



**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



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**INTER-OFFICE COMMUNICATION  
PALM BEACH COUNTY  
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**TO:** The Honorable Steven L. Abrams, Mayor  
and Members of the Board of County Commissioners

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

**DATE:** October 11, 2013

**RE:** **Unified Land Development Code (ULDC)  
2013-14 Use Regulations Project Update**

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This memo serves to provide the Board an update on the status of the ULDC 2013-2014 Use Regulations Project. At the March 28, 2013 Board of County Commission (BCC) Zoning Hearing, staff informed the Board that this is a long-term project, which will require occasional updates by the Zoning Director and Workshops with the BCC. These updates will be crucial to ensuring that any potential issues are addressed early on in the process and that the BCC, industry and the public have an opportunity to discuss before staff presents the final amendments to the Board for adoption in early 2015.

As delineated in the Tentative Timeline (Attachment 1), the project is organized by use classification, as follows: Industrial, Recreation, Residential, Utilities and Excavation, Commercial, Agricultural, and Public and Civic. Staff is nearing completion of the amendments for Industrial Uses and related topics, have begun work on Recreational Uses, and will be scheduling a meeting on Residential Uses with industry and the public later this Fall.

**Subcommittee Meetings – Industrial Uses**

The proposed amendments for Industrial Uses and related topics were presented to the Land Development Regulation Advisory Board (LDRAB) Subcommittee on May 14, 2013 and August 20, 2013. A summary of proposed amendments presented and Subcommittee recommendations is provided in (Attachment 2). The Subcommittee heard feedback from meeting participants, discussed several minor revisions, and recommended that the amendments move forward to the October 23, 2013 LDRAB meeting.

Additionally, several participants requested staff to reconsider hours of operation and the proposed approval process for Recycling Plants to provide more flexibility. Staff reiterated that the Recycling Plant changes are required for consistency with the Comprehensive Plan and the regulation of similar uses;



however, they concurred with suggestions for hours of operation and advised that the topic will be brought back for further consideration at future Subcommittee meetings.

#### **Conclusion:**

Proposed amendments to Industrial Uses and related topics, including recommendation from the Subcommittee, will be presented on October 23, 2013 to the LDRAB.

The Zoning Division will be scheduling a **BCC Workshop for Tuesday, February 25, 2014** to provide an update and request direction. Staff will be requesting direction from the Board on several topics, including but not limited to:

- Updates to use definitions.
- Revisions to approval processes warranted by changes in industry practices or other limitations, as follows:
  - 1) Uses requiring BCC approval to ensure compatibility;
  - 2) Uses permitted by administrative approval;
  - 3) Addition of uses to districts not previously permitted; and,
  - 4) Removal of uses from districts where deemed inconsistent with the County's Comprehensive Plan.
- Updates to Supplemental Standards.
- Relocation of standards which will allow for requests for Variance relief where previously prohibited.
- Clarification of specific use related standards, such as limits on hours of operation for non-residential uses bordering residential uses or neighborhoods.

This topic will be on the October 24, 2013 Zoning BCC Agenda for discussion. If you have any questions before the October 24 hearing, contact me at 561-233-5234 or William Cross, Principal Site Planner at 561-233-5206.

Attachment 1: Use Regulations Project Tentative Timeline

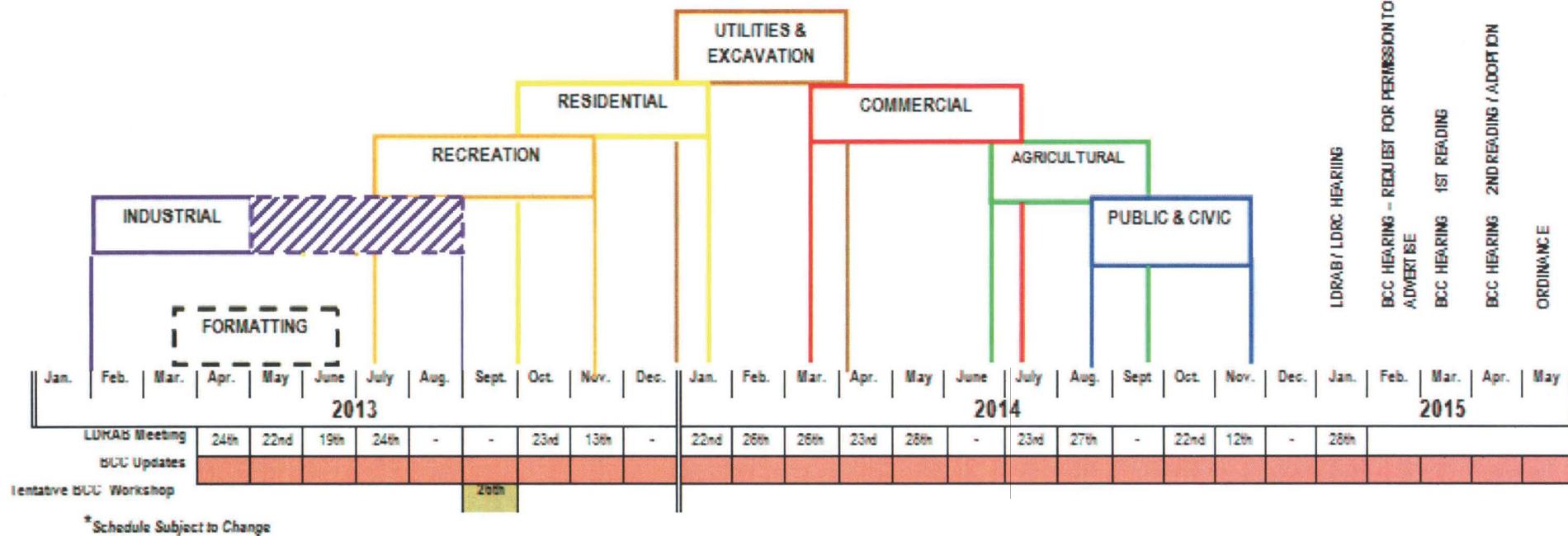
Attachment 2: Summary of August 20, 2013 LDRAB Subcommittee Meeting

