



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
DECEMBER 1, 2011**

**AGENDA ITEM #
(PAGE #)D**

APPLICATION/CHANGE

AMENDMENTS

- 7. (75-103) DOA-2011-1735 Cameron Park PUD
(Control 1993-039)**

Amend Engineering Condition 8 to read as follows:

8. ...Is hereby amended to read:
~~this fill material. (DATE:MONITORING-Eng)~~

The property owner shall:

8.a. Prior to December 31, 2013 or within ninety (90) days of written notification by the County Engineer, whichever shall occur first, convey to PBC sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved/ by the County Engineer (CE), to provide legal positive outfall (LPO) for runoff from those segments of Sims Road along the property frontage; and a max. of 800 feet of these adjacent roadway(s). The limits of this additional 800 feet and final location of the easement of drainage shall be determined by the CE. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of LPO. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up. The drainage system within the project shall have sufficient retention/detention, Compensating storage within this projects retention system as required by all permitting agencies, and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the SFWMD, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the CE the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the CE. Elevation and location of the entire drainage system shall be approved by the CE. Any and all excess fill material from excavation by PBC within said easements shall become the property of PBC which at its discretion may use this fill material. (DATE/ONGOING:MONITORING-Eng)

8.b. Prior to issuance of the first Certificate of Occupancy, design, permit, construct and receive a satisfactory final inspection from PBC for the ultimate roadway drainage system within the right of way of Sims Road, along the project frontage, as required by the County Engineer. (CO:MONITORING-Eng)

8.c As an alternate to 8.b, the property owner may provide a payment to the Palm Beach County Land Development Division in the amount of 110% of an acceptable Cost Estimate certified by the property owner's engineer to cover the County's costs for design, permitting, construction and inspection of the ultimate roadway drainage system within the right of way of Sims Road. If this option is chosen, payment shall be made prior to issuance of the first Certificate of Occupancy. (CO:MONITORING-Eng)

9. (116-133) EAC-2011-1988 Osprey Oaks Parcel #2
(Control 2005-058)

Amend Engineering Condition 1 is hereby deleted : [REASON: A build out date is not required]

10. (134-151) EAC-2011-1989 Osprey Oaks Parcel #3
(Control 2005-059)

Amend Engineering Condition 1 is hereby deleted : [REASON: A build out date is not required]

11. (152-169) EAC-2011-1990 Osprey Oaks Parcel #4
(Control 2005-060)

Amend Engineering Condition 1 is hereby deleted : [REASON: A build out date is not required]

12. (170-187) EAC-2011-1991 Osprey Oaks Parcel #5
(Control 2005-061)

Amend Engineering Condition 1 is hereby deleted : [REASON: A build out date is not required]

18. Request for Permission to Advertise – Unified Land Development Code (ULDC) – Amendment Round 2011-01

(page 379) Amend Exhibit H, Criteria for Rezoning - lines 23-25, as follows*:

E. ~~Exemptions/Applicability 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, and prior Special Exception or Conditional Use for or DOA to a prior approval corresponding to a Planned Unit Development (PUD), are not required to rezone. Other prior Special Exceptions for Planned Developments such as PCD, PCND, PGCD, POBP or PID, are encouraged but not required to rezone when submitting an application for amendment to the prior approval ~~include a concurrent~~ shall be accompanied by an application to rezone to a current Zoning district. Any application for a Development Order to any of the prior approvals listed herein 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]

....

* Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

.... Indicates language omitted to save space.

Board of County Commissioners

Shelley Vana, Chair
Steven L. Abrams, Vice Chair
Karen T. Marcus
Paulette Burdick
Burt Aaronson
Jess Santamaria
Priscilla A. Taylor,



County Administrator
Robert Weisman

Department of Planning, Zoning & Building
2300 North Jog Road
West Palm Beach, FL 33411
Phone: 561-233-5200
Fax: 561-233-5165

**TITLE: REQUEST FOR PERMISSION TO ADVERTISE
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2011-02**

SUMMARY: The proposed ordinances will account for minor revisions, scrivener's errors, and omitted text from 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 4 - Use Regulations
- ☐ Exhibit D Article 9 - Archaeological and Historic Preservation
- ☐ Exhibit E Article 11 - Subdivision, Platting, and Required Improvements
- ☐ Exhibit F Article 13 - Impact Fees
- ☐ Exhibit G Public Notice
- ☐ Exhibit H Criteria for Rezoning
- ☐ Exhibit I Enclosed Auction in IND/MUPD
- ☐ Exhibit J Produce Stand
- ☐ Exhibit K Density Bonus Program
- ☐ Exhibit L Wellfield Protection Program

LDRAB/LDRC: The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on August 24, 2011, October 26, 2011, and November 16, 2011; and, the Land Development Regulation Commission (LDRC) on November 16, 2011. All proposed ULDC amendments were found to be consistent with the Plan.

MOTION: To approve on preliminary reading and advertise for First Reading on January 5, 2012: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067 AND 03-070 AS AMENDED, AS FOLLOWS: **ARTICLE 1 - DEFINITIONS AND ACRONYMS;** CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES;** CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS;** CHAPTER A, GENERAL; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS; **ARTICLE 4 - USE REGULATIONS;** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; **ARTICLE 5 - SUPPLEMENTARY STANDARDS;** CHAPTER G, DENSITY BONUS PROGRAMS; **ARTICLE 9 - ARCHAEOLOGICAL AND HISTORIC PRESERVATION;** CHAPTER B, HISTORIC PRESERVATION PROCEDURES; **ARTICLE 11 - SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS;** CHAPTER A, GENERAL REQUIREMENTS; **ARTICLE 13 - IMPACT FEES;** CHAPTER A, GENERAL; **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; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AND 03-070, AS AMENDED, AS FOLLOWS: **ARTICLE 1 - DEFINITIONS AND ACRONYMS**; CHAPTER I, DEFINITIONS AND ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES**; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS**; CHAPTER A, GENERAL; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS; **ARTICLE 4 - USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; **ARTICLE 5 - SUPPLEMENTARY STANDARDS**; CHAPTER G, DENSITY BONUS PROGRAMS; **ARTICLE 9 - ARCHAEOLOGICAL AND HISTORIC PRESERVATION**; CHAPTER B, HISTORIC PRESERVATION PROCEDURES; **ARTICLE 11 - SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS**; CHAPTER A, GENERAL REQUIREMENTS; **ARTICLE 13 - IMPACT FEES**; CHAPTER A, GENERAL; **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; A 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 and Ordinance 2003-070, 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:

