

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 3 – OVERLAYS AND ZONING DISTRICTS:** CHAPTER C, STANDARD DISTRICTS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); **ARTICLE 7 – LANDSCAPING:** CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS; 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.

**WHEREAS**, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

**WHEREAS**, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, as amended from time to time; and

**WHEREAS**, the BCC has determined that the proposed amendments further a legitimate public purpose; and

**WHEREAS**, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

**WHEREAS**, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

**WHEREAS**, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:**

**Section 1. Adoption**

The amendments set forth in Exhibit A listed below, attached hereto and made a part hereof, are hereby adopted.

**Section 2. Interpretation of Captions**

All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on interpretation.

**Section 3. Repeal of Laws in Conflict**

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability**

If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item contained in this Ordinance is for any reason held by the Court to be unconstitutional,

1 inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this  
2 Ordinance.

3 **Section 5. Savings Clause**

4 All development orders, permits, enforcement orders, ongoing enforcement actions, and  
5 all other actions of the Board of County Commissioners, the Zoning Commission, the  
6 Development Review Officer, Enforcement Boards, all other County decision-making and  
7 advisory boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant  
8 to the regulations and procedures established prior to the effective date of this Ordinance shall  
9 remain in full force and effect.

10 **Section 6. Inclusion in the Unified Land Development Code**

11 The provisions of this Ordinance shall be codified in the Unified Land Development Code  
12 and may be reorganized, renumbered or re-lettered to effectuate the codification of this  
13 Ordinance.

14 **Section 7. Providing for an Effective Date**

15 The provisions of this Ordinance shall become effective upon filing with the Department  
16 of State.

17 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach  
18 County, Florida, on this the 27th day of August, 2020.

SHARON R. BOCK, CLERK &  
COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY  
COMMISSIONERS

By: 

Deputy Clerk

By: 

Dave Kerner, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: 

For Scott A. Stone, County Attorney

19 **EFFECTIVE DATE:** Filed with the Department of State on the 3rd day of  
20 September, 2020.

# EXHIBIT A

## ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS ARTICLE 7 – LANDSCAPING FAITH FARM AND SPLIT ZONING IN THE AGR-PUD

Part 1. ULDC Art. 3.C.1.G.1.a, Overlays and Zoning Districts, Standard Districts, General, Public and Institutional Districts, IPF, Institutional and Public Facilities District, AGR Tier – Faith Farm Ministries; and E.2.F.3.c.1)c), Planned Development Districts (PDDs), Planned Development Unit (PUD), AGR-PUD, Preserve Area, Configuration, Property Development Regulations, Split Zoning (pages 119 and 152 of 213, Supplement 27), is hereby amended as follows:

1 **CHAPTER C STANDARD DISTRICTS**

2 **Section 1 General**

3 ....

4 **G. Public and Institutional Districts**

5 **1. IPF, Institutional and Public Facilities District**

6 The IPF district is to provide land in appropriate locations for a variety of regional and  
7 community uses that are either publicly or privately operated.

8 **a. AGR Tier – Faith Farm Ministries**

9 **1) Approved Uses**

10 Uses not permitted in the IPF district, but otherwise delineated on the approved Final  
11 Site Plan for Faith Farm Ministries, Control # 94-073, dated February 13, 2008, as  
12 amended, may continue to exist and are to be accommodated as part of the  
13 continuation of the AG Reserve Tier. The modification or expansion of any identified  
14 uses that exceed the limits of Art. 2.C.5.B, Administrative Modifications to Prior DOs,  
15 may be allowed subject to BCC approval as a Class A Conditional Use, provided such  
16 facilities and uses are owned by and directly related to the existing Faith Farm  
17 Ministries program, and provide training opportunities and financial support for Faith  
18 Farms Ministries. **[Ord. 2017-002]**

19 **2) Exception from Development Thresholds**

20 The 87.28-acre Faith Farm Ministries development shall be exempt from Table  
21 4.A.9.B, Thresholds for Projects Requiring Board of County Commission Approval.  
22 **[Ord. 2017-002]**

23 **3) Split Zoning**

24 Split zoning of a Legal Lot of Record wherein a portion of the property is zoned IPF, in  
25 part, and AGR-PUD Preserve Area, in part, is permitted in accordance with FLUE  
26 Policy 1.5-t and Art. 3.E.2.F.3.c.1)c), Split Zoning. No buffer shall be required between  
27 land zoned IPF and AGR-PUD Preserve Area, provided both split zoned areas are  
28 owned by Faith Farm Ministries or another single non-profit entity whose primary  
29 mission is residential treatment and recovery program.

