



WAIVER SUPPLEMENTAL

An Applicant may apply for a Waiver from the requirements indicated in the various sections of the Unified Land Development Code (ULDC). Applicants submitting this Waiver Supplemental Application (**Form # 19**) are required to also submit the General Application, Public Hearing & DRO Administrative Processes (**Form # 1**).

Check (X) below for the Type(s) of Waiver request:

TYPE 1 WAIVERS

- Glades Area Overlay (GAO) Industrial Pod Development Standards** (Art.3.B.4.F, Type 1 Waivers for Industrial Pods)
- Native Ecosystem Overlay (NEO)**¹ (Art.3.B.7.D, Property Development Regulations (PDR's))
- Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines**¹ (Art.3.B.8.E, Type 1 Waivers for NBOZ Design Guidelines)
- Infill Redevelopment Overlay (IRO)**¹ (Art.3.B.15.G, Type 1 Waivers)
- Urban Redevelopment Area Overlay (URAO)**¹ (Art.3.B.16.G, Type 1 and 2 URAO Waivers)
- Structural Setbacks – Reduction not to exceed 5% less than the minimum requirement** (Art.3.D.1.A)
- RVPD Type 3 Incompatibility Buffer** (Art. 3.E.7.F.2, Perimeter Buffer)
- Parking Proximity for a Type 1 Restaurant with Drive through** (Art.4.B.2.C.33.f.3.a.2, Location Criteria – Exceptions, Design Criteria)
- Commercial Greenhouse Loading Zones** (Art.4.B.6.C.17.c.4.b)
- Solid Waste Transfer Station Landscaping** (Art.4.B.7.C.10.d, Buffer)
- Green Architecture** (Art.5.C.1.E.3, Type 1 Waiver – Green Architecture)
- Parking for Community Vegetable Gardens** (Table 6.B.1.B, Minimum Parking and Loading Requirements, Note 10)
- Loading Space for a Type 3 CLF, or Nursing Home or Convalescent Facility with More than 20 Beds.** (Table 6.B.1.B, Minimum Parking and Loading Requirements, Note 12)
- Reduction in Number of Required Parking Spaces** (Art.6.C.1.A, Type 1 Waiver)
- Reduction in Number of Minimum Required Loading Spaces (uses < 10,000sqft)** (Art.6.E.2.B.3, Type 1 Waiver – Reduction of Minimum Number of Required Loading Spaces)
- Reduction of Loading Space Width or Length (for uses that require limited loading)** (Art.6.E.4.A.1.d, Type 1 Waiver – Reduction of Loading Space Width or Length)
- Landscaping**¹ (Table 7.B.4.A, Type 1 Waivers for Landscaping)
- PUD Informational Signs** (Art.8.G.3.B.5.b)
- Billboard Location - Replacement Criteria** (Art.8.H.2.D.4)

TYPE 2 WAIVERS

- WCRAO Addition of Parking to a Non-Conforming Structure**¹ (Art.3.B.14.B.1.a, Expansion of Existing Non-Conforming Parking)
- WCRAO Density Bonus Program**¹ (Art.3.B.14.H.2, Other Density Bonus Programs)
- IRO – Minimum Residential Setbacks from Outdoor Use** (Art.3.B.15.F.6.a.4.a, Residential Setbacks)
- Urban Redevelopment Area Overlay (URAO)**¹ (Table 3.B.16.G, Type 1 and 2 URAO Waivers)
- PDD Minimum Frontage** (Art.3.E.1.C.2.a.1.a, Type 2 Waiver – Infill Development)
- PDD Cul-de- Sac Maximum Percentage for Local Streets** (Art.3.E.1.C.2.a.5.b)
- MUPD Type 3 Incompatibility Buffer** (Art. 3.E.3.B.2.c, Landscape Buffers)
- AGR Tier - Parking Structure** (Art.3.F.2.A.2.d.1.a, Type 2 Waiver)
- TMD Maximum Building Height in the U/S Tier** (Art. 3.F.4.C.3.a.1, U/S Tier)
- AGR TMD - Block Structure** (Art.3.F.4.D.9.a, Type 2 Waiver)
- Congregate Living Facility** (Art. 4.B.1.C.1.e, Location)
- Family Community Residence** (Art. 4.B.1.C.3.d, Licensing, Certification, or Charter, e, Occupancy, or, f, Location)
- Recovery Community** (Art. 4.B.1.C.6.e, Location)
- Transitional Community Residence** (Art. 4.B.1.C.9.c.2, Use, Location, Licensing and Occupancy)
- Medical Marijuana Dispensing Facility Minimum Distance from an Elementary or Secondary School** (Art. 4.B.2.C.35.i.2, Location)
- Commercial Communication Tower Dimensional Criteria** (Art.4.B.9.H.5, Type 2 Waiver from Required Dimensional Criteria)
- Non-Emergency Government-Owned Tower Dimensional Criteria** (Table 5.B.1.A, New, Modified, or Relocated Government Towers Not Subject to an Emergency)
- Review Process for a Unique Structure** (Art.5.C.1.E.2, Unique Structure)
- Hours of Operations** (Art.5.E.5.E, Type 2 Waiver)
- Large Scale Commercial Development Parking** (Art.6.B.2.A.1.b.1.d, Type 2 Waiver)
- Type 3 Incompatibility Buffer Landscape Barrier Wall** (Table 7.C.2.C.3, Incompatibility Buffer Landscape Requirements)
- Electronic Message Sign** (Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs)
- Minimum Legal Access for Collocated Landscape Services in AR/RSA and AR/USA**¹ (Table 11.E.2.A-2, Chart of Minor Streets)

