



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228

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October 19, 2011

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

RE: October 26, 2011 LDRAB Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB meeting on Wednesday, October 26, 2011.

The meeting will commence at **2:00 p.m.** in the Vista Center 1st Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact me at (561) 233-5206 or via email at WCross@pbcgov.org, or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at MCantor@pbcgov.org.

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: August 24, 2011 LDRAB Agenda

c: Verdenia C. Baker, Deputy County Administrator
Barbara Alterman, Esq., Executive Director, PZB
Lenny Berger, Assistant County Attorney
Bob Banks, Assistant County Attorney
Jon MacGillis, ASLA, Zoning Director
Maryann Kwok, Chief Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Bryan Davis, Principal Planner, Planning
John Rupertus, Senior Planner, Planning

PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

OCTOBER 26, 2011

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Raymond Puzzitiello (Gold Coast Build. Assoc.)

Joanne Davis (District 1)

Vacant (League of Cities)

Barbara Katz (District 3)

Terrence N. Bailey (Florida Engineering Society)

Jim Knight (District 4)

Jose Jaramillo (A.I.A.)

Lori Vinikoor (District 5)

Rosa Durando (Environmental Organization)

Mike Zimmerman (District 6)

Michael Cantwell (PBC Board of Realtors)

Martin Klein, Esq. (District 7)

Gary Rayman (Fl. Surveying and Mapping Society)

Robert Schulbaum (Member at Large/Alternate)

Maurice Jacobson (Condominium Association)

Vacant (Member at Large/Alternate)

Vacant (Association Gen. Cont. of America)

Board of County Commissioners

Karen T. Marcus
Chair, District 1

Shelley Vana
Vice Chair, District 3

Paulette Burdick
Commissioner, District 2

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Commissioner, District 4

Burt Aaronson
Commissioner, District 5

Jess R. Santamaria
Commissioner, District 6

Priscilla A. Taylor
Commissioner, District 7

Robert Weisman
County Administrator



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LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

WEDNESDAY, OCTOBER 26, 2011 AGENDA

2300 NORTH JOG ROAD

1ST FLOOR KENNETH S. ROGERS HEARING ROOM (VC-1W-47), 2:00 P.M.

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of August 24, 2011 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B - Article 3, Overlay and Zoning Districts
2. Exhibit C - Article 4, Use Regulations
3. Exhibit D - Density Bonus Programs
4. Exhibit E - Article 9, Archaeological and Historic Preservation

C. PUBLIC COMMENTS

D. STAFF COMMENTS

E. ADJOURN

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of August 24, 2011 Meeting

On Wednesday, August 24, 2011 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the First Floor Conference Room (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

Vice-Chair David Carpenter called the meeting to order at 2:07 p.m. Monica Cantor, Code Revision Senior Site Planner, called the roll.

Members Present: 10

David Carpenter (District 2)
Joanne Davis (District 1)
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Rosa Durando (Environmental Organization)
Michael Cantwell (PBC Board of Realtors)
Terrence Bailey (Florida Eng. Society)
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Jose Jaramillo (AIA)

Members Absent: 4

Wesley Blackman (PBC Planning Congress)
Maurice Jacobson (Condominium Assoc.)
Martin Klein (District 7)
Gary Rayman (Fl. Soc. of Prof. Land Surv.)

Member At Large: 1 (Not Attending)

Robert Schulbaum (Member At Large, Alt.)

Vacancies: 4

Vacant (League of Cities)
Vacant (Assoc. Gnrl. Contractors. of America)
Vacant (District 6)
Vacant (Member At Large, Alt.)

County Staff Present:

Barbara Alterman, Executive Director, Planning, Zoning & Building Department
Leonard Berger, Assistant County Attorney
William Cross, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Bryan Davis, Principal Planner, Planning
John Rupertus, Senior Site Planner, Planning
Timothy Sanford, Site Planner I, Zoning
Willie Swoope, Impact Fee Coordinator, Financial Management and Budget Division

2. Additions, Substitutions, and Deletions

No amendments were presented.

