| [Ord. 2005-002] [Ord. 2005-041] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037][Ord. 2009-040] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027] |                      |                          |                |               |     |                |     |          |     |          |       |
| <b>Notes:</b>  |                      |                          |                |               |     |                |     |          |     |          |       |
| P Permitted by right.<br>D Permitted subject to approval by the DRO.<br>S Permitted in the district only if approved by Special Permit.<br>R Requested Use.    |                      |                          |                |               |     |                |     |          |     |          |       |

6  
7  
8 Part 9. ULDC Table 4.A.3.A, Use Matrix (page 17 of 171), is hereby amended as follows:  
9

**Reason for amendments:** [Zoning] 1) Deletion of "Recycling Collection Station" to allow for consolidation with Recycling Drop-Off Bin; and, 2) Require BCC approval for Recycling Center in Commercial districts (see additional amendments for option for DRO approval);

10  
**Table 4.A.3.A - Use Matrix Continued**

| Use Type  | Zoning District/Overlay  |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   | NOTE |   |
|---|--------------------------|---|---|-------------|---|---|---|---|------------|---------------|---------------|---|---|-----------------|---|---|------|---|
|   | Agriculture/Conservation |   |   | Residential |   |   |   |   | Commercial |               |               |   |   | Industry/Public |   |   |      |   |
|   | P                        | A | A | AR          | R | R | R | R | C          | C             | C             | C | C | C               | I | I |      | P |
| C   | G                        | P | R | U           | E | T | S | M | N          | L             | C             | H | G | R               | L | G | O    | P |
|   |                          |   |   | S           | S |   |   |   | O          | O             | O             | O | E |                 |   |   | F    |   |
|   |                          |   |   | A           | A |   |   |   |            |               |               |   |   |                 |   |   |      |   |
| <b>Utilities &amp; Excavation</b>   |                          |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   |      |   |
| ....  |                          |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   |      |   |
| Recycling Center  |                          |   |   |             |   |   |   |   | A          | <del>AB</del> | <del>AD</del> |   |   | P               | P | P |      |   |
| <del>Recycling Collection Station</del>   |                          |   |   |             |   |   |   |   | D          | D             | D             | D | D | D               | D | D | D    |   |
| Recycling Drop-Off Bin  |                          |   | D |             |   |   |   |   | D          | D             | D             | D | D | D               | D | D | D    |   |
| Recycling Plant   |                          |   |   |             |   |   |   |   |            |               |               |   |   | B               | D | P |      |   |
| ....  |                          |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   |      |   |
| [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005]   |                          |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   |      |   |
| <b>Key:</b>   |                          |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   |      |   |
| P Permitted by right<br>D Permitted subject to approval by the DRO<br>S Permitted in the district only if approved by Special Permit<br>B Permitted in the district only if approved by the Zoning Commission (ZC)<br>A Permitted in the district only if approved by the Board of County Commissioners (BCC) |                          |   |   |             |   |   |   |   |            |               |               |   |   |                 |   |   |      |   |

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

Part 10. ULDC Art. 4.B.1.A.103, Recycling Center (page 79-80 of 171), is hereby amended as follows:

**Reason for amendments:** [Zoning] Supplementary Standards for this use were inadvertently relocated from the Recycling Collection Station use as part of the 2003 MGTS Code Rewrite. Relocation and revision includes updates to address recent BCC direction regarding Recycling Drop-Off Bins and Collection Stations.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

103. Recycling Center

A permanent facility designed and used for collecting, purchasing, storing, dropping-off and redistributing of pre-sorted, recyclable materials that are not intended for disposal. A recycling center shall be used for limited processing of recyclable materials, such as can and glass crushing and sorting.

**a. Access**

Access from a Local Residential Street shall be prohibited. Access from a Local Commercial Street that also serves residential uses shall be prohibited.

**b.a. Screening**

All outdoor recycling collection, processing, loading, storage or other similar activities shall be screened from view from streets or adjacent lots. In no case shall recyclable or recovered materials or non-recyclable residue stored in outdoor areas exceed 15 feet in height.

~~Storage areas shall not be visible from residential uses or residential districts. Mobile containers shall not be visible from public streets.~~

**c. DRO Approval Exception**

A recycling center located in an MUPD with a CH FLU designation, the Commercial Pod of a PIPD or the CG Zoning district, where the use is permitted by Table 3.E.3.B, PDD Use Matrix or Table 4.A.3.A, Use Matrix, may be approved by the DRO, provided that the recycling center complies with one of the following:

1) Located completely within enclosed buildings; or,

2) Does not abut an adjacent parcel or land with the following uses or FLU designations: residential, civic, institutional, recreation or conservation. An exception shall be permitted when the recycling center, including all outdoor recycling collection, processing, storage or other similar activities, is located a minimum of 500 feet from the applicable parcel or land. Measurement shall be made by drawing a straight line from the designated recycling center use area to the perimeter of the applicable parcel or land.

