



MEMORANDUM

**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**

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Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
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TO: Dave Kerner, Mayor, and
Members of the Board of County Commissioners

FROM: Jon MacGillis, ASLA, Zoning Director *JPM*

DATE: January 10, 2020

**RE: Initiation of Unified Land Development Code (ULDC)
Amendment Round 2020-01**

This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the scheduling of ULDC amendments that have been prioritized for inclusion in Round 2020-01.

This memo will be presented at the January 27, 2020 BCC Zoning Hearing for discussion under "ULDC Amendments". In addition, Staff has scheduled briefings 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.

JM/wh

Attachment 1 - Initiation of ULDC Amendment Round 2020-01

C: Digital Copy:
Amendment Round 2020-01

Email Copy:
Patrick W. Rutter, Assistant County Administrator
Ramsay J. Bulkeley, PZ&B Executive Director
Wes Blackman, Chair and Members of the LDRAB
Robert Banks, Chief Land Use Assistant County Attorney
Scott A. Stone, Assistant County Attorney
Patricia Behn, Planning Director
Maryann Kwok, AICP, Deputy Director, Zoning
Wendy Hernández, Principal Site Planner
Zoning Division Staff

ATTACHMENT 1
INITIATION – ULDC AMENDMENT ROUND 2020-01
 (Updated 01/10/2020)

SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS	
Land Development Regulation Advisory Board (LDRAB) and Land Development Regulation Commission (LDRC) Meetings:	BCC Zoning Hearings:
<ul style="list-style-type: none"> • February 26, 2020 • March 25, 2020 • April 22, 2020 • May 27, 2020 	<ul style="list-style-type: none"> • June 25, 2020: Request for Permission to Advertise • July 22, 2020: 1st Reading • August 26, 2020: 2nd Reading, Final Adoption

AMENDMENT / TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
ARTICLE 2, APPLICATION PROCESSES AND PROCEDURES		
2.B Public Hearing Processes (and Article 11)	Land Development	<ul style="list-style-type: none"> • Create standards for waivers from the access requirements of Article 11, through the Type 2 Waiver procedures as directed by the BCC.
2.B Public Hearing Processes	Zoning	<ul style="list-style-type: none"> • Modify Article 2 and possible Article 3 regarding the requirement for Master Plans rather than Site Plans. This may allow more flexibility for amendments. • Remove the requirement for a site plan for a request for a rezoning to a standard district.
2.C Administrative Processes	Zoning	<ul style="list-style-type: none"> • Clarify the requests allowed under the Type 1 Variance application. • Revise Article 2.C to relating to modifications for square footage relocation for “Single Entities” i.e. school • Clarify standards of review for modification to an DO through the Zoning Agency Review (ZAR) and Full DRO applications.
ARTICLE 3, OVERLAYS AND ZONING DISTRICTS		
3.B.14 Westgate Community Redevelopment Area Overlay (WCRAO)	Westgate	<ul style="list-style-type: none"> • Amend the Development Review Procedures to mirror timelines required by HB 7103; • Modify requirements for Special Events within the Overlay; • Modify the requirement for a letter from the WCRA for ZAR applications; • Amend requirements for Commercial and Industrial uses including office warehouse and work/liv space • Amend PDR for commercial uses to allow modifications of minimum lot size and frontage requirements for CG Zoning Districts; • Amend and modify the requirements for sky exposure plane tables and figures • Amend supplementary standards relating to architectural features, landscaping, pervious area and open spaces; • Amend WCRA Density Bonus Programs recommendation and criteria for bonus units in sub-areas to better function for smaller residential projects.
3.B Overlays- Codification of Planning ORD-2018-031 (pending and effective date)	Zoning/ Planning	<ul style="list-style-type: none"> • Add language to establish rural residential enclave communities and homes within the Urban/Suburban Tier that have a Low Residential future land use designation; • Add Overlay to identify Rural Enclaves;

