



**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  
www.pbcgov.com/pzb

**Palm Beach County  
Board of County  
Commissioners**

Mary Lou Berger, Mayor  
Hal R. Valeche, Vice Mayor  
Paulette Burdick  
Shelley Vana  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



**MEMORANDUM**

**TO:** The Honorable Mary Lou Berger, Mayor, and  
Members of the Board of County Commissioners  
**THRU:** Patrick W. Rutter, Executive Director, PZ&B *PWR*  
**FROM:** Jon MacGillis, ASLA, Zoning Director *JM*  
**DATE:** July 11, 2016  
**RE: Unified Land Development Code (ULDC)  
Initiation of Amendment Round 2016-02**

This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the initiation of amendment topics that have been prioritized for inclusion in ULDC Amendment Round 2016-02 (Attachment 1). In addition to these amendments, Zoning staff will continue to focus on completing the ULDC Use Regulations Project, and applications for Privately Initiated Amendments (PIA).

This item will be on the July 28, 2016 BCC Zoning Hearing for discussion under "Zoning Director Comments". In addition, staff has scheduled meetings with each Commissioner in advance of the Hearing to discuss the proposed amendments.

If you should have any questions or require additional information, please contact me at (561) 233-5234.

JMMWJC

Attachment 1 – Initiation of ULDC Amendment Round 2016-02

- C: Faye Outlaw, Assistant County Administrator
- Wes Blackman, Chair and Members of the LDRAB
- Leonard Berger, Chief Assistant County Attorney
- Robert Banks, Chief Land Use Assistant County Attorney
- Lorenzo Aghemo, Planning Director
- Maryann Kwok, AICP, Deputy Director, Zoning
- William Cross, AICP, Principal Site Planner, Zoning
- Monica Cantor, Senior Site Planner, Zoning
- Zoning Division Staff

U:\Zoning\CODEREV\2016\Amendment Round 02\Initiation Memo Drafts\6-16-16 cover memo.docx

**ATTACHMENT 1**  
**ULDC AMENDMENT ROUND 2016-02 – BCC INITIATION**  
 (Updated 8/15/16)

<b>ULDC AMENDMENT ROUND 2016-02 SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS</b>	
<b>BCC ZONING HEARINGS:</b>	<b>LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS:</b>
<ul style="list-style-type: none"> <li>▪ December 1, 2016: Request for Permission to Advertise</li> <li>▪ January 05, 2017: 1<sup>st</sup> Reading</li> <li>▪ January 26, 2017: 2<sup>nd</sup> Reading/Adoption</li> </ul>	<ul style="list-style-type: none"> <li>▪ August 31, 2016</li> <li>▪ September 21, 2016</li> <li>▪ October 26, 2016</li> <li>▪ November 16, 2016 [Land Development Regulation Commission LDRC]</li> </ul>

**PRIORITIZATION AND STAFFING:**

On a scale of 1 to 3, staff has ranked both the priority and the level of staffing required for each of the proposed amendments, as follows:

**“Priority” Column:**

- 1 Indicates an issue required to ensure compliance with Federal or State law, or the Comprehensive Plan, or most in need of updating for relevancy or efficiency of operations.
- 2 Generally refers to an issue that is highly recommended for inclusion but not required.
- 3 Includes issues recommended for inclusion but may be postponed to a later Amendment Round.

**“Staffing” Column:**

- 1 Will require a higher level of staff resources, including but not limited to: need for in depth research, public or industry outreach, LDRAB Subcommittee’s or other Task Force, coordination with IPARC or LOC, or other labor intensive process.
- 2 Generally requires a moderate level of staff resources, typically involving lower profile issues that still require public or industry outreach.
- 3 Routine updates requiring lower levels of staff resources or time.

<b>AMENDMENT/TASK</b>	<b>LEAD AGENCY</b>	<b>SUMMARY OF TASK REQUIREMENTS</b>	<b>PRIORITY</b>	<b>STAFFING</b>
<b>Article 1, General Provisions</b>				
<b>Art. 1.1.2.A.19, Addition [Related to Definition]</b>	<b>Zoning</b>	Clarify when modifications or expansions are defined as additions.	<b>1</b>	<b>3</b>
<b>Art. 2, Development Review Procedures</b>				
<b>Art. 2.D.7, Reasonable Accommodation [Related to Time Limits]</b>	<b>Zoning</b>	Establish/clarify time limit to implement and vest an approval for Reasonable Accommodation.	<b>1</b>	<b>3</b>
<b>Art. 2.B.J.1, General, Interim Use for Conditional/Requested Uses</b>	<b>Zoning</b>	Establish standards and a monitoring process to clarify the length of time another use may be permitted in place of a Conditional or Requested Use, before the latter expires or is revoked.	<b>1</b>	<b>3</b>

