

**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

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**UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS**

**TITLE: ART. 4, USE REGULATIONS [RELATED TO COCKTAIL LOUNGE] - REQUEST FOR PERMISSION TO ADVERTISE**

**Staff Recommendation:** Staff recommends a motion to approve the Request for Permission to Advertise for First Reading of ULDC Amendment Art. 4, Use Regulations [Related to Cocktail Lounge] on August 24, 2017.

**LDRAB/LDRC:** Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulations Commission (LDRC) Determination: Scheduled for July 26, 2017.

**MOTION:** To approve the Request for Permission to Advertise for First Reading of ULDC Amendment Art. 4, Use Regulations [Related to Cocktail Lounge] on August 24, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: **ARTICLE 4, USE REGULATIONS:** CHAPTER B, USE CLASSIFICATION [RELATED TO COCKTAIL LOUNGE]; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE





# EXHIBIT A

## ART. 4.B.2.C.6, COCKTAIL LOUNGE SUMMARY OF AMENDMENTS (Updated 7/6/17)

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2 Part 1. ULDC Art. 4.B.2.C.6, Cocktail Lounge (pages 36 of 204), is hereby amended as follows:  
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Reason for Amendment: [Zoning]
1. Clarify that a Cocktail Lounge located within 250 feet from residential and 750 feet from another Cocktail Lounge and in Commercial General (CG) Zoning District, or Commercial High (CH) Future Land Use (FLU) designation in Traditional Development Districts (TDD) or Planned Development Districts (PDD), is subject to Class A Conditional Use approval as identified in the Commercial Use Matrix. This amendment serves to address a glitch created inadvertently through the Use Regulations Project (URP). A supplementary Use Standard shows the use Permitted by Right in the mentioned zoning districts when in compliance with the separation requirements, meaning outside of 250' from residential or 750 feet from another Cocktail Lounge but it did not clarify when the Class A Conditional Use approval is applicable.
2. Clarify provision that indicates how to measure the separation distance of a Cocktail Lounge from residential. Measurement is intended to be made from the closest point of the perimeter of the exterior wall regardless of what side of the building it is instead of just the rear of the building.

### 4 CHAPTER B USE CLASSIFICATION

#### 5 Section 2 Commercial Uses

#### 6 C. Definitions and Supplementary Use Standards for Specific Uses

##### 7 6. Cocktail Lounge

##### 8 a. Definition

9 A use engaged in the preparation and retail sale of alcoholic beverages for consumption  
10 on the premises.

##### 11 b. Approval Process – CG and TDD or PDD with CH FLU

12 A Cocktail Lounge located in the CG Zoning District, or in a TDD or PDD with a CH FLU  
13 designation, may be ~~Permitted by Right when in compliance with the separation distance~~  
14 ~~below, subject to the following:~~

- 15 1) Permitted by Right when located outside the Separation Requirements; or,  
16 2) the BCC may allow the use within the distances established in the Separation  
17 Requirements, subject to Class A Conditional Use approval.

##### 18 c. Typical Uses

19 A Cocktail Lounge may include but is not limited to taverns, bars, nightclubs, and similar  
20 uses.

##### 21 d. Zoning District - CN District

22 A Cocktail Lounge shall not exceed 3,000 square feet of GFA.

##### 23 e. Accessory Use

24 An accessory Cocktail Lounge to an office, Hotel, or Motel shall not exceed ten percent of  
25 the GFA.

##### 26 f. Separation Requirements

27 A Cocktail Lounge, which includes outdoor areas, shall not be located within 250 feet of a  
28 parcel of land with a residential FLU designation or use and shall be separated a minimum  
29 of 750 feet from another Cocktail Lounge. The Zoning Director may ask for a signed/sealed  
30 survey certifying that another lounge does not exist within 750 feet off the subject lounge,  
31 a residential district is more than 250 feet from the subject lounge, or the subject lounge is  
32 more than 500 feet from a school as required by the State of Florida, F.S. 562.45, as  
33 amended. Measurement shall be taken from ~~the rear of~~ the structure to the property line  
34 of a residential use or FLU designation.  
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#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.