1 **Section 1. Adoption**

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

- 4 ☐ Exhibit A Article 2 - Development Review Procedures
5 ☐ Exhibit B Article 3 - Overlays and Zoning Districts
6 ☐ Exhibit C Article 4 - Use Regulations
7 ☐ Exhibit D Article 9 - Archaeological and Historic Preservation
8 ☐ Exhibit E Article 11 - Subdivision, Platting, and Required Improvements
9 ☐ Exhibit F Article 13 - Impact Fees
10 ☐ Exhibit G Public Notice
11 ☐ Exhibit H Criteria for Rezoning
12 ☐ Exhibit I Enclosed Auction in IND/MUPD
13 ☐ Exhibit J Produce Stand
14 ☐ Exhibit K Density Bonus Program
15 ☐ Exhibit L Wellfield Protection Program
16

17 **Section 2. Interpretation of Captions**

18 All headings of articles, sections, paragraphs, and sub-paragraphs used in this
19 Ordinance are intended for the convenience of usage only and have no effect on interpretation.
20

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

22 All local laws and ordinances in conflict with any provisions of this Ordinance are hereby
23 repealed to the extent of such conflict.
24

25 **Section 4. Severability**

26 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other
27 item contained in this Ordinance is for any reason held by the Court to be unconstitutional,
28 inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this
29 Ordinance.
30

31 **Section 5. Providing for a Savings Clause**

32 All development orders, permits, enforcement orders, ongoing enforcement actions, and
33 all other actions of the Board of County Commissioners, the Zoning Commission, the
34 Development Review Officer, Enforcement Boards, all other County decision-making and
35 advisory boards, Special Masters, Hearing Officers, and all other County officials, issued
36 pursuant to the regulations and procedures established prior to the effective date of this
37 Ordinance shall remain in full force and effect.
38

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

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

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

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

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

7
SHARON R. BOCK, CLERK &
COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

8
9
10 EFFECTIVE DATE: Filed with the Department of State on the _____ day of
11 _____, 20____.

EXHIBIT A

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES
SUMMARY OF AMENDMENTS
(Updated 08/15/11)

Part 1. ULDC Art. 2.B.1.B, Standards [Related to Official Zoning Map Amendments] (page 26 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] FLUE Policy 4.1-c of the Plan requires the County only consider the objectives and recommendations of any applicable Neighborhood Plans when issuing a Development Order for a FLUA amendment, Conditional Use or Development Review Officer approval. Consistency is not a requirement for approval and should not be stated within the standards.

CHAPTER B PUBLIC HEARING PROCESS

Section 1 Official Zoning Map Amendment (Rezoning)

B. Standards

When considering a Development Order ~~development-order~~ application for rezoning to a standard zoning district, the BCC and ZC shall consider Standards ~~standards~~ 1 – 7 ~~8~~ indicated below. In addition the standards indicated in Section ~~section~~ 2.B of this Chapter ~~chapter~~ shall also be considered for rezoning to a standard zoning district with a Conditional Use ~~conditional-use~~, and rezoning to a PDD or TDD with or without a Requested Use ~~requested-use~~ or Waiver ~~waiver~~. An amendment which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. [Ord. 2007-001]

1. Consistency with the Plan

The proposed amendment is consistent with the Plan. [Ord. 2007-001]

2. Consistency with the Code

The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code. [Ord. 2007-001]

3. Compatibility with Surrounding Uses

The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district. [Ord. 2007-001]

4. Effect on the Natural Environment

The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment. [Ord. 2007-001]

5. Development Patterns

The proposed amendment will result in a logical, orderly, and timely development pattern. [Ord. 2007-001]

~~6. Consistency with Neighborhood Plan~~

~~The proposed zoning district is consistent with applicable neighborhood plans in accordance with BCC policy. [Ord. 2007-001]~~

~~6.7. Adequate Public Facilities~~

~~The proposed amendment complies with Art. 2.F, Concurrency. [Ord. 2007-001]~~

~~7. Changed Conditions or Circumstances~~

~~There are demonstrated changed conditions or circumstances that necessitate the amendment. [Ord. 2007-001]~~

Part 2. ULDC Art. 2.B.2.B, Standards for Conditional Uses, Requested Uses and Development Order Amendments (page 27 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] FLUE Policy 4.1-c of the Plan requires that the County only consider the objectives and recommendations of any applicable Neighborhood Plans when issuing a Development Order for a FLUA amendment, Conditional Use or Development Review Officer approval. Consistency is not a requirement for approval and should not be stated as such within the standards.

CHAPTER B PUBLIC HEARING PROCESS

Section 2 Conditional Uses, Requested Uses Development Order Amendments, and Unique Structures

B. Standards for Conditional Uses, Requested Uses and Development Order Amendments

When considering a Development Order application for a Conditional or Requested Use, the BCC and ZC shall consider Standards ~~standards~~ 1 – 8 ~~9~~ indicated below. A Conditional or Requested Use, or Development Order Amendment which fails to meet any of these Standards ~~standards~~ shall be deemed adverse to the public interest and shall not be approved. [Ord. 2007-001] [Ord. 2011-016]

1. Consistency with the Plan

Notes:

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EXHIBIT A

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES
SUMMARY OF AMENDMENTS
(Updated 08/15/11)

- 1 The proposed use or amendment is consistent with the purposes, goals, objectives and
2 policies of the Plan, including standards for building and structural intensities and densities,
3 and intensities of use. [Ord. 2007-001]
- 4 **2. Consistency with the Code**
5 The proposed use or amendment complies with all applicable standards and provisions of
6 this Code for use, layout, function, and general development characteristics. The proposed
7 use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE
8 STANDARDS. [Ord. 2007-001]
- 9 **3. Compatibility with Surrounding Uses**
10 The proposed use or amendment is compatible and generally consistent with the uses and
11 character of the land surrounding and in the vicinity of the land proposed for development.
12 [Ord. 2007-001]
- 13 **4. Design Minimizes Adverse Impact**
14 The design of the proposed use minimizes adverse effects, including visual impact and
15 intensity of the proposed use on adjacent lands.
- 16 **5. Design Minimizes Environmental Impact**
17 The proposed use and design minimizes environmental impacts, including, but not limited to,
18 water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning
19 of the environment. [Ord. 2007-001]
- 20 **6. Development Patterns**
21 The proposed use or amendment will result in a logical, orderly and timely development
22 pattern. [Ord. 2007-001]
- 23 ~~7. Consistency with Neighborhood Plans~~
24 ~~The proposed development or amendment is consistent with applicable neighborhood plans~~
25 ~~in accordance with BCC policy. [Ord. 2007-001]~~
- 26 ~~7. Adequate Public Facilities~~
27 The extent to which the proposed use complies with Art. 2.F, Concurrency. [Ord. 2007-001]
- 28 ~~8. Changed Conditions or Circumstances~~
29 There are demonstrated changed conditions or circumstances that necessitate a
30 modification. [Ord. 2007-001]