3. Motion to Adopt Agenda

Motion to adopt by Raymond Puzzitiello, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

4. Adoption of May 25, 2011 Minutes (Exhibit A)

Motion to adopt by Raymond Puzzitiello, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

B. ULDC Amendments

1. Exhibit B: Article 2, Development Review Procedures

Ms. Katz expressed concerns regarding the deletion of Neighborhood Plan standards from the Code as it weakens an important element considered by neighborhood coalitions. Mr. Cross stated that many of the provisions in neighborhood plans including design guidelines are in conflict with specific Code requirements and they were the result of previous agreements. The compliance with this standard for Rezoning, Conditional Uses, Requested Uses and Development Order Amendments approvals is addressed by the Standard requiring consistency with the Plan.

Motion to adopt by David Carpenter, seconded by Lori Vinikoor. The motion passed unanimously (9-1). Barbara Katz voted nay.

2. Exhibit C: Article 4, Use Regulations

No discussion took place regarding this exhibit.

Motion to adopt by Lori Vinikoor, seconded by Raymond Puzzitiello. The motion passed (10-0).

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of August 24, 2011 Meeting

3. Exhibit D: Article 9, Archaeological and Historic Preservation

Discussion ensued regarding removal of the regulation of color as one of the development standards for historic buildings. Ms. Katz stated that color is an important element that characterizes architectural styles. She requested further clarification on why the amendment is proposing the change. Mr. Cross clarified that the intent of this amendment is to encourage properties to eventually designate structures as historical and color is one of the impediments they may find. Mr. Carpenter requested further explanation from the Historic Resources Review Board (HRRB) on why this change is taking place.

Mr. Rupertus explained that in other jurisdictions such as Delray and West Palm Beach with large amount of architectural buildings subject to preservation, color is not regulated, and generally is considered on a case by case basis. Mr. Jaramillo considered necessary to maintain color within the standards. Ms. Davis reminded the team that the County does not have historical districts.

Motion to adopt by Raymond Puzzitiello, seconded by Jim Knight. The motion failed (5-5).

Ms. Katz asked if the amendment could be made to state that color is to be considered on case by case bases and not to be eradicated completely from the Code.

Ms. Cantor requested the Board to allow additional discussion at the end of the meeting to have another representative of the Planning Division present and explain further on the subject.

Motion to postpone the topic at the end of the meeting by Joan Davis, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

4. Exhibit E: Article 11, Subdivision, Platting and Required Improvements

Mr. Cross explained the amendment is to match previous amendments for plats that expedited process for combining lots without requiring a re-plat.

Motion to adopt by Raymond Puzzitiello, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

5. Exhibit F: Article 13, Impact Fees

Mr. Swoope presented the amendment and explained that it provides an option where one municipality may decide to allow another municipality to provide additional services such as review permits and collect those impact fees. He further explained the amendment requires municipalities with inter-local agreements to maintain separate records from those fees collected to be submitted to the County as it is currently mandated by Article 13, Impact Fees.

Motion to adopt by Raymond Puzzitiello, seconded by Joanne Davis. The motion passed unanimously (10-0).

6. Continuation of Exhibit D: Article 9, Archaeological and Historic Preservation

Mr. Davis clarified the code amendment is coming from recommendations originated by the Historic Resources Review Board (HRRB) during the consideration of the Wenger House that was subject to certification of appropriateness for change of color.

Mr. Bailey stated his interest to know if this was the only method the County has to prevent buildings to do extreme things with colors on historical buildings. Mr. Davis explained the Wenger House is the only building that does not belong to the County and there are no other privately owned historical structures; therefore the HRRB did not want to consider this building every time the owners wanted to paint it.

Ms. Katz stated the County does not need to make changes to the Code based on one house and in her opinion this was not a hardship. She suggested to place some guidelines for it and clarified that at some point in time many buildings will be subject to the preservation guidelines of 50 years or more, and concluded by stating that many need to be protected. Mr. Bailey indicated the need to see in the future the use of color for other buildings that may become protected and if the requirement is removed now, it

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

may not come back. He also added that it may be needed for other buildings such as the court house and not necessarily for residential buildings only. Mr. Davis clarified that County buildings are also subject to HRRB requirements but most of the county buildings have not color, they have finished materials such as stone that provide the color to the building.

Mr. Carpenter suggested moving the amendment as proposed since the County does not have a large number of historical buildings. Motion by Lori Vinikoor, seconded by Raymond Puzzitiello. Motion failed (5-5).

Ms. Alterman suggested having the appropriate staff, Christian Davenport, at the next meeting and if one of the members of the HRRB can attend they may be able to clarify any questions the Board may have.

Motion to postpone exhibit for further explanation from staff and HRRB member by Mr. Bailey, seconded by Ms. Katz. Motion passed unanimously (10-0).