**ATTACHMENT 1**  
**ULDC AMENDMENT ROUND 2016-02 – BCC INITIATION**  
*(Updated 8/15/16)*

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS	PRIORITY	STAFFING
Art. 2.A.1.G.3.g, Regulating Plans	Zoning	Part 2 deletion of Regulating Plan requirements (Design Standards Alternative deleted in Round 2016-01).	3	3
<b>Art. 3, Overlays and Zoning Districts</b>				
Art. 3.B.14, WCRAO (Westgate Community Development Area Overlay)	WCRA/Zoning	General Updates recommended by the Westgate Community Redevelopment Agency (WCRA) to accommodate changes in industry trends since the 2004 adoption of the WCRA Community Redevelopment Plan; provide additional options or clarification for building setbacks/build to lines, arcades and galleries, related R-O-W buffers, location for required building entrances, and garbage dumpsters; and possible design standards for Contractor Storage Yard uses.	2	1
Art. 3.C.1.A.2.b, Previously Approved and Non-conforming Uses [aka AGR Pre-existing Sites Text Amendments]	Zoning	Implement recently adopted [January 27, 2016] amendments to the Comprehensive Plan [FLUE Policy 1.5-b] and related Future Land Use Atlas (FLUA) amendments, which negates need for these standards for all but one pre-existing institutional use (Faith Farm).	1	2
Art. 3.E, Planned Development Districts [aka AGR Commercial Text Amendments]	Zoning	Implement recently adopted [April 27, 2016] amendments to the Comprehensive Plan [FLUE Objective 1.5 and related Policies] establishing specific standards for certain types of commercial development permitted within the AGR Tier, including clarification that Multiple Use Planned Developments greater than 16 acres are subject to AGR Preserve Area requirements.	1	1
Art. 3.B.20, Urban Redevelopment Area Overlay [aka URA Revisions Text Amendments]	Zoning	Implement recently transmitted [April 27, 2016] amendments to the Comprehensive Plan [FLUE Sub-Objective 1.2.2, Urban Redevelopment Area (URA)] in anticipation of Fall 2016 adoption, which will enable property owners with Urban Center (UC) and Urban Infill (UI) future land use (FLU) and Zoning, to revert back to the FLU and Zoning existing prior to implementation of the URAO.  Pursuant to transmittal, amendments to FLUE Sub-Objective 1.2.2 were expanded to revise or eliminate additional impediments to infill or redevelopment in the URA, including but not limited to: <ul style="list-style-type: none"> <li>▪ Elimination of requirements for minimum two-story buildings and references to walk-able blocks;</li> <li>▪ Clarifying applicability of mixed use or liner buildings; and,</li> <li>▪ Recognition of prior Policy interpretation allowing for parking on the sides of buildings, with additional flexibility, which may allow for some parking in front of buildings.</li> </ul>	1	1

**ATTACHMENT 1**  
**ULDC AMENDMENT ROUND 2016-02 – BCC INITIATION**  
*(Updated 8/15/16)*

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS	PRIORITY	STAFFING
Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm Residences	Zoning	Implement recently adopted [April 27, 2016] amendments to the Comprehensive Plan [new FLUE Policy 1.5.1-j] allowing for Farm Residences with retention of a minimum of one-acre.	1	1
<b>Art. 5, Supplementary Standards</b>				
Art. 5.F.2.A.2, Major Encroachments - Clarify Prohibition	Zoning	Art. 5.F.2.A.2, Major Encroachments - Clarify Prohibition of Buildings or Structures located in Easements: Edit " <i>shall not be permitted</i> " to read " <i>shall be prohibited</i> ".	3	3
<b>Art. 6, Parking and Loading</b>				
Art. 6.A.1.D.16, Queuing Standards	Zoning	Codify Queuing Standards for Dual Drive-Thru Lanes with Menu Boards PPM-ZO-O-053 (emphasis on related illustrations).	3	3
<b>Art. 8 Signage</b>				
Table 8.G.3.B, Electronic Message Sign Types and Approval Process (Fuel)	Zoning	Table 8.G.3.B, Electronic Message Sign Types and Approval Process (Fuel): Revise approval process for Type 3 Fuel Prices from DRO to Permitted by Right	3	3
<b>Does Not Include Applications for Privately Initiated Amendments (PIA)</b>				

U:\Zoning\CODEREV\2016\Amendment Round 02\Initiation Memo Drafts\Attachment 1\8-10-16 2nd REVISED FINAL.docx