31
32
33 **Part 3. ULDC Art. 2.B.3.A, General [Related to Type II Variance] (page 29-30 of 85), is hereby**
34 **amended as follows:**
35

Reason for amendments: [Zoning] Clarify that Type II Variances from standards does not apply to those that may be granted for residential lots of three units or less, which is provided for under Type IB Variances. In addition, to clarify that non-residential projects exceeding the established thresholds pursuant to Art. 2.D.3.C.2 are subject to Type II Variances requirements. Noting that Variance relief cannot be granted from minimum or maximum density limitations of the Plan.

36 **CHAPTER B PUBLIC HEARING PROCESS**

37 **Section 3 Type II Variance**

38 **A. General**

- 39 To allow variances in accordance with Art. 2.B.3.E, Standards, unless stated otherwise. Variance
40 requests for density or intensity beyond the stated limits of the Plan shall be prohibited. Type II
41 Variances shall be required for the following: [Ord. 2011-001]
- 42 1. any application requesting variances from the ULDC requirements which are allowed under
43 the authority of Article 2.A.1.D.1.b, Zoning Commission; [Ord. 2011-001]
- 44 2. any application requesting five or more variances; [Ord. 2009-040] [Ord. 2011-001]
- 45 3. any application requesting variances that exceed greater than 15 percent of a required
46 standard or Property Development Regulations for residential lots of three units or less; ~~and~~
47 [Ord. 2009-040] [Ord. 2011-001]
- 48 4. any application requesting variances that exceed the standards of Art. 2.D.3.C.2, Non
49 Residential Projects;
- 50 ~~5. any airport zoning variance as described in Art. 2.B.3.D.2, Airport Variance; and, --~~ [Ord.
51 2006-036] [Ord. 2009-040]

52
53
54 (This space intentionally left blank)
55
56

Notes:

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EXHIBIT A

ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES
SUMMARY OF AMENDMENTS
(Updated 08/15/11)

Part 4. ULDC Art. 2.D.3.C.1.a [Related to Type IB Administrative Variance for Residential Lots of Three Units or Less] (page 42 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] Clarify Administrative Authority to grant relief from Property Development Regulations for residential lots of 3 units or less, consistent with the original intent of the creation of the Type IB Administrative Variance. Again noting, that variance relief cannot be sought from the density limitations of the Plan.

CHAPTER D ADMINISTRATIVE PROCESS

Section 3 Type IA and Type IB Administrative Variances

C. Type IB Administrative Variances

A pre-application meeting with staff shall be required prior to application submittal. Variance requests for density or intensity beyond the stated limits of the Plan shall be prohibited. Type IB variances may be considered for the following: [Ord. 2006-036] [Ord. 2008-003]

1. Residential Lots of Three Units or Less

A variance may be requested for the following: [Ord. 2006-036] [Ord. 2008-003]

- a. ~~Setback reduction~~ Reductions or increases of Property Development Regulations greater than five percent of the minimum or maximum requirement. [Ord. 2006-036] [Ord. 2008-003]

....

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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 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:

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EXHIBIT C

ARTICLE 4 – USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 11/14/11)

Part 1. ULDC Art. 4.B.1.A.3.f, Game and Exotic Animal [Related to Bona Fide Agriculture] (page 28 of 170), is hereby amended as follows:

Reason for amendments: [Zoning] Correct to reflect Florida Fish and Wildlife Conservation Commission (FWC) as the agency that regulates private or commercial game farms pursuant to Rules and Regulations of the FWC, Rule 68-12.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

3. Agriculture, Bona Fide

f. Game and Exotic Animals

The ~~Florida Game and Fresh Water Fish Commission (FGFWC)~~ Florida Fish and Wildlife Conservation Commission (FWC) ~~shall regulate~~ regulates game farms or game animal care for private or commercial purposes.

....

Part 2. ULDC Art. 4.B.1.A.34.a.3), Type 3 [Related to CLF Maximum Occupancy] (pages 42 of 170), is hereby amended as follows:

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.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

34. Congregate Living Facility

a. Maximum Occupancy

3) Type 3

Determined by Table 4.B.1.A, Maximum Permissible Occupancy in Type 3 Congregate Living Facilities, below; or, in the case of TDR's or a non residential district by the alternate density specified in the Plan by 2.39-2.34 residents. [Ord. 2005-002]

Table 4.B.1.A - Maximum Permissible Occupancy in Type 3 Congregate Living Facilities

FLU Category	Zoning District	Maximum Occupancy (Residents per Acre)(2)	
		Standard District	PDD or TDD (1)
RR 20	AR	PROHIBITED	0.11
RR 10	AR	PROHIBITED	0.23
RR 5	AR	PROHIBITED	0.47
RR 2.5	AR	PROHIBITED	0.95
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	2.39-2.34
LR2	RT	PROHIBITED	4.78-4.68
LR3	RT	PROHIBITED	7.17-7.02
MR5	RS	PROHIBITED	11.95-11.70
HR8	RS, RM	14.34-14.04	19.12-18.72
HR12	RM	19.12-18.72	28.68-28.08
HR18	RM	19.12-18.72	43.02-28.08
[Ord. 2005-002] [Ord.2010-022]			
Notes:			
1. For the purpose of this Section, the required minimum acreage for a PDD consisting exclusive of a CLF may be reduced by 50 percent.			
2. For CLF, one TDR unit is equivalent to <u>2.39-2.34</u> beds. [Ord. 2005-002]			
3. 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 <u>2.39-2.34</u> residents. [Ord. 2010-022]			

....

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EXHIBIT D

ARTICLE 9 – ARCHAEOLOGICAL AND HISTORIC PRESERVATION
SUMMARY OF AMENDMENTS
(Updated 7/19/11)

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:

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EXHIBIT E

ARTICLE 11 – SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS
SUMMARY OF AMENDMENTS
(Updated 06/01/11)

Part 1. ULDC Art. 11.A.3.A, Platting Requirements (Page 8 of 47), is hereby amended as follows:

Reason for amendments: [Land Dev.] To correct a code reference to allow for the recently created Lot Combination process in addition to the Plat Waiver process.