There were no public comments.

1. Response to LDRAB Inquiry on Meeting Procedures
Ms. Cantor explained that staff considered the suggestion made by Mr. Klein to have consent agenda for the LDRAB meetings but due to the character of the Board the amendments still need to be subject to discussion or explanation of questions.
2. Code of Ethics – Board Members Re-Training Notification
Mr. Cross reminded the Board members to complete the Code of Ethics if they have not done it yet.
3. ULDC Supplement 10 – Paper copies versus web page version
The Board was asked if anyone was interested in using electronic copies versus paper copies of the ULDC or LDRAB amendment packets. Mr. Cross expressed staff intention to assist Board members to get familiar with the County web page and use of the on-line Code.

LDRAB members were notified that Patrick Gleason resigned as an alternate/ member at large and that Michael Zimmerman was expected to be reappointed to the District 6 appointment.

Mr. Cross updated the Board on the upcoming changes to the Renewable Energy, Wind amendments related to shadow flicker setbacks to be included as part of the add-delete sheet for the BCC hearing on August 29.

The Land Development Regulation Advisory Board meeting adjourned at 3:10 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

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EXHIBIT B

ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 10/6/11)

Part 1. ULDC Art. 3.A.3.E.1, Standard Districts (pages 18 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] Amend to be consistent with FLUE Objective 1.8, Glades Area Protection Area Overlay (GAPO) and Policy 1.8-b, which allows for the RR-10 FLU designation West of the L-8 Canal, to include the following *“Specific Existing Uses: Mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; conservation, including wildlife corridors; and the Florida Power and Light (FPL) proposed power plant and related cooling areas.”*

CHAPTER A GENERAL

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

E. Exceptions for Prior Approvals

Any application for a Development Order that requires Public Hearing approval, excluding Status Reports, EAC, Class B Conditional Uses or Type II Variances, shall be accompanied by an application to rezone to a current Zoning district, unless exempted otherwise herein. Any application for a Development Order that does not exceed the threshold requiring rezoning shall comply with the applicable requirements of the corresponding district, except for any information permitted to be carried forward from a prior approval. [Ord. 2011-016]

1. Standard Districts

The following previously established zoning districts shall correspond to the current districts indicated: [Ord. 2011-016]

- a. The Specialized Agriculture (SA) District shall correspond to the AP District in the Glades Tier, the AGR District in the AGR Tier, and the AR District in the Rural Tier. Property with an SA District located in the Glades Area Protection Overlay (GAPO) shall be exempt from the rezoning requirement. [Ord. 2011-016]

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Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to:].

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ARTICLE 4 – USE REGULATIONS

SUMMARY OF AMENDMENTS

(Updated 10/7/11)

Reason for amendments: [ZONING] The amendment is a result of an increase in the average household size in Palm Beach County from 2.34 people indicated in the 2000 U.S. Census to 2.39 people indicated in the 2010 U.S. Census.

Section 1	Uses
-----------	------

34. Congregate Living Facility

3) Type 3

2005-002]

FLU Category	Zoning District	Maximum Occupancy (Residents per Acre)(2)	
		Standard District	PDD or TDD (1)
<i>RR 20</i>	<i>AR</i>	<i>PROHIBITED</i>	<i>0.11</i>
<i>RR 10</i>	<i>AR</i>	<i>PROHIBITED</i>	<i>0.23</i>
<u>RR 5</u>	<u>AR</u>	<u>PROHIBITED</u>	<u>0.47</u>
<u>RR 2.5</u>	<u>AR</u>	<u>PROHIBITED</u>	<u>0.95</u>
AGR	AGR	PROHIBITED	2.39
RR	AR	PROHIBITED	0.23
RR20	AR	PROHIBITED	0.11
AGE	N/A	N/A	(3)
LR1	RE, RT	PROHIBITED	<u>2.39-2.34</u>
LR2	RT	PROHIBITED	<u>4.78-4.68</u>
LR3	RT	PROHIBITED	<u>7.17-7.02</u>
MR5	RS	PROHIBITED	<u>11.95-11.70</u>
HR8	RS, RM	<u>14.34-14.04</u>	<u>19.12-18.72</u>
HR12	RM	<u>19.12-18.72</u>	<u>28.68-28.08</u>
HR18	RM	<u>19.12-18.72</u>	<u>43.02-28.08</u>

