

Palm Beach County • Zoning Division



UNIFIED LAND DEVELOPMENT CODE (ULDC) USE REGULATIONS PROJECT

Volume 4, Issue 1 • May 2016

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GENERAL PROJECT STATUS

The Unified Land Development Code (ULDC) Use Regulations Project (URP) has been discussed at ongoing public meetings and hearings, and undergone multiple updates over the last several months. Industrial, Recreation and Residential Uses were subject to Subcommittee and LDRAB meetings in 2014 and part of 2015, as well as updated presentations by staff on these uses to the BCC.

The following is a summary of the progress Zoning staff has achieved since the last quarter of 2015 and 2016 regarding amendments to Utilities, Excavation, Public and Civic, Transportation, Commercial Communication Towers, and Commercial Use Classifications.

Utility Uses:

On October 22, 2015, the proposed draft was included in the Board of County Commissioners (BCC) Zoning Hearing agenda under Zoning Director's comments. The Board was provided an update on the proposed amendments to Utility Uses. The presentation included an update on the proposed relocated uses, such as Excavation to be placed in a separate Use Classification; Recycling Plant and Recycling Center to be reclassified as Industrial Uses; Communication Cell Sites on Wheels, Recycling Drop Off Bin, and Air Curtain Incinerator will be moved to Temporary Uses; and, Remedial Air Stripper to be relocated to Article 5, Supplementary Standards. Staff also indicated that:

- Electric Distribution Substation is a new use and the existing standards were relocated from Minor Utility.
- Electric Power Plant name was updated and approval made consistent through all Zoning Districts.
- Minor Utility approval process was made consistent for PDDs, TDDs and Standard Zoning Districts.

The draft amendment for Utility Uses, presented to the BCC on October 22, 2015 is available on the Zoning web page at <http://www.pbcgov.com/pzb/zoning/bcc/2015/october/13.pdf>

Excavation Uses:

At the BCC Zoning Hearing on December 3, 2015, staff updated the Board on the proposed amendments to this Use Classification. It was indicated that the amendments in Round 2015-02 to the Use Matrices in Article 3, Overlays and Zoning Districts, and Article 4, Use Regulations represent the most restrictive approval process for Agricultural Excavation and Type 2 Excavation. Staff highlighted that the amendments to this Use Classification include:

- Consolidating the Use Matrix for all Excavation Types;
- Reformatting of standards for consistency with construction of Art. 4; and,
- Minor amendments related to:
 1. Clarifying Excavation Interpretation;
 2. Updating Hauling Regulations by Land Development;
 3. Introducing definitions for Excavation Types; and,
 4. Correcting Minor Glitches and Updating References.



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The draft amendment for Excavation Uses, presented to the Board on December 3, 2015 is available on the Zoning web page at <http://www.pbcgov.com/pzb/zoning/bcc/2015/november/12.pdf>

Public and Civic Uses:

The proposed amendments in this Use Classification were subject to two public meetings: Land Development Regulation Advisory Board (LDRAB) Subcommittee on November 9, 2015; and, LDRAB on November 18, 2015. The BCC update was presented on January 28, 2016. The most significant amendments proposed:

- Introduce thresholds for College or University to make use subject to Development Review Officer (DRO) to be applicable where the use is subject to Class A Conditional Use.
- Day Care to be prohibited in Industrial Zoning Districts, as a principal use but allowed as an accessory use limited to a maximum 30% square footage of the principal use area.
- Family Day Care Home, an accessory use to Residential Uses. Per Florida Statute, the use shall be allowed in any residence.
- Charter School shall be subject to the same regulations and approval process as Public School. The amendment is required to comply with Florida Statute.
- Place of Worship:
 1. Zoning and County Attorney discussed 1st Amendment issues regarding the existing ULDC review process.
 2. Simplify approval process from Class A Conditional Use (Public Hearing) to DRO (Administrative Review).
 3. Clarify threshold for frontage and access requirements.
 4. Clarify when existing approvals (Class A or Requested Use) need to be abandoned to take advantage of proposed amendments.
 5. Clarify applicability of limited Temporary Sales.