CHAPTER A GENERAL REQUIREMENTS

Section 3 General Requirements

A. Platting Requirement

Any developer planning to subdivide land shall record a Final Plat in accordance with the requirements of the Article unless such requirement is specifically waived by the County Engineer in accordance with the provisions of Article 11.A.8-B, ~~Plat Waiver and Certified Boundary Survey~~ Exceptions to General Requirements.

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EXHIBIT F

ARTICLE 13 – IMPACT FEES
SUMMARY OF AMENDMENTS
(Updated 07/13/11)

Part 1. ULDC Art. 13.A.7.A.2, Municipality May Require Direct Payment to County (page 9 of 45), is hereby amended as follows:

Reason for amendments: [OFMB] Added language provides for impact fee collections where one municipality agrees to review permits and collect impact fees for another municipality.

CHAPTER A GENERAL

Section 7 Collection and Administrative Fees

A. Timing and Collection of Payment

....
2. Municipality May Require Direct Payment to County.

A municipality ~~who is~~ reviewing its own applications for development permits may opt to have PBC collect the impact fees, pursuant to interlocal agreement. If PBC is the permitting authority for the municipality by interlocal agreement, no additional interlocal agreement is necessary for PBC to collect impact fees for permits issued for that municipality. If PBC collects the impact fees, the municipality shall not be entitled to the administrative fee. PBC shall not charge the municipality for collecting the impact fee. The municipality shall be responsible for ensuring that all impact fees are paid before issuing any building permit or other permit. One municipality may opt to have a second municipality review development permits and collect impact fees on behalf of the municipality, provided the municipality that collects impact fees maintains separate records to account for the collection and remittance of the impact fees to PBC in accordance with this article. [Ord. 2010-018]

....

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EXHIBIT G

PUBLIC NOTICE
SUMMARY OF AMENDMENTS
(Updated 11/07/11)

Part 1. ULDC Art. 2.A.1.J, Notification (page 18 of 85), is hereby amended as follows:

Reason for amendments: [Zoning] At the Board of County Commissioners (BCC) hearing held on August 29, 2011, the BCC directed staff to reach and bring back at a later hearing recommendations to the Public Notice provisions. On October 27, 2011 BCC Zoning Hearing, the Zoning staff presented their findings and the BCC directed staff to make the following amendment to the code; to increase the notification boundary to 1,000 feet for the Rural and Exurban Tiers, and to post larger signs in size but less in number. There were other recommendations from the BCC with respect to the Notice Boards (large size, font, and reference to web page for information on application) that staff is also following up on and will report final drafts to Board in March 2012 before implementation.

CHAPTER A GENERAL

Section 1 Applicability

J. Notification

2. Courtesy Notice

a. Applicability and Mailing Boundary

Courtesy notices shall be mailed to all property owners, interested parties or other entities identified in Table 2.A.1.J, Property Notice Requirements. [Ord. 2006-036] [Ord. 2008-003] [Ord. 2011-016]

Table 2.A.1.J - Property Notice Requirements

Process	Recipients and Boundaries		
	Certified Mail 0 to 300 feet (1)	Regular Mail 301 to 500 feet (1)	Regular Mail within One Mile (1)
Type IB Variance	All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.	NA	Counties and Municipalities (4)
Type II Variance		NA	
Other Public Hearing (Rezoning, CA, CB, Requested Use, DOA, Unique Structure, Waiver)		All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.	
[Ord. 2011-016]			
Notes:			
1. Distance shall be measured from the property line of the affected area, unless stated otherwise. If the adjacent property within the mailing boundary is owned by the applicant or a related entity, the 301 300 or 500 foot notification boundary shall be extended from these parcels. A larger notification boundary may be of 1,000 feet is required by the Zoning Director for properties located in the Exurban or Rural Tiers.			
2. Includes all owners of real property, whose names and addresses are known by reference to the latest published ad valorem tax records of the PBC Property Appraiser.			
3. Includes condominium associations and all real property owners when real property consists of a condominium.			
4. Shall also include municipalities that have the subject parcel identified within the PBC Future Annexation Map.			

3. Signs

a. The property subject of the application shall have notices posted by the applicant with information of the public hearing on a sign provided by the PBC at least 15 days in advance of any public hearing. One sign shall be posted for each ~~400~~ 250 feet of frontage along a street up to a maximum of ten signs. All signs shall be: [Ord. 2010-022] [Ord. 2011-016]

1) Evenly spaced along the street ~~when more than one sign per property is required;~~ [Ord. 2011-016]

2) Setback no more than 25 feet from the property line; and, [Ord. 2011-016]

3) Erected in full view of the public. [Ord. 2011-016]

Where the property does not have sufficient frontage on a street, signs shall be in a location acceptable to the Zoning Director. The applicant shall submit photographs confirming the signs have been posted. The failure of any such posted notice to remain in place after it has been posted shall not be deemed a failure to comply with this requirement or be grounds to challenge the validity of any decision made by the approving authority. The applicant shall also be required to ensure the signs have been removed no later than five days after the final hearing. [Ord. 2010-022] [Ord. 2011-016]

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EXHIBIT H

CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 11/16/11)

Part 1. ULDC Art. 3.A.2, Zoning Map and District Boundaries (page 16 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] Clarify that where applicable, updates to the Official Zoning Map will include the correct Planned Development District (PDD) that corresponds to certain prior commercial approvals superseded by newer Zoning Ordinances, or the Unified Land Development Code, as adopted in 1992 (Ord. 1992-020). These updates will improve customer service by ensuring that any persons referencing the Official Zoning Map and any implementing ULDC regulations are applying the correct standards. Note: As provided for in Art. 3.A.3.E, Exemptions/Applicability for Prior Approvals, any Development Order Amendment to a prior approval will be subject to the current land development regulations applicable to the corresponding district. [CR Case No. 2011-100]

CHAPTER A GENERAL

Section 2 Zoning Map and District Boundaries

....
D. Prior Approvals Corresponding to Current Districts

In order to promote ease of use and the consistent application of this Code, the Official Zoning Map may be updated administratively to delineate the Planned Development District that corresponds to certain prior approvals specified in Art. 3.A.3.E.2, Planned Development Districts. Updating the Official Zoning Map by delineating the current zoning category or terminology on a particular property is not a rezoning and does not change the land development regulations that are applicable to a particular property.