[Ord. 2005-002] [Ord.2010-022]

Notes:

- For the purpose of this Section, the required minimum acreage for a PDD consisting exclusive of a CLF may be reduced by 50 percent.
- For CLF, one TDR unit is equivalent to 2.39-2.34 beds. **[Ord. 2005-002]**
- The maximum density permitted shall be in accordance with the acreage of the subject site and the density assigned on the AGE Site Specific FLUA Conceptual Plan multiplied by 2.39-2.34 residents. **[Ord. 2010-022]**

□ □ □ □

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EXHIBIT D

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/19/11)

Part 1. ULDC Art. 3.D.1.B.3, Density Bonus Programs (page 124 of 228), is hereby deleted as follows:

Reason for amendments: [Planning] Revision is proposed as this text is no longer necessary as each density bonus program currently has its own property development regulations in the ULDC for lot dimensions, building intensity and setbacks.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 1 PDRs for Standard Zoning Districts

B. General Exceptions

~~3. Density Bonus Programs~~

~~Special density programs for affordable housing are available through the use of VDBs, TNDs, and in the Westgate CRAO and may use regulations below.~~

~~a. Density Bonus Program Development~~

~~1) Purpose and Intent~~

~~The purpose of this Section is to provide flexibility from traditional PDRs in order to allow greater opportunities for cost effective development for housing approved in conjunction with a density bonus program. The regulations represent the minimum regulations acceptable without compromising minimum health and safety standards.~~

~~2) Applicability~~

~~The provisions of this Section may be applied to all residential development which receives a density bonus for workforce housing, as defined in the Plan.~~

~~3) Threshold~~

~~100 percent of the units subject to the density bonus, or a minimum of 50 percent of the total number of units in the project, whichever is greater, shall be set aside for workforce housing in accordance with the applicable density bonus program in the Plan.~~

~~4) Lot Dimensions~~

~~The lot dimensions for all housing types may be reduced by 20 percent. [Ord. 2005-002]~~

~~5) Building Intensity~~

~~The maximum building coverage and FAR for all housing types may be increased by 20 percent.~~

~~6) Setbacks~~

~~The minimum building setbacks/separations for all housing types may be reduced by 20 percent, except for the front setback in the RS and RM districts, which may be reduced by 40 percent.~~

[Renumber Accordingly]

Part 2. ULDC Art. 5.G.1.F, WHP On-site Construction (page 67 of 91), is hereby amended as follows:

Reason for amendments: [PLANNING/ZONING] Clarification of phasing limitation to address amendments to a prior approval that may have already commenced initial phases, to allow for a Development Order Amendment that includes new WHP units in later or final phases.

CHAPTER G DENSITY BONUS PROGRAMS

Section 1 Workforce Housing Program (WHP)

F. WHP On-site Construction

WHP units may be located on-site in accordance with the provisions of Article 5.G.1.C, Workforce Development Alternatives; however, under no circumstances shall any site be permitted to develop at a density greater than that permitted by the Plan. Prior to final DRO approval, the applicant shall identify on the plan the total number of WHP units proposed for development within each pod or phase, as applicable. The plan shall also indicate the number of units in each applicable WHP income category. ~~In no instance shall all~~ All of the WHP units ~~shall not~~ be constructed in the last ~~stage phase~~ of a multi-phased development ~~(pod/phase where applicable), except for a Development Order Amendment to to a Development Order approved prior to WHP requirements.~~ [Ord. 2010-005]

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EXHIBIT D

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/19/11)

Part 3. ULDC Art. 5.G.1.I.1, Sales and Rental Prices of WHP Units (page 69 of 91), is hereby amended as follows:

Reason for amendments: [PLANNING] Revisions proposed in order to establish a WHP unit rental floor price and to provide clarification regarding the WHP unit utility allowance.