c: Verdenia Baker, Deputy County Administrator  
Rebecca D. Caldwell, Executive Director, PZ&B  
Robert Banks, Chief Land Use County Attorney  
Leonard Berger, Chief Assistant County Attorney  
Maryann Kwok, Chief Planner, Zoning  
William Cross, AICP, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning

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Attachment 1

USE REGULATIONS PROJECT TENTATIVE TIMELINE



## Attachment 2

### SUMMARY OF AUGUST 20, 2013 LDRAB SUBCOMMITTEE MEETING AMENDMENTS TO INDUSTRIAL USES AND ARTICLE 5, SUPPLEMENTARY STANDARDS

	Uses/Topic	Summary of Amendments	Subcommittee Recommendation
1	<b>Asphalt and Concrete Plant</b>	<ul style="list-style-type: none"> <li>• Consolidate use with Heavy Industry</li> </ul>	n/a
2	<b>Contractor Storage Yard</b>	<ul style="list-style-type: none"> <li>• Relocated use from Commercial to Industrial classification</li> <li>• Definition updated</li> <li>• Deletion of standards with some of them consolidated in Art. 5.</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
3	<b>Data and Information Processing</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Standards consolidated in Article 5.</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
4	<b>Transportation Facility</b>	<ul style="list-style-type: none"> <li>• Relabeled Distribution Facility. Transportation Facility to be addressed as a separate use under Public and Civic uses.</li> <li>• Definition updated</li> <li>• No new standards established</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
5	<b>Gas and Fuel, Wholesale</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Establish standards for Location, Separation Distance and the Airport Zoning Overlay</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
6	<b>Heavy Industry</b>	<ul style="list-style-type: none"> <li>• Definition updated, including consolidation of Asphalt or Concrete Plant</li> <li>• Establish standard when located in the Economic Development Center (EDC) Future Land Use (FLU) designation</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
7	<b>Machine or Welding Shop</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• No new standards established</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
8	<b>Manufacturing and Processing</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Standards consolidated in Article 5</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
9	<b>Medical or Dental Laboratory</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Standards consolidated in Article 5</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
10	<b>Film Production Studio</b>	<ul style="list-style-type: none"> <li>• Relabeled Multi-Media Production</li> <li>• Definition updated</li> <li>• Deletion of standards related to film permit and outdoor activities. Establishment of a new standard related to indoor operation for certain zoning districts.</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
11	<b>Recycling Plant</b>	<ul style="list-style-type: none"> <li>• Relocated use from Utilities and Excavation to Industrial classification</li> <li>• Definition updated</li> <li>• Reorganization and revision of standards to expand on approval process, setbacks, and outdoor activities while deleting standards related to outdated use application requirements</li> <li>• Includes changes to Approval Process</li> </ul>	Clarify provisions allowing for administrative approval when Recycling Plants are located within fully enclosed structures/buildings or separated from by other non-residential uses from residential or conservation uses.

	Uses/Topic	Summary of Amendments	Subcommittee Recommendation
12	<b>Laboratory, Industrial Research</b>	<ul style="list-style-type: none"> <li>• Relabeled Research and Development</li> <li>• Definition updated</li> <li>• Standards consolidated in Article 5</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
13	<b>Salvage and Junk Yard</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Establish standard for architectural salvage</li> <li>• No changes to approval Process</li> </ul>	n/a
14	<b>Towing Service and Storage</b>	<ul style="list-style-type: none"> <li>• Relocated use from Commercial to Industrial classification</li> <li>• Definition updated</li> <li>• Standards deleted or consolidated in Article 5</li> <li>• Includes changes to Approval Process</li> </ul>	Clarify definition to refer to use rather than lot.
15	<b>Truck Stop</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Establishment of standards for location, lot size, collocated uses, site design. Update of setbacks and landscaping standards.</li> <li>• No changes to approval Process</li> </ul>	n/a
16	<b>Warehouse</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Standards consolidated in Article 5. Update of accessory office, sales, WCRA Overlay, and freestanding structures standards.</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
17	<b>Wholesaling, General</b>	<ul style="list-style-type: none"> <li>• Definition updated</li> <li>• Standards consolidated in Article 5</li> <li>• Includes changes to Approval Process</li> </ul>	n/a
	<b>Art. 5, Supplementary Standards (On-going)</b>	<ul style="list-style-type: none"> <li>• Consolidate Barbed Wire regulations from Industrial uses</li> <li>• Consolidate and updated provisions related to Outdoor Storage and Outdoor Activities</li> <li>• Consolidate Flex Space regulations from Industrial uses</li> <li>• Establish a new section for Hours of Operation with consolidate provisions from other articles in the Code and develop standards for industrial uses.</li> </ul>	Hours of Operation: Requested additional research be conducted to determine if this new section can include additional provisions to allow flexibility in certain situations without requiring Public Hearing. <u>Staff concurred with the recommendation and will bring the topic back for additional review by the Subcommittee.</u>

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