Part 2. ULDC Art. 3.A.3. Exceptions for Prior Approvals (pages 16 – 19 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] 1) Revise term “exception” to “exemption” to be consistent with Art. 3.A.3.A, Purpose and Intent [Related to Zoning District Consistency with the Future Land Use Atlas], which states in part: “...*Unless exempted otherwise...*” 2) Add term “Applicability” to be consistent with applicability for prior approvals listed under Art. 3.E, Planned Development Districts (PDDs); 3) Add prior approvals corresponding to a Planned Unit Development (PUD) to list of Development Order Amendments (DOAs) exempt from provisions encouraging corrective rezoning; and, 4) Amend rezoning requirement for certain DOAs to simply encourage concurrent rezoning applications (Note: additional administrative efforts will seek to streamline concurrent clean up re-zonings to address any industry concerns with a goal of encouraging voluntary applications). [CR Case No. 2011-100]

CHAPTER A GENERAL

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

E. Exemptions/Applicability 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, or DOA to a prior approval corresponding to a Planned Unit Development (PUD), are encouraged but not required to include a concurrent shall be accompanied by an application to rezone to a current Zoning district. Any application for a Development Order to any of the prior approvals listed herein 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]

....

Part 3. ULDC Art. 3.E.1.J, Phasing and Platting (page 155 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] Provide for relief from platting requirements applicable to new Planned Development Districts (PDDs), for certain applications for a Development Order Amendment (DOA) to a prior approval that includes a rezoning to clean up the official records, where the DOA is limited in a fashion that does not in itself warrant the need for a plat or re-platting. [CR Case No. 2011-100]

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 1 General

Notes:

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EXHIBIT H

CRITERIA FOR REZONING
SUMMARY OF AMENDMENTS
(Updated 11/16/11)

J. Phasing and Platting

1. Phasing

PDDs shall be subject to the phasing, time limitations and review requirements of Art. 2.E, Monitoring, any conditions of approval, and shall proceed in a reasonably continuous and timely manner. If a PDD other than a PUD has multiple phases, each of the first two phases shall contain a minimum of 20 percent of the land area unless otherwise approved in the ~~development order~~ Development Order approved by the BCC. [Ord. 2005 – 002]

2. Platting

All land in a PDD shall be platted in accordance with Art. 11, SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS, ~~except right of way dedicated to a government agency when approved by the County Engineer. All land within the PDD, including private civic tracts, golf courses and open space areas (including but not limited to recreation and water retention) shall be platted prior to Technical Compliance for the last residential, commercial, or industrial tract.~~ [Ord. 2005 – 002] [Ord. 2011-001]

a. Exemptions

The following shall be exempt from platting requirements:

- 1) Right of way dedicated to a government agency when approved by the County Engineer; or,
- 2) A DOA to a prior approval which includes a rezoning to a current PDD, where the proposed amendments do not involve any subdivision or other modifications which would require platting or a re-plat.

b. Timing

All land within the PDD, including private civic tracts, golf courses and open space areas (including but not limited to recreation and water retention) shall be platted prior to Technical Compliance for the last residential, commercial, or industrial tract.

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EXHIBIT I

ENCLOSED AUCTION IND/MUPD
SUMMARY OF AMENDMENTS
(Updated 11/8/11)

Part 1. ULDC Table 3.E.1.B, PDD Use Matrix (page 140 of 228), is hereby amended as follows:

Reason for amendments: [Zoning] Streamline approval process for enclosed auctions where located in a Multiple Use Planned Development (MUPD) having an Industrial (IND) Future Land Use designation. Current requirement to obtain BCC approval is recommended to be simplified to require an administrative approval by the Development Review Officer (DRO). As many IND/MUPD's typically require or provide for minimal parking, DRO oversight is required to ensure that any proposed Enclosed Auction uses have sufficient parking, which may also include review/approval of a Shared Parking Study.

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

Use Type	PUD					MUPD							MXPD		PIPD			M	R	LCC		N O T E	
	Pods					FLU							FLU		Use Zone					FLU			
	R E S	C O M	R E C	C I V	A G R / P	C L	C H	C L	C H	C R	I N D	I N S T	C H	C H	O	I N D / L	C O M			I N D / G	C L		C H
Commercial Uses																							
....																							
Auction, Enclosed		R					P			P	R D						P				P	P	16
....																							
[Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2011-016]																							
Notes:																							
P Permitted by right																							
D Permitted subject to approval by the DRO																							
S Permitted in the district only if approved by Special Permit																							
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																							

Part 2. ULDC Art. 4.B.1.A.16, Auction (pages 34-35 of 170), is hereby amended as follows:

Reason for amendments: [Zoning] See also Part 1 above. Delete redundant provision reiterating approval process for an Enclosed Auction located in an IND/MUPD, which is indicated in Table 3.E.1.B, PDD Use Matrix.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

16. Auction

An establishment engaged in the sale of merchandise to the highest bidder in an enclosed building or outdoor. [Ord. 2009-040]

a. Temporary

A temporary auction shall comply with the Special Event supplementary use standards, Article 2.D.2, Special Permit.

b. Enclosed

All activities, display and sale of merchandise shall occur within an enclosed building. [Ord. 2009-040]

~~1) MUPD~~

~~An enclosed auction in a MUPD with IND FLU designation shall be subject to a Requested Use approval process. [Ord. 2009-040]~~

c. Outdoors

An auction with all or a portion of the activity, display and sale of merchandise occurring outdoor on site shall require approval of a Class A Conditional Use. [Ord. 2007-001] [Ord. 2009-040]

d. TMD and LCC Districts

Auctions are permitted only within enclosed buildings in the U/S tier. [Ord. 2005-002] [Ord. 2009-040] [Ord. 2010-005]

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Notes:

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PRODUCE STAND
SUMMARY OF AMENDMENTS
(Updated 11/16/11)

Part 1. ULDC Art. 1.I.2.P, Definitions (page 78 of 115), is hereby amended as follows:

Reason for amendments: [Zoning] Introduce definition of Packaged or Canned Foods to clarify what additional products will be allowed for sale in permanent produce stands located in the Urban/Suburban Tier.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

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

1. Packaged or canned foods – For the purpose of Article 4, containerized food products that can be eaten as sold.

[Renumber accordingly]

Part 2. ULDC Art. 4.B.1.A.101, Produce Stand (page 73-76 of 170), is hereby amended as follows:

Reason for amendments: [Zoning] 1) Address BCC's direction from the March 15, 2011 BCC Zoning Hearing to explore possibilities to improve and promote Produce Stands in the Urban/Suburban Tier. It includes review feasibility to allow the additional sale of products in Produce Stands in the Tier; and, 2) Amend permanent Produce Stands regulations to clarify what products are allowed to be sold and include standards.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

101. Produce Stand

An establishment engaged in the retail sale of fruits, vegetables, flowers, containerized house plants and other agricultural food products, ~~such as jelly, jam, honey and juice~~. The sale of grocery or convenience-type foods or products shall not be permitted, unless stated otherwise herein.

a. Permanent

1) Maximum Floor Area

The square footage of the establishment shall include both the structure and all accessory areas devoted to display or storage.