CHAPTER G DENSITY BONUS PROGRAM

Section 1 Workforce Housing Programs

I. Affordability Requirements

1. Sales and Rental Prices of WHP Units

All required WHP units shall be offered for sale or rent at an attainable housing cost for each of the targeted income ranges. The sale and rent prices shall be updated annually by the Planning Director, or designee, with the sale prices based on the Area Median Income (AMI), and the household income limits for PBC (West Palm Beach/Boca Raton metropolitan statistical area) for a family of four, which pricing shall not be adjusted based on the number of occupants, as published annually by HUD (sale price: household income figure multiplied by three and priced at the middle of each of the four WHP income categories), and rental prices based on the annual Florida Housing Finance Corporation Multi-Family Rental Figures as adjusted for number of bedrooms in WHP rental units. The minimum WHP price initially established for each rental unit within each WHP income category range will be the rental floor. This rental floor shall serve as the minimum rental price point required throughout the thirty (30) year term of this Covenant. Any utility allowances applied against gross maximum WHP unit rents shall also be adjusted based on a number of bedrooms in WHP rental units. A chart with the sales and rent prices will be maintained and updated annually by the County. [Ord. 2006-055] [Ord. 2010-005]

a. Utility Allowance

Utilities shall include, but not be limited to, water, sewer, gas and electric. When one or more utility cost(s) are included within the WHP unit rent price, and reasonable, reliable and verifiable documentation is provided that indicates the total utility cost included within the WHP unit rent price meets or exceeds the stated utility allowance cost, then the utility allowance requirement would be waived. If the information provided constitutes an amount less than the prescribed utility allowance, the value may be applied against the utility allowance and the remaining balance shall be credited to the WHP resident's rent cost.

Part 4. ULDC Art. 5.G.2.A, Purpose and Intent [Related to Affordable Housing Program] (page 71 of 91), is hereby amended as follows:

Reason for amendments: [PLANNING] Revisions proposed in order to allow consideration to adjust the percentage of units required within the AHP income ranges based on programmatic requirements imposed by affordable housing funding source.

CHAPTER G DENSITY BONUS PROGRAM

Section 2 Affordable Housing Program

A. Purpose and Intent

The AHP implements HE Policies 1.1-o and 1.5-g of the Plan, among others, by establishing an AHP. The AHP is a voluntary program used by an applicant seeking additional density for an affordable housing development. An AHP applicant elects to provide at a minimum 65 percent of the total number of dwelling units targeted to households at incomes of 60 percent of Area Median Income (AMI) and below. In any proposal a maximum of 20 percent of all units will target incomes of 30 percent and below AMI. The program ensures a minimum affordability period, and provides for a density bonus and other incentives. The program is intended to increase the supply of housing opportunities for persons employed in PBC in jobs that residents rely upon to make the community viable. Consideration may be given to developments requesting income percentage targets that are different from those previously indicated, based on programmatic requirements imposed by a governmental agency providing affordable housing funding or another entity with different programmatic requirements, with the final determination made by the Executive Director of Planning, Zoning and Building or designee. [Ord. 2009-040]

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EXHIBIT D

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/19/11)

Part 5. ULDC Art. 5.G.2.B.3, When WHP and AHP Units are Proposed (WHP and AHP Units are Proposed by the Applicant) [Related to Affordable Housing Program] (page 72 of 91), is hereby deleted as follows:

Reason for amendments: [PLANNING] Should the proposed revision be made to Article 5.G.2.A. (previous revision) then this item would be redundant and is proposed for deletion.

CHAPTER G DENSITY BONUS PROGRAM

Section 2 Affordable Housing Program

B. Applicability

~~3. When WHP and AHP Units are Proposed (WHP and AHP Units Proposed by the Applicant)~~

~~Consideration may be given to developments requesting both WHP and AHP units within their proposal with the final determination to be made by the Planning Director or designee based on the programmatic requirements imposed by a governmental agency providing affordable housing funding or another entity with programmatic requirements (e.g., Habitat for Humanity or a Community Land Trust). [Ord. 2009-040]~~

Part 6. ULDC Art. 5.G.3.G.4.d.1) [Related to The Application, Sale and Value of Development Rights] (page 80 of 91), is hereby amended as follows:

Reason for amendments: [Planning] Revisions proposed in order to provide clarification regarding the TDR bonus density and its consistency with the applicable Neighborhood Plan.

CHAPTER G DENSITY BONUS PROGRAM

Section 3 Transfer of Development Rights (TDRs) - Special Density Program

G. Transfer of Development Rights (TDRs) Bank

4. The Application, Sale, and Value of Development Rights

d. Additional prices for TDR units shall be as follows: [Ord. 2011-001]

1) For TDR units located within an area that has a BCC accepted Neighborhood Plan, and the proposed density increase development is identified within or supported by consistent with the Neighborhood Plan, the TDR price shall be 75 percent of full TDR price as established in 4.b. 1 and 2 above; [Ord. 2011-001]

Part 7. ULDC Art.5.G.4. Property Development Regulations (PDRs) for Density Bonus Program Development (page 86 of 91), is hereby deleted as follows:

Reason for amendments: [Planning] Revision is proposed as this text is no longer necessary as each density bonus program currently has its own property development regulations in the ULDC for lot dimensions, building intensity and setbacks.

