

Palm Beach County • Zoning Division



UNIFIED LAND DEVELOPMENT CODE (ULDC) USE REGULATIONS PROJECT

Volume 3, Issue 4 • July 2015

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CONTACT

**Palm Beach County
Planning, Zoning & Building
Department**
Zoning Division
2300 North Jog Road
West Palm Beach, FL 33411
Phone: 561-233-5200
www.pbcgov.com/pzb/zoning

NEWSLETTER PRODUCED BY:

Jon P. MacGillis
Zoning Director
Maryann Kwok
Chief Planner, Project Facilitator
William Cross
*Principal Site Planner, AICP,
Project Coordinator*
Monica Cantor
Senior Site Planner, Project Manager
Lauren Dennis
Site Planner II
Scott Rodriguez
Site Planner II
Dorine Kelley
Public Relations Manager

UTILITY AND EXCAVATION USES STATUS

Subcommittee Meeting

The Land Development Regulation Advisory Board (LDRAB) Use Regulations Subcommittee convened on Thursday, June 11, 2015 at Vista Center, which included Zoning staff presentation of amendments for Utility and Excavation Uses. Subcommittee discussion generally focused on questions and recommendations from the Subcommittee and industry on the approval processes and supplementary use standards for the following uses:

Recycling Center

- This use will be relocated under the Industrial Use Classification.
- The Subcommittee suggested staff review if the newly proposed 500 foot separation distance from residential is adequate to address any adverse impacts on adjacent properties.

Chipping and Mulching / Composting Facility

- These uses would be revised to be permitted when accessory to Bona-Fide Agriculture in the Agriculture Production (AP) Zoning District. Discussion included a request to reconsider deleting the uses from Agricultural Preserve (AP) Zoning District. Staff agreed to address request.
- Check proposed pile height restriction of 15 feet or 12 feet, respectively, as it may not be the regular practice by industry.
- Need to have additional discussion regarding Florida Right to Farm Act as it pertains to regulation of agricultural activities.

Electric Distribution Substation

- Address Florida Power and Light safety recommendation regarding landscape maximum height of mature vegetative material to be no more than 14 feet height pursuant to Florida Statute.
- Consider revising requirements for landscape buffering in residential areas to be consistent with State Statutes.

Electric Power Facility

- Change use name to Electric Power Plant to be consistent with State Statutes.
- Staff noted that this use would be limited to Biomass in the Agriculture Production (AP) district. Discussion included a request from the public to reconsider limiting the use in the Agricultural Preserve (AP) Zoning District. Staff to consider request.

Solid Waste Transfer Station

- Discussion of the proposed use definition that includes yard waste.

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Continued from Page 1Excavation

- Staff clarified that for consistency with the construction of the Unified Land Development Code (ULDC), the most restrictive approval process is to be indicated in Use Matrix. Staff will be presenting in Round 2015-02 an amendment to reflect the approval for Agricultural Excavation and Type 2 Excavation consistent with provisions already included in the supplementary standards for these two excavation types.

Agricultural Excavation

- Further discuss Right to Farm Act comments with industry and applicability of the excavation provisions, particularly for the West County Agricultural Area (WCAA).

Type 2 Excavation

- Further discussion needed to determine how the ULDC will address reconfiguration of lakes after development is built out, particularly on residential developments where additional fill is removed from Planned Unit Developments (PUDs).

The Subcommittee voted to recommend staff proceed to the LDRAB with the amendments along with the necessary changes suggested by industry, which will address unresolved issues with industry.

Land Development Regulation Advisory Board (LDRAB) Meeting

At the June 24, 2015, LDRAB meeting, Zoning staff presented proposed amendments to Utilities and Excavation uses that included revisions to address some of the issues discussed at the Subcommittee, as follows:

- Chipping and Mulching and Composting Facility uses to remain in the AP Zoning District subject to the approval processes currently contained in the Use Matrix of the Code;
- New provisions allowing for Chipping and Mulching and Composting Facility uses to be permitted by right when accessory to Bona Fide Agricultural use in the AP Zoning District; and,
- Staff informed LDRAB of the deletion to limit the use to Biomass in the Agricultural Preserve (AP) Zoning District.

In addition, staff confirmed that Chipping and Mulching and Composting Facility uses will remain under the Utilities Use Classification. Staff had originally considered relocating the uses under the Industrial Use Classification due to similarities with other uses in that classification.

Staff also advised the LDRAB members on the results of further research regarding the Subcommittee recommendation to increase the 500 feet separation distance for Recycling Center use. After analyzing sites with Industrial Future Land Use (FLU) designation in the Urban/Suburban Tier, staff recommends keeping the 500 feet separation distance, as any increase in separation will reduce the siting potential of land to few parcels.