2) Outdoor Display and Storage

Outdoor storage shall be subject to the provisions in Article 5.B, ACCESSORY AND TEMPORARY USES. Outdoor display of only fresh fruits and vegetables is permitted, along the property's frontage, except within the required setbacks.

3) ~~Uses~~ Sale of Products

a) General

~~The use shall be limited to those uses identified above.~~ Includes sales of agricultural food products such as jelly, jam, honey and juice. No Special Permits shall be permitted in conjunction with the stand except for seasonal sales. Seasonal sales that require additional storage area may be permitted in accordance with Art. 4.B.1.A.115, Retail Sales, Mobile or Temporary. No vending machines or other similar equipment shall be permitted on site. [Ord. 2005 – 002]

b) Urban/Suburban Tier

The sale of packaged or canned food products may be permitted, where in compliance with the following:

(1) The parcel has Commercial Future Land Use designation; and,

(2) Sales area is limited to five percent of the total square footage of the structure, or 1,000 square feet, whichever is less.

4) Building Construction

The produce stand shall be contained in either an entirely enclosed or roofed open-air structure. Motor vehicles, including vans, trucks, semi-trucks, mobile homes, travel trailers, and other permanent or temporary structures shall not be used for storage or display purposes.

5) AR/RSA and AGR Tiers

In addition to the standards above, permanent produce stands shall comply with the following:

Notes:

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EXHIBIT - J

PRODUCE STAND
SUMMARY OF AMENDMENTS
(Updated 11/16/11)

a) **Locational Criteria**

The structure and accessory area shall be:

- (1) Located on an arterial designated on the PBC Thoroughfare Plan; and
- (2) Located at least 500 feet from adjacent existing residential uses.

b) **Lot Size**

The stand shall be located on a legal lot of record. A minimum of one acre shall be allocated to the exclusive use of the stand and accessory parking area.

c) **Setbacks**

The structure and accessory area shall be setback at least 50 feet from the front and side corner property lines. The rear and side interior setbacks shall meet the minimum standards of the district.

d) **Approval**

A permanent produce stand shall be a permitted use in the AGR and AR, and by Special Permit in the CN, CC & CG Zoning Districts. [Ord. 2005 – 002]

(1) **AR and AGR Districts**

The area devoted to the permanent produce stand exceeding 3,000 square feet shall be approved subject to a Class A conditional use. [Ord. 2005 – 002]

6) **Stands Less than 1,500 Square Feet**

In addition to the standards stated above, stands less than 1,500 square feet (including both the structure and all accessory areas devoted to display or storage) shall be subject to the following development standards: [Ord. 2005 – 002]

a) **Paving**

The surface parking lot may be constructed of shell rock or other similar material. At a minimum, the following areas shall be paved in accordance with Article 6.A, PARKING, of this Code:

- (1) A paved driveway apron area, connecting the streets to the site shall be subject to approval by the County Engineer; and
- (2) Handicap parking spaces and handicap access.

7) **Wholesale**

Wholesale of produce shall be allowed in the AGR district only.

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EXHIBIT K

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/26/11)

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 a Development Order approved prior to WHP requirements.~~ [Ord. 2010-005]

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Notes:

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EXHIBIT K

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/26/11)

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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Notes:

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EXHIBIT K

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/26/11)

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.~~

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EXHIBIT K

DENSITY BONUS PROGRAMS
SUMMARY OF AMENDMENTS
(Updated 10/26/11)

~~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 L

WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)

Part 1. ULDC Art. 1.I.2.A. [Related to Definitions Starting with A] (page 29 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to clarify the definition of Apparent Drawdown to wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

....
75. Apparent Drawdown - for the purpose of Article 14, the expected direction of groundwater flow caused by a well or wellfields. The apparent drawdown is based on the proximity of wells or wellfields and modeling results which represent the groundwater flow patterns.
[Renumber Accordingly.]

Part 2. ULDC Art. 1.I.2.P. [Related to Definitions Starting with P] (page 80 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to create a definition of Participating Water Utilities to wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

....
26. Participating Water Utility - for the purpose of Article 14, a county, municipal or private water utility that enters into an agreement with Palm Beach County to take part in the Water Utility Cost Share Program.
[Renumber Accordingly.]

Part 3. ULDC Art. 1.I.2.P. [Related to Definitions Starting with P] (page 84 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to create a definition of Protection Maps for wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

98. Protection Maps - for the purpose of Article 14, the depicted Zone of Influence areas that are part of active agreements between Palm Beach County and the Participating Utilities to protect the raw drinking water resources of Palm Beach County and are based on the hydrologic apparent drawdown, municipal boundary, or a combination of both as determined by the Director of ERM. These areas represent the Zone of Influence contour lines that overlay the latest digital ortho-photography prior to BCC adoption showing the location of the outer limits of Zones of Influence for present and future public potable water supply wells and wellfields permitted for 100,000 gallons per day or more. Protection Maps are maintained by ERM.
[Renumber Accordingly.]

Part 4. ULDC Art. 1.I.2.W. [Related to Definitions Starting with W] (page 108 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to create a definition of Water Utility Cost Share Program for wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

Notes:

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EXHIBIT L

WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)

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

15. Water Utility Cost Share Program - for the purpose of Article 14, a voluntary finance contribution program for county, municipal and private water utilities through an agreement to fund county wellfield protection activities within Palm Beach County.
[Renumber Accordingly.]

Part 5. ULDC Art. 1.1.2.W.21, Wellfield (page 109 of 114), is hereby amended as follows:

Reason for amendments: [ERM] This amendment is intended to revise the definition of Wellfield for wellfield protection.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

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

21 20. Wellfield -

- a. For the purposes of Art. 14, an area of land which contains one or more than one well for obtaining water for Participating Water Utilities.
- b. For the purposes of Art. 15, an area of land which contains more than one potable well that is designed for a pumping rate of at least 100,000 gallons per day.