~~**b. Size**~~

~~A maximum of 500 square feet of GFA.~~

~~**c. Manning**~~

~~A recycling collection station containing 40 cubic yards or more shall be monitored by a person.~~

~~**d. Location**~~

~~A recycling collection station shall be located in or adjacent to an off-street parking area and shall not be located within required parking space.~~

~~**e. Containers**~~

~~Recyclable materials shall be contained within a leak-proof bin or trailer. There shall be no outdoor storage of materials or refuse.~~

~~**f. Processing**~~

~~Only limited sorting, separation or other processing of deposited materials shall be allowed on the site. The unit shall employ no mechanical sorting or processing equipment.~~

~~**g. Type of Materials**~~

~~There shall be no collection or storage of hazardous or non-biodegradable wastes on the site or mulching or receiving of construction debris.~~

~~**h. Signage**~~

~~The name and phone number of a responsible party shall be clearly posted on the collection station. The name of the organization that is collecting the recyclable materials, if different than the responsible party, shall also be posted on the collection station.~~

~~**i. Maintenance**~~

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

~~The container and adjacent area shall be maintained in good appearance and free from litter, debris, and residue on a daily basis. Failure to maintain a good appearance shall result in the revocation of the Special Permit.~~

~~j. Number~~

~~Only one mobile container per development, including outparcels, shall be permitted.~~

~~k. Hours of Operation~~

~~Collection activities shall be limited to 7:00 a.m. to 8:00 p.m. daily.~~

[Partially relocated to Art. 4.B.1.A.106, Recycling Collection Station.]

Part 11. ULDC Art. 4.B.1.A.104, Recycling Drop-Off Bin (page 80 of 171), is hereby amended as follows:

**Reason for amendments:** [Zoning] 1) Consolidate Recycling Collection Station and Recycling Drop-Off Bin standards and clarify maximum dimensions; 2) Relocate and clarify provision allowing for Special Permit approval, to be consistent with other Supplementary Use Regulations formatting; 3) Delete reference to revocation of Special Permit and defer to normal Code Enforcement procedures; 4) Clarify that limited sorting is permitted only for manned facilities. No sorting or processing will be permitted on site when materials are collected, as this should occur in the appropriate facility; and, 4) Establish labeling (aka signage) standards, to include requirement for labeling of for or not for profit status, per BCC direction.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

104. Recycling Drop-Off Bin

A totally enclosed mobile structure ~~or container, containing no more than four cubic yards,~~ within which the following pre-sorted, ~~non-biodegradable recyclable recovered~~ materials are collected: glass, aluminum, steel and plastic containers no greater than six gallons in capacity, and paper for redistribution or sale for the purpose of reuse, subject to DRO approval. If there is no DRO certified site plan on file with the Zoning Division, a Special Permit shall be required. [Ord. 2007-001]

a. Mobility

The mobility of a drop-off bin shall be maintained at all times.

b. Location

The drop-off bin shall be located in or adjacent to an off-street parking area, and shall not be located within required parking spaces. In TMD and LCC districts, and for IRO projects, the recycling drop-off bins shall be designed to be consistent with the buildings design and shall not be located on a Main Street. [Ord. 2010-005]

c. Maintenance

The bin and adjacent area shall be maintained in good appearance and free from litter, debris, and residue on a daily basis. Failure to maintain a good appearance shall result in the revocation of the special use permit, where applicable.

d. Processing

~~No~~ Only limited sorting, separation, or processing of deposited materials shall be allowed on the site. Limited sorting or separation shall only be permitted when a bin is manned by a person during permitted collection hours. The unit shall employ no mechanical sorting or processing equipment.

e. Type of Prohibited Materials

Collection ~~and storage~~ of ~~deposited~~ materials shall be expressly limited to pre-sorted, recyclable materials identified in this supplementary standard glass, plastic, aluminum and steel containers, paper, newsprint and cardboard. Collection of any other materials, including but not limited to rubber, textiles, hazardous wastes or construction debris is prohibited.

f. Signage

Signage shall be required for all bins, as follows:

1) Location

One sign shall be located on the front or side where materials are collected. No more than two signs shall be permitted.

2) Minimum/Maximum Size

A minimum of eight and a maximum of 16 square feet.