¹ Required to have a Pre-Application Appointment (PAA) prior to submission of an application.

1. WAIVER INFORMATION

Complete the chart below with the information requested for each Waiver. If more than five (5) Waivers are requested, provide the information on a separate sheet of paper and attach to this form. Address the three (3) applicable Standards pursuant to Article 2.C.5.F or Article 2.B.7.D, in the Justification Statement for each Waiver requested.

ULDC SECTION	REQUIRED	PROPOSED	WAIVER

2. WAIVER JUSTIFICATION STANDARDS

The Palm Beach County Unified Land Development Code (ULDC), Article 2.C.5.F, Type 1 Waivers and Article 2.B.7.D, Type 2 Waivers, requires a statement of special reason or basis for the waiver required. When considering whether to approve, approve with conditions, or deny a Waiver request, the Development Review Officer (Type 1 Waiver) or the Board of County Commissioners (Type 2 Waiver) shall consider the following standards below.

NOTE: The Applicant is required to provide a Justification Statement which outlines how each Waiver standard is being addressed, as applicable to the Waiver request(s).

All Type 1 and Type 2 Waivers must meet the general standards below as indicated in ULDC Article 2.C.5.F and Article 2.B.7.D:

1. The Waiver does not create additional conflicts with the specified Section(s) of the ULDC, and is consistent with the stated purpose and intent and standards;
2. The Waiver will not cause a detrimental effect on the overall design and development standards of the project, and will be in harmony with the general site layout and design details of the development; and,
3. The alternate design option recommended as part of the Waiver approval, if granted, will not adversely impact users of the project or adjacent properties.
4. Additional standards for Type 2 Waivers for Medical Marijuana Dispensing Facilities as contained in **Article 2.B.7.D.3.d**; or, Unique Structures as contained in **Article 2.B.7.D.4**, need to be addressed.

In addition to the above, the following Waiver requests require additional criteria to be addressed (refer to ULDC section listed below):

- A. Cul-de-sacs Criteria:**
 - Cul-de-Sac Waivers shall comply with the additional criteria as provided in **Article 3.E.1.C.2.a.5, Cul-de-sacs**.
- B. Block Structure Criteria:**
 - Block Structure Waivers shall comply with the additional criteria as provided in **Art. 3.F.4.d.9.a, Type 2 Waiver**.
- C. Communication Tower Criteria:**
 - Communication Tower Waivers shall comply with the additional criteria as provided in **Article 4.B.9.H.5, Type 2 Waiver from Required Dimensional Criteria**.
- D. Electronic Message Sign Criteria:**
 - Electronic Message Sign Waivers shall comply with the criteria in **Article 8, Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs**.
- E. Landscaping Criteria:**
 - Landscaping Waivers Applicants shall comply with the criteria in **Table 7.B.4.A, Type 1 Waivers for Landscaping**.
- F. Access Waiver for Collocated Landscape Service in the AR Zoning District:**
 - The Access Waiver for Collocated Landscape Service in the AR Zoning District dimensional requirement pursuant to **Art. 11.E.2.A.26**.