Part 6. ULDC Art. 1.1.2.W.22, Wellfield Zones 1, 2, 3 and 4 (page 109 of 114), is hereby amended as follows:

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

CHAPTER I DEFINITION AND ACRONYMS

Section 2 Definitions

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

24 22. Wellfield Zones 1, 2, 3 and 4 – for the purpose of Article 14, ~~z~~ zones of influence delineated by iso-travel time contours around public water supply wellheads for Participating Water Utilities. Zone 1 is identified as the land area situated between the well(s) and the within a 30-day travel time, and Zone 2 is the land area situated between the 30 day travel time and the within a 210-day travel time, and Zone 3 is the land area situated between 210 day and the 500 day travel time contours. Zone 4 is determined by the area situated beyond the 500 day travel time contour and within the one foot drawdown contour. Zones of influence Protection mMaps, including Zones 3 and 4 are developed pursuant to the Wellfield Protection Section and are on file and maintained by ERM Department.

Part 7. ULDC Art. 14.B.1.A, Purpose and Intent [Related to Wellfield Protection] (page 13 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This is a revision of the purpose and intent to include the Water Utility Cost Share Program.

CHAPTER B WELLFIELD PROTECTION

Section 1 Purpose and Intent

A. The purpose and intent of this Chapter is to protect and safeguard the health, safety, and welfare of the residents and visitors of PBC Palm Beach County by providing criteria for regulating and prohibiting the use, handling, production and storage of certain deleterious substances which may impair present and future public potable water supply wells and wellfields of county, municipal and private utilities that participate in a Water Utility Cost Share program.

Part 8. ULDC Art. 14.B.3.A, Applicability [Related to Wellfield Protection] (page 13 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This is a revision of the Applicability section to only include the wellfields of participants in the Water Utility Cost Share Program.

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**WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)**

CHAPTER B WELLFIELD PROTECTION

Section 3 Applicability

A. General

~~The provisions of this Chapter shall apply within the areas contained in the Protection Maps. The Protection Maps are the depicted Zone of Influence areas surrounding public potable water supply wells and wellfields of county, municipal, and private utilities that participate in the Water Utility Cost Share Program. The Protection Maps are maintained by ERM, and are developed and amended as necessary pursuant to Art. 14.B.6, Zones of Influence. The Zones of Influence Maps, created under Palm Beach County Ordinance No. 88-07, as amended, will remain in full force and effect, until adoption of the Protection Maps. The provisions of this Chapter shall be effective within the incorporated and unincorporated areas of PBC, and shall set restrictions, constraints and prohibitions to protect present and future public potable water supply wells and wellfields from degradation by contamination of deleterious substances.~~

Part 9. ULDC Art. 14.B.6.A, Maps [Related to Zones of Influence and Wellfield Protection] (page 17 of 37), is hereby amended as follows:

Reason for amendments: [ERM] This revision specifies the method of adoption of Protection Maps and to delete the raw water analysis standards for each well. This is now redundant to the Health Department's regulations.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

A. Protection Maps

The Zones of Influence Protection Maps, developed as described in Article 14.B.6.A.2, Basis, are incorporated herein and made a part of this Chapter. These Protection Maps shall be on file and maintained by ERM.

1. Amendments

Any amendments, additions or deletions to said Protection 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.~~

2. Basis

The Zones of Influence Protection Maps are based upon travel time contours and one foot drawdown contours....

3. Review

The Zones of Influence Protection Maps shall be reviewed at least on an annual basis. However, failure to conduct said review shall not affect the validity of the existing approved Protection Maps. The basis for updating said Maps may include, but is not limited to, the following:

- a. Changes in the technical knowledge concerning the applicable aquifer;
- b. Changes in the pumping rate of wellfields;
- c. Wellfield reconfiguration;
- d. Addition or removal of Participating Water Utilities; and
- ~~d.e.~~ Designation of new wellfields.

4. Boundaries

The Zones of Influence indicated on the Zones of Influence Protection Maps are as follows:

5. Interpretation of Boundaries

In determining the location of properties and facilities within the zones depicted on the Zones of Influence Protection Maps, the following rules shall apply:

- a. Properties located wholly within one zone reflected on the applicable Zones of Influence Protection Maps shall be governed by the restrictions applicable to that zone;
- b. To that the extent Article 14.B.6.C, Prohibitions and Restrictions, does not apply, properties having parts lying within more than one zone as reflected on the applicable Zones of Influence Protection Maps shall be governed by the restrictions applicable to the zone in which the part of the property is located;

....

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

~~A reference set of raw water analyses shall be completed for each 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~~

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**WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)**

~~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.~~

Part 10. ULDC Art. 14.B.6.B, Protection of Future Wellfields (page 18 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment clarifies the process for the BCC to approve Protection Maps.
--

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

B. Protection of Future Wellfields

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

Part 11. ULDC Art. 14.B.6.C.2.b)6), Reporting of Spills (page 20 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment simplifies the process to report spills.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

C. Prohibitions and Restrictions

2. Zone 2

b. Permit Conditions

6) Reporting of Spills

Any spill of a Regulated Substance in excess of the non-aggregate quantity thresholds identified in the definition of "Regulated Substance" shall be reported by telephone to ~~PBCHD and the designated public utility within one hour, and to~~ ERM within 24 hours of discovery of the spill. Clean-up shall commence immediately upon discovery of the spill. A full written report including the steps taken to contain and clean up the spill shall be submitted to ERM within 15 days of discovery of the spill.

Part 12. ULDC Art. 14.B.6.C.3.b)5), Reporting of Spills (page 22 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment simplifies the process to report spills.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

C. Prohibitions and Restrictions

3. Zone 3

b. Permit Conditions

5) Reporting of Spills

Any spill of a Regulated Substance in excess of the non-aggregate quantity thresholds identified in the definition of "Regulated Substance" shall be reported by telephone to ~~PBCHD and the designated public utility within one hour, and to~~ ERM

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EXHIBIT L

WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
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within 24 hours of discovery of the spill. Clean-up shall commence immediately upon discovery of the spill. A full written report including the steps taken to contain and clean up the spill shall be submitted to ERM within 15 days of discovery of the spill.