The draft amendment for Public and Civic Uses, presented to the BCC on January 28, 2016 is available on the Zoning web page at <http://www.pbcgov.com/pzb/zoning/bcc/2016/january/10.pdf>

Transportation Uses:

This new Use Classification, which will be comprised of uses related to the movement of people, include Airport, Heliport, Landing Strip, Seaplane Facility and Transportation Facility. Highlights of proposed changes:

- Relocation of Airport, Helipad and Landing Strip uses from Public and Civic Use classification to this new classification of Transportation.
- Relocation of Seaplane Facility from Article 5, Supplementary Standards, to Transportation.
- Clarify when Heliports or Landing Strips are an accessory use to a principal use.
- Establish new Transportation Facility use approval processes and Supplemental Use Standards.

The amendments were presented to LDRAB Subcommittee on April 11, 2016. There was discussion on Transportation Facility use and Heliport accessory to Public Parks. On April 27, 2016, staff presented the amendments to LDRAB, and addressed issues discussed by Subcommittee members. The amendments are scheduled for presentation to the BCC, as part of the Use Regulations Project update, on May 26, 2016. The draft amendment for Transportation Uses is available for viewing on the Zoning web page at <http://www.pbcgov.com/pzb/zoning/bcc/2016/may/5.pdf>

Commercial Communication Towers:

Minor revisions and reformatting of Commercial Communication Towers have been presented to both, the Public and Interested Parties on April 26, 2016. The amendments are generally limited to revisions for consistency with State and Federal regulations, correction of glitches in existing standards, and reformatting of provisions consistent with the Unified Land Development Code format.

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

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

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On April 26, 2016, Zoning Staff made a presentation to LDRAB Subcommittee. The amendments were updated to reflect feedback provided at the LDRAB Subcommittee Meeting, which will be presented to LDRAB on May 25, 2016 at Vista Center. The amendments can be found on the Zoning web page at http://www.pbcgov.com/pzb/zoning/LDRAB/2016/pdf/Agenda_052516.pdf.

Highlights of amendments to Commercial Communication Towers include:

- Add approval of towers in Institutional and Public Facilities (IPF) Zoning District, as the Zoning District was added to the Code in 2000, but it was not amended in the Towers approval chart.
- Expand approval of Towers in Multiple Use Planned Development (MUPD) with Industrial (IND), Economic Development Center (EDC), and Institutional (INST) Future Land Use (FLU) designation for consistency with the use allowed in similar standard Zoning Districts.
- Change the approval process for Towers in Commercial and Civic Pod of Planned Unit Development (PUD) from DRO or Class B Conditional Use (Zoning Commission) approvals to Class A Conditional Use (BCC) approval for towers where the use is currently allowed. This amendment is not applicable to Towers less than 60' in height where the use will be subject to DRO approval.
- Definition of Towers has been relocated from Art. 1, Definitions, under each Tower type in Art. 4, for consistency with ULDC formatting provisions.
- Relocation of standards related to antennas, attached to buildings or structures other than Towers, to Art. 5, Supplementary Standards.
- Relocation of Communication Cell Sites on Wheels (COWs) to the Temporary Uses Classification.

As previously noted, the scope of amendments to this use classification was limited to ensure consistency with the Federal Communications Commission (FCC) rules and fixing noted glitches in existing Code provisions. Any additional identified issues in the Communication Tower standards will be resolved in future ULDC rounds of amendments to allow for additional discussion and feedback from Industry and Interested Parties.

Commercial Uses:

Staff is currently working on Commercial Uses and identified those uses that will be amended as part of this Use Project update. The deadline to finalize the research and draft amendments for Commercial uses is July, 2016. Staff will be tentatively scheduling meetings in June 2016 with LDRAB Subcommittee, Interested Parties and the Public to ensure identified updates address need changes.

Temporary Use classification, which is primarily comprised of temporary uses formerly located under Recreation and Commercial Use classifications, should be also completed in July.

Agriculture Uses:

This use classification was subject to a zoning surveys that were conducted in October 2014 and April 2015 to solicit public feedback. The scope of amendments for Agriculture Uses will focus on formatting the Use Matrix, and minor updates to references.