Regarding pile height for Chipping and Mulching and Composting Facility uses, staff is proposing to keep the pile height limitations as proposed at 15 feet and 12 feet respectively, since they are consistent with requirements regulated by the Palm Beach County Fire Department or State Statutes.

Continued on Page 3**CONTACT US**

If you have any questions or comments regarding the ULDC
Use Regulations Project

PZBCCodeRevision@pbcgov.org or (561) 233-5566

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In order to address issues brought to staff's attention at the Subcommittee Meeting regarding the Right to Farm Act and the regulations contained in the ULDC, staff will be adding a new standard that pertains mainly to Agricultural Excavation to clarify that Code regulations are not applicable if they are pre-empted by State laws.

Any modifications to the drafted language presented to LDRAB in response to pending items will be brought back to the LDRAB at a future meeting.

Pending Items and Minor Changes After LDRAB Meeting

- Recycling Drop Off Bin use originally proposed to be moved to Art. 5, Supplementary Standards will instead be relocated to the Temporary Use Classification for consistency with the temporary character of the use.
- Staff is still working with industry to address the landscape language for Electric Distribution Substations to consider suggestions made by Florida Power & Light (FPL) with regards to perimeter landscaping.
- As noted under Subcommittee discussion, revisions to Type 2 Excavation provision that addresses the reconfiguration of lakes for built out developments will be included in ULDC Amendment Round 2015-02.

Updates to the Board of County Commissioners (BCC)

Staff will update the Board of County Commissioner on the proposed amendments to the Utilities, Excavation and Residential Use Classifications at the September 24, 2014 BCC Zoning Hearing. Regulations Project.

PUBLIC FORUM MEETING

General presentation of the Use Regulation Project content, objectives and status is presented at the monthly Public Forum Meeting which also provides an opportunity for the public to bring to staff's attention specific Use related issues for further discussion or consideration.

The next meeting is scheduled for:

WHEN: Thursday, July 30, 2015

TIME: 3:00 p.m. to 4:00 p.m.

WHERE: Palm Beach County Planning, Zoning & Building
2nd Floor Vista Center – Meeting Room VC-2E-32
2300 N. Jog Road, West Palm Beach, FL 33411

Should you have any questions or require additional information, please contact Code Revision staff at (561)233-5200 or e-mail at PZBCodeRevision@pbcgov.org.

USE REGULATIONS PROJECT GOALS

Uses:

1. Simplify Use definitions.
2. Review Supplementary Use Standards.
3. Review approval process for each Use.
4. Thresholds for approval of Uses.

Formatting:

1. Consolidate Use matrices - Standard, Planned Development District (PDD), and Traditional Development District (TDD) - into one Use Matrix.
2. Consolidate Uses by classification.
3. Standardize formatting of Supplementary Standards for each Use.

PUBLIC INVOLVEMENT

Use Regulations Project Website

http://www.pbcgov.com/pzb/use_regulations_project/index.htm

Subcommittee Meetings

http://www.pbcgov.com/pzb/zoning/LDRAB/subs/subcom_meetings_2013.htm

Interested Parties List

http://www.pbcgov.com/pzb/zoning/LDRAB/subs/use_req/members.pdf

LDRAB Public Hearings

<http://www.pbcgov.com/pzb/zoning/LDRAB/2015/agenda.htm>

Board of County Commissioners (BCC) Zoning Hearings

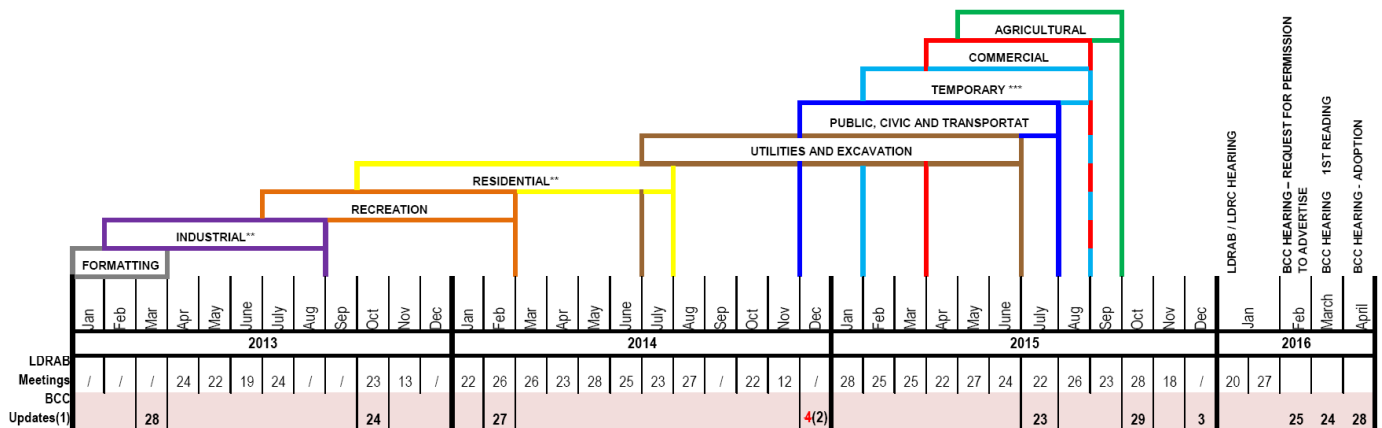
<http://www.pbcgov.com/pzb/zoning/bcc/agenda.htm>