CHAPTER G DENSITY BONUS PROGRAM

~~Section 4 Property Development Regulations (PDRs) for Density Bonus Program Development~~

~~A. Purpose and Intent~~

~~The purpose and intent of this Chapter is to provide flexibility from traditional PDRs in order to provide greater opportunity for cost-effective development for housing approved in conjunction with a density bonus program. The regulations represent the minimum regulations acceptable without compromising minimum health and safety standards.~~

~~B. Applicability~~

~~The provisions of this Chapter may be applied to all residential development which receives a density bonus for workforce housing, as defined in the Plan.~~

~~C. Threshold~~

~~100 percent of the units subject to the density bonus, or a minimum of 50 percent of the total number of units in the project, whichever is greater, shall be set aside for workforce housing in accordance with the applicable density bonus program in the Plan.~~

~~1. Lot Dimensions~~

~~The lot dimensions in all residential districts for all housing types may be reduced by 20 percent.~~

Notes:

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EXHIBIT D

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/19/11)

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2. ~~Building Intensity~~
- The maximum building coverage and floor area ratio for all residential districts for all housing types may be increased by 20 percent.
3. ~~Setbacks~~
- The minimum building setbacks/separations for all residential districts for all housing types may be reduced by 20 percent, except for the front setback in the RS and RM districts, which may be reduced by 40 percent.
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EXHIBIT E

ARTICLE 9 – ARCHAEOLOGICAL AND HISTORIC PRESERVATION
SUMMARY OF AMENDMENTS
(Updated 07/19/11)

Part 1. ULDC Art. 9.B.4, Regulations Affecting Historic Sites (page 11 - 13 of 17), is hereby amended as follows:

Reason for amendments: [Planning] To eliminate consideration of exterior color from the regulations affecting historic sites listed on the County Register of Historic Places. Based on recommendation from the Historic Resources Review Board (HRRB) on January 6, 2011, during consideration of a Certificate of Appropriateness for a change of color for the Wenger House.

CHAPTER B HISTORIC PRESERVATION PROCEDURES

Section 4 Regulations Affecting Historic Sites

A. Development Standards For Historic Districts and Sites

7. The construction of new buildings or structures, or the relocation, alteration, reconstruction, or major repair or maintenance of a non-contributing building or structure within a designated historic district shall meet the same compatibility standards as any material change in the exterior appearance of an existing contributing building. Any material change in the exterior appearance of any existing non-contributing building, structure or appurtenance in a designated historic district shall be generally compatible with the form, proportion, mass, configuration, building material, texture, ~~color~~ and location of historic buildings, structures, or sites adjoining or reasonably proximate to the contributing building, structure or site.

8. All improvements to buildings, structures and appurtenances within a designated historic district shall be visually compatible. Visual compatibility shall be defined in terms of the following criteria:

g. Relationship of Materials, ~~and~~ Texture ~~and Color~~

The relationship of materials, ~~and~~ texture ~~and color~~ of the facade of a building should be visually compatible with the predominant materials used in the historic sites, buildings and structures within a historic district.

C. Certificate of Appropriateness

1. Activities Requiring Certificate of Appropriateness

- c. A Certificate of Appropriateness shall be required for any material change in existing walls, fences and sidewalks, ~~change of color~~, or construction of new walls, fences and sidewalks.

2. Certificate Not Required

- b. A Certificate of Appropriateness shall not be required for any interior alteration, construction, reconstruction, restoration or renovation. General and occasional maintenance and repair shall include lawn and landscaping care and minor repairs that restore or maintain the historic site or current character of the building or structure. General and occasional maintenance and repair shall also include any ordinary maintenance which does not require a building permit from the County. General and occasional maintenance and repair shall not include any of the activities described in Article 9.B.4.C.1, Activities Requiring Certificate of Appropriateness, above, nor shall it include ~~exterior color change~~, addition or change of awnings, signs, or alterations to porches and steps or other alterations which require excavation or disturbance of subsurface resources.

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Notes:

Underlined indicates new text. If being relocated destination is noted in bolded brackets [Relocated to:].

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