PUBLIC FORUM MEETING– PROJECT UPDATES

The next Public Forum meeting is open to any person interested in the changes done to the Code through this Project. The next meeting is scheduled for:

WHEN: Thursday, May 26, 2016
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-12
 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

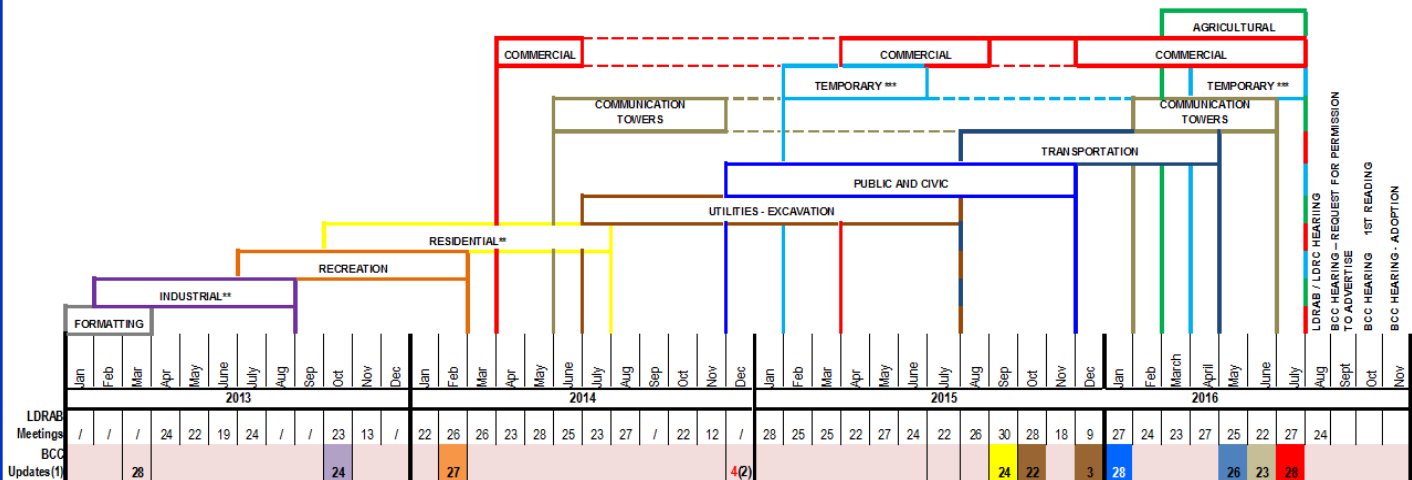
LDRAB Public Hearings
<http://www.pbcgov.com/pzb/zoning/LDRAB/2015/agenda.htm>

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

MAY EVENTS*

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
Commercial Uses - Initial Draft						
Transportation Uses - Corrections for BCC Update						
Commercial Communication Towers - Corrections for LDRAB meeting						
8	9	10	11	12	13	14
Commercial Uses - Initial Draft						
Commercial Communication Towers - Corrections for LDRAB meeting						
15	16	17	18	19	20	21
Commercial Uses - Initial Draft						
Commercial Communication Towers - Corrections for LDRAB meeting						
22	23	24	25	26	27	28
			LDRAB Meeting Presentation of Commercial Communication Towers Vista Center - Room 1E-47 2:00 p.m.	BCC Zoning Hearing Project Updates - Transportation Uses Downtown WPB—9:30 a.m.		
Commercial Uses - Initial Draft						
Temporary Uses - Initial Draft						
29	30	31				
Commercial Uses - Initial Draft						
Temporary Uses - Initial Draft						

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

FUTURE EVENTS

Date	Event
06/22/2016	LDRAB Public Meeting Status of Use Regulations Project
06/23/2016	BCC Zoning Hearing Project Update - Commercial Communication Towers
06/30/2016	Public Forum Meeting General Status of Project - Open to the Public
TBD	LDRAB Use Regulations Project Subcommittee Meeting - Commercial Uses and Temporary Uses.

FUTURE EVENTS

Date	Event
07/27/2016	LDRAB Public Meeting Tentative presentation of Commercial Uses and Temporary Uses.
07/28/2016	Public Forum Meeting General Status of the Use Regulations Project
08/24/2016	LDRAB/LDRC Public Meeting Presentation of all Use Classifications and amendments to affected articles.

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:

Commercial Uses

Comments:

Mailing INSTRUCTIONS

Fold this page and place a stamp on the reverse side of the document and return to the address listed.



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