Promotional Video

mms://pbcvideo.co.palm-beach.fl.us/pzb/3_min_video.wmv

PROJECT TIMELINE

The timeline is a tentative schedule to address the Use Regulations Project by **Use Classification**. The timeline has been adjusted to reflect additional time allotted to each Use Classification and **will be subject to change**.



* Timeline Subject to Change

** Uses to Be Reviewed Pending AGR Tier Workshop

*** Temporary Uses Relocated from Other Use Classifications

(1) BCC Workshop or Zoning Director Updates

(2) Update to Residential Uses Postponed

JULY EVENTS*

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
Public and Civic Uses Initial Draft - Transportation Uses Initial Draft						
5	6	7	8	9	10	11
Public and Civic Uses Initial Draft - Transportation Uses Initial Draft						
12	13	14	15	16	17	18
Utilities Pending Issues to be address with Industry						
Public and Civic Uses Initial Draft - Transportation Uses Initial Draft						
19	20	21	22 LDRAB Meeting Status of Use Regulations Project. Vista Center - Room 1E-47 2:00 p.m.	23 BCC Zoning Hearing Inform BCC About Project Update at September BCC Zoning Hearing Downtown WPB 9:30 a.m.	24	25
Utilities Pending Issues to be address with Industry						
Public and Civic Uses Initial Draft - Transportation Uses Initial Draft						
26	27	28	29	30 Public Forum Meeting Status of Use Reg. Project Vista Center - Room 2E-32 3:00 p.m.	31	
Utilities Pending Issues to be address with Industry						
Public and Civic Uses Initial Draft - Transportation Uses Initial Draft						

*All dates and times are tentative and subject to change.

PAST EVENTS

Date	Event
June 11, 2015	LDRAB Use Regulations Project Subcommittee Meeting - Utility and Excavation Uses
June 24, 2015	LDRAB Meeting Presentation of Utilities and Excavation Uses
June 25, 2015	Public Forum Meeting General Status of Project

FUTURE EVENTS

Date	Event
August 26, 2015	LDRAB Meeting
August 27, 2015	Public Forum Meeting General Status of Project—Open to the Public

ONLY SUBCOMMITTEE MEMBERS AND INTERESTED PARTIES RECEIVE INVITATIONS TO THE SUBCOMMITTEE MEETINGS. IF YOU ARE INTERESTED IN PARTICIPATING IN ANY PARTICULAR USE CLASSIFICATION SUBCOMMITTEE MEETING, PLEASE SEND AN E-MAIL TO PZBCodeRevision@pbcgov.org TO BE INCLUDED IN THE LIST OR FILL OUT THE "PUBLIC PARTICIPATION FORM" ON THE NEXT PAGE OF THIS NEWSLETTER.



Public Participation Form

If you would like to participate in the Use Regulations Project Subcommittee Meetings or receive monthly ULDC Newsletters, please fill out the form below. You can return it in person to the Zoning Receptionist or return it by mail following the instructions found below.

Name: _____

Address: _____

Phone Number: _____

Representing: _____

E-Mail Address: _____

I want to receive the Use Regulations monthly Newsletter.

I would like to participate in the Subcommittee meetings for:

All Pending Use Classifications

Public and Civic Uses

Temporary Uses

Commercial Uses

Agricultural Uses

Comments:



Mailing INSTRUCTIONS

Print pages 6 and 7 of this newsletter on both sides of a sheet, fold this page and place a stamp on the reverse side of the document and return to the address listed.

Palm Beach County Planning, Zoning & Building
Zoning Division
2300 North Jog Road
West Palm Beach, FL 33411





Palm Beach County Zoning Division
Code Revision Section
2300 North Jog Road
West Palm Beach, FL 33411

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HERE