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AMENDMENT / TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
		<ul style="list-style-type: none"> • Add an exemption to the rezoning requirement for lots zoned Agricultural Residential (AR) with a residential future land use, in the Urban Suburban Tier, and are subdividing for a residential use, with a maximum 1 unit per acre. • Add a note that RE is consistent with RR-5, RR-10, and RR-20, when the properties were RE prior to the 1989 Plan. • Add language that allows home based sustainable agriculture on residential properties within any Tier. Allow horses, poultry, and livestock, in residential future land use designations, in any Tier, are subject to regulations based on parcels attributes. • Add/clarify that non-residential uses may be allowed in residential zoning districts along major thoroughfares and roadway, but not residential streets. • Modify PDR's and supplemental standards Zero Lot Line homes and codify associated PPM's. • Modify PDR's for parcels with the RR-2.5 FLU and AR Zoning
3.D Property Development Regulations		
	Zoning	<ul style="list-style-type: none"> • Modify PDR's and supplemental standards Zero Lot Line homes and codify associated PPM's. • Modify PDR's for parcels with the RR-2.5 FLU and AR Zoning
ARTICLE 4, USE REGULATIONS		
4.B.2 Use Classification- Commercial and Institutional/Civic	Zoning	<ul style="list-style-type: none"> • Modify Supplementary Standards for Hotel, Theater, Daycare, and Single Room Occupancy relating to process of a use approval when in the CRE and RR FLU. CRE is not consistent with the RR FLU and was removed from the Code during the 2019-02 Round.
4.B.2 Use Classification- Commercial: Landscape Service:	Zoning/ Planning/ Development	<ul style="list-style-type: none"> • Continuation of regulations for Landscape Service within the AGR-PUD Zoning District
4.B.2 Use Classification- Commercial: EVCS	Zoning	<ul style="list-style-type: none"> • Modify Supplementary Standards for Retail Gas and Fuel and other possible uses as researched to require a percentage of EVCS spaces rather than it be voluntary.
4.B Use Classification	Zoning/ Planning/ Land Development	<ul style="list-style-type: none"> • Review the requirements for uses to be located on Arterial or Collector roadways. Determine if the requirement can be removed from Article 4 and follow requirements of Article 11, or allow for variances or waivers, or revise language to clarify purpose and intent for the use to front and access a specific street type.
4.B Use Classification	Planning	<ul style="list-style-type: none"> • Revise language in Article 4 related to Future land use and zoning consistency in the Glades Tier in order to implement text amendments to the Plan.
4.B. Use Classification- Temporary	Zoning	<ul style="list-style-type: none"> • Review and revise supplementary standards for mobile retail sales, i.e. parking and uses
ARTICLE 5, SUPPLEMENTARY STANDARDS		
5.B.1.A Accessory Uses and Structures-	Zoning/ Building/ Fire	<ul style="list-style-type: none"> • Modify language to clarify that accessory structure sizes in all zoning districts and tiers. • Differentiate accessory use from accessory structure requirements.
ARTICLE 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS		
11.A General	Zoning/ Land Development	<ul style="list-style-type: none"> • Associated changes relating to the creation of a Type 2 Waiver for AR properties, relating to landscape service and access.
ARTICLE 14 ENVIRONMENTAL STANDARDS		
14.C Vegetation Preserve and Protection	ERM	<ul style="list-style-type: none"> • Clarify the approval process and requirements for the review of Development Orders that may impact existing native vegetation

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AMENDMENT / TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
PRIVATELY INITIATED AMENDMENTS (PIA) (MAY BE PROCESSED OUT OF ROUND)*		
PIA-2019-02346 Faith Farm	Planning/ Zoning	<ul style="list-style-type: none"> • Modifications to Article 3 related to Faith Farm and AGR-PUD Preserve parcels. Concurrent ULDC and Plan Text Amendments
PIA-2019-02483 Medical Use in Institutional FLU	Planning/ Zoning	<ul style="list-style-type: none"> • Modifications to Article 4 related to the allowance of Medical Uses in the Institutional FLU. Concurrent ULDC and Plan Text Amendments.
OTHER		
2020 Comprehensive Plan Text Amendments	Zoning/ Planning	Proposed 2020 Comprehensive Plan amendments may need the ULDC to be amended to address policies oriented to promote urban agriculture in the County where feasible.
2020 Legislative Changes that may affect the ULDC	Zoning	Monitor amendments presented by Senate and House that impact ULDC.