3) Content

All required sign content shall be in lettering a minimum of six inches in height. The name and phone number of a responsible party shall be clearly posted ~~on the drop-off bin.~~ The name of the organization that is collecting the recyclable materials, ~~if~~

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EXHIBIT M

RECYCLING USES  
SUMMARY OF AMENDMENTS  
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~~different than the owner,~~ shall also be posted and include whether for profit, not-for profit or government entity on the drop-off bin. No additional content other than logos, clarification of materials to be collected for recycling, or direction signage identifying the bin shall be permitted.

g. **Number**

The number of recycling bins shall be based upon the overall acreage of a development, including outparcels, provided all development regulations are met on site. A minimum of one recycling bin shall be permitted for each development up to a maximum of one recycling bin per acre, rounded down to the nearest whole acre. No more than 3 bins shall be clustered or located within any one acre area unless collocated with loading, dumpster or other similar areas.

~~Only one bin per material type per development, including out parcels, shall be permitted.~~

h. **Outdoor Storage Prohibited Recycling Bin**

Recycling materials shall be contained within a leak-proof bin or trailer. There shall be no outdoor storage of materials or refuse.

i. **AR/RSA**

May be permitted in the AR/RSA District with a SA FLU, subject to DRO approval. **[Ord. 2005 – 002] [Ord. 2007-001]**

j. **Size**

*A maximum of 500 square feet of GFA.*

k. **Manning**

*A recycling bin containing 40 cubic yards or more shall be monitored by a person. Manned collection activities shall be limited to 7:00 a.m. to 8:00 p.m. daily.*

l. **Approval Process**

*If there is no DRO certified site plan on file with the Zoning Division, a Special Permit shall be required. **[Relocated from Art. 4.B.1.A.104, Recycling Drop-Off Bin]***

Part 12. **ULDC Art. 4.B.1.A.105.a.2), Setbacks [Related to Recycling Plant] (page 80-82 of 171), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Correct scrivener’s error originating between 1991 and adoption of 1992 ULDC, which inadvertently applied standards application to a Solid Waste Transfer Station to a Recycling Plant. Errors include provisions where use is not permitted within the district referenced.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

105. Recycling Plant

a. Compatibility, Screening, Buffering

2) Setbacks

Except for a freestanding office, no part of a recycling plant and its accessory ramps, on site circulation system, or storage areas shall be located within 50 feet of any property line.

....

c) ~~CC, CG,~~ **IG, and IL** Districts

No additional setback beyond district setbacks shall apply to recycling plants that operate completely in enclosed buildings and are located in the ~~CC, CG,~~ IG, and IL districts.

....

Part 13. **ULDC Art. 4.B.1.A.106, Recycling Collection Station (page 82 of 171), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Deletion of “Recycling Collection Station” to allow for consolidation with Recycling Drop-Off Bin.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

~~106. Reserved for Future Use Type Recycling Collection Station~~

~~A totally enclosed structure or mobile container, containing more than four cubic yards, within which pre-sorted, recyclable and recovered materials are collected for redistribution or sale~~

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RECYCLING USES  
SUMMARY OF AMENDMENTS  
(Updated 12/20/12)

~~for the purpose of reuse, subject to Administrative Amendment approval. If no DRO site plan then Special Permit required. [Ord. 2007-001]~~  
~~a. TMD and LCC Districts~~  
~~Shall not be located on a Main Street.~~

Part 14. ULDC Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements (page 10 of 39), is hereby amended as follows:

Reason for amendments: [Zoning] Deletion of "Recycling Collection Station" to allow for consolidation with Recycling Drop Off Bin

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

| Use Type: Utilities and Excavation  | Parking (1)  | Loading (2)    |
|---|--|----------------|
| ....  |  |                |
| Recycling center  | 1 space per 200 sq. ft. of office space; plus one space per 250 sq. ft. of warehouse and maintenance area; plus 1 space per 10,000 sq. ft. | N/A            |
| Recycling drop-off bin  | 1 space per bin  | N/A            |
| Recycling plant   | 1 space per 200 sq. ft. of office space; plus 1 space per employee   | N/A            |
| <del>Recycling collection station</del>   | <del>2 spaces per station</del>  | <del>N/A</del> |
| ....  |  |                |
| <b>[Ord. 2005-002] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016]</b>  |  |                |
| <b>Loading Key:</b>   |  |                |
| Standard "A" One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.  |  |                |
| Standard "B" One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.   |  |                |
| Standard "C" One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.  |  |                |
| Standard "D" One space for each 50 beds for all facilities containing 20 or more beds.  |  |                |
| Standard "E" One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA. The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading. |  |                |

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