Part 13. ULDC Art. 14.B.6.C.4.b)2), Reporting of Spills (page 22 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment simplifies the process to report spills.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

C. Prohibitions and Restrictions

4. Zone 4

b. Permit Conditions

2) Reporting of Spills

Any spill of a Regulated Substance in excess of the non-aggregate quantity thresholds identified in the definition of "Regulated Substance" shall be reported by telephone to ~~PBCHD and the designated public utility within one hour, and to~~ ERM within 24 hours of discovery of the spill. Clean-up shall commence immediately upon discovery of the spill. A full written report including the steps taken to contain and clean up the spill shall be submitted to ERM within 15 days of discovery of the spill.

Part 14. ULDC Art. 14.B.6.E, Domestic Water and Stormwater Treatment (page 23 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment removes standards that are a Health Department responsibility and are duplicative of State regulations.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

E. ~~Domestic Wastewater and~~ Stormwater Treatment and Exfiltration Systems

~~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. Standards for installation are shown in Appendix 5, 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.~~

~~2. Exfiltration Systems~~

No new exfiltration system shall be constructed in Zone 1 or Zone 2 of a public drinking water wellfield.

~~3. Retention/Detention Ponds~~

~~New retention or detention ponds located within wellfield zones shall comply with the criteria described in the SFWMD Management and Storage of Surface Waters Permit Information Manual IV. These criteria are enforced through the SFWMD permitting process.~~

~~4. Percolation Ponds~~

~~New percolation ponds for domestic wastewater treatment located within wellfield zones shall comply with the requirements for separation from public drinking water wells set forth in Chapters 62-555 and 62-610, F.A.C., and enforced by Florida Department of Environmental Protection and the PBCHD.~~

~~5. Land Application of Domestic Wastewater Effluent~~

~~Land application of domestic effluent or sludge within wellfield zones shall comply with the requirements for separation from public drinking water wells as set forth in Chapters 62-555, 62-610, and 62-640, F.A.C. and enforced by Florida Department of Environmental Protection and the PBCHD.~~

~~6. Onsite Sewage Disposal Systems~~

~~New onsite sewage disposal systems (septic tanks) located within wellfield zones shall comply with the requirements for maximum sewage loading and separation from public drinking water wells as set forth in Environmental Control Rule (ECR) I and enforced by the PBCHD.~~

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EXHIBIT L

WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
(Updated 11/04/11)

Part 15. ULDC Art. 14.B.7.B.2, Closure Permit (page 25 of 52), is hereby amended as follows:

Reason for amendments: [ERM] This amendment specifies within 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 Zone 2 and contain the following information:

....

c. The Florida Department of Environmental Protection ~~and the PBCHD~~ shall be advised in writing of each closure permit application.

Part 16. ULDC Art. 14, Appendices 4 & 5 (page 47 of 52), is hereby amended as follows:

Reason for amendments: [ERM] These are Health Department standards and are duplicative of State regulations.

~~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
bromodichloromethane	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	diethylphthalate
dieldrin	hexachlorocyclopentadiene
heptachlor	isophorone
aldicarb	2, 3, 7, 8-tetrachloridibenzo-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	

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WELLFIELD PROTECTION PROGRAM
SUMMARY OF AMENDMENTS
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Inorganic Priority Pollutants

Mercury	Lead
Cadmium	Arsenic
Chromium	Selenium
Nickel	Cyanide
Note: Parameters reflected in this table may be adjusted by ERM.	

APPENDIX 5 MINIMUM STANDARDS FOR SEWER PIPE FITTINGS

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

1. Ductile iron pipe shall conform to the requirements of ANSI/AWWA C151/A21.52-86 unless otherwise noted on the plans. The pipe shall be Class 50 thickness for pipe six inches or larger in size and Class 51 for pipe smaller than six inches. Glands for mechanical joints shall be of ductile iron or cast iron.
2. Fittings shall conform to the requirements of ANSI/AWWA C110/A21.10-87. Fittings 12 inches and smaller shall have a 250 psi minimum working pressure.
3. Flanged ductile iron pipe shall be Class 53. Flanged ductile iron pipe and fittings shall have threaded flanges, unless otherwise noted on the drawings, and shall conform to ANSI/AWWA C115/A21.15-83. All flanges shall be Class 1560, ANSI B16.5. All above grades flanges shall be flat faced unless they are mating up to existing, or otherwise, specified, raised flanges. All gaskets shall be full faced 1/8" red rubber.
4. Joints shall conform to the requirements of ANSI/AWWA C111/A21.11-85

B. Polyvinyl Chloride Pipe (PVC) and Fittings for Gravity and Sewer Force Main Applications

1. Gasketed Joint Pipe

- a. Pipe four inches or larger in diameter shall conform to the requirements as set forth in AWWA C900-81 with dimension ratio DR-18. Provisions must be made for contraction and expansion at each joint, or with a rubber ring and an integral bell as part of each joint, or by a rubber ring sealed coupling. Clean, reworked material generated from the manufacturer's own pipe production may be used. Fittings shall be cast or ductile iron. Pipe shall have cast iron pipe equivalent outside dimensions.
- b. Pipe smaller than four inches in diameter shall conform to Commercial Standard CS-256 and ASTM D-22141. Provisions shall be made for contraction and expansion at each joint with a rubber ring, and an integral bell as part of each joint, or by a rubber ring sealed coupling. Pipe shall be made from SOR-21, 200 psi clean, virgin NSF approved Type I, Grade 1 PBC conforming to ASTM D-1784. Clean reworked material generated from the manufacturer's own pipe production may be used. Fittings for pipe smaller than four inches in diameter shall be PVC.

C. Coatings

The lining material for ductile iron pipe and fittings shall be virgin polyethylene complying with ANSI/AWWA D1248, compounded with an inert filler and with sufficient carbon black to resist ultraviolet rays during above ground storage of the pipe and fittings. The polyethylene shall be bonded to the interior of the pipe or fitting by heat.

D. Leakage Tests

The test shall be of two-hour duration. During the test, the pipe being tested shall be maintained at a pressure of not less than 150 psi. Leakage is defined as the quantity of water added to the pipe being tested during the test period. No pipe installation will be accepted if the leakage exceeds the quantities specified in AWWA C-600, Sec. 4.2. No more than 500 feet of gravity sewer main or 1000 feet of force main shall be tested at one time.

E. Manholes

Manholes shall be precast and coated with an inert impervious material. Manhole inlets and outlets shall be tightly sealed around the sewer pipe and coated to prevent leakage.

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Notes:

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

~~Stricken~~ indicates text to be **deleted**.

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.... A series of four bolded ellipses indicates language omitted to save space.