30 ....

31 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS**

32 ....

33 **Section 2 Planned Unit Development (PUD)**

34 ....

35 **F. AGR-PUD**

36 ....

37 **3. Preserve Area**

38 A Preserve Area is intended to support Bona Fide Agriculture uses, wetlands, or other  
39 significant open space. Adjacent residential development in the PUD should be designed to be  
40 compatible with a Preserve Area and shall not detract from its operation or function. **[Ord.**  
41 **2015-047]**

42 **a. Location and Access**

43 A Preserve Area may be situated anywhere in the AGR Tier on a legal lot of record with an  
44 AGR FLU designation, provided it is accessible by a street. **[Ord. 2015-047] [Ord. 2017-**  
45 **002]**

46 **b. Uses**

47 Uses allowed in a Preserve Area are indicated in the Use Matrices contained in Art. 4, Use  
48 Regulations, and where specified by the Preserve Management Plan as approved by ERM.  
49 **[Ord. 2006-004] [Ord. 2012-027] [Ord. 2015-047] [Ord. 2017-002] [Ord. 2017-007]**

50 **c. Configuration**

51 **1) Property Development Regulations**

52 A Preserve Area and any remaining portion of a lot used to create a Preserve Area  
53 shall meet the minimum PDRs for the AGR district, inclusive of Table 3.D.1.A, Property

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**Notes:**

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- 1 Development Regulations (PDRs), with exception to the following: **[Ord. 2006-004]**  
2 **[Ord. 2017-002]**  
3 a) **General Exceptions**  
4 The minimum width of an AGR-PUD Preserve Area may be reduced as follows:  
5 **[Ord. 2017-002]**  
6 (1) 100 feet for a Rural Parkway, as defined in the Plan; or **[Ord. 2006-004]** **[Ord.**  
7 **2015-047]** **[Ord. 2017-002]**  
8 (2) for an equestrian use that meanders through a 60/40 Development Area; or  
9 **[Ord. 2006-004]** **[Ord. 2015-047]** **[Ord. 2017-007]**  
10 b) **Non-Conforming Legal Lot of Record**  
11 A Legal Lot of Record that does not meet the minimum acreage or dimensions of  
12 the AGR district may be used as a Preserve Area if in compliance with all other  
13 requirements of this Section; or, **[Ord. 2006-004]** **[Ord. 2017-002]**  
14 c) **Split Zoning**  
15 (1) In cases of split zoning, where a Legal Lot of Record is partially zoned AGR  
16 and AGR-PUD Preserve Area where permitted in accordance with FLUE  
17 Policy 1.5.1-j, the following shall apply: **[Ord. 2017-002]**  
18 ~~(1a)~~ Subdivision shall be prohibited unless each newly subdivided parcel meets  
19 the minimum PDRs for the AGR district; **[Ord. 2017-002]**  
20 ~~(2b)~~ The Preserve Area shall be configured in one reasonably compact  
21 contiguous location within the subject parcel; **[Ord. 2017-002]**  
22 ~~(3c)~~ That portion of the lot not designated as a Preserve Area, shall be  
23 configured as one reasonably compact and contiguous area; **[Ord. 2017-**  
24 **002]**  
25 ~~(4d)~~ Access to either zoning district may be through the designated Preserve  
26 Area on the subject parcel, or vice-versa; **[Ord. 2017-002]**  
27 ~~(5e)~~ Where applicable, setbacks shall be measured from the perimeter of the  
28 subject parcel, unless stated otherwise herein; and, **[Ord. 2017-002]**  
29 ~~(6f)~~ A Farm Residence and all accessory structures accessory to the Farm  
30 Residence, excluding fences or walls, shall be set back a minimum of five  
31 feet from an AGR-PUD Preserve Area located on the same lot. **[Ord.**  
32 **2017-002]**  
33 (2) In cases of split zoning, where a Legal Lot of Record is partially zoned IPF and  
34 AGR-PUD Preserve Area where permitted in accordance with FLUE Policy  
35 1.5-t, the following shall apply:  
36 (a) Subdivision shall be prohibited unless each newly subdivided parcel meets  
37 the minimum PDRs for the IPF or AGR district;  
38 (b) The Preserve Area shall be configured in one reasonably compact  
39 contiguous location within the subject parcel;  
40 (c) That portion of the lot not designated as a Preserve Area, shall be  
41 configured as one reasonably compact and contiguous area;  
42 (d) Access to either zoning district may be through the designated Preserve  
43 Area on the subject parcel, or vice-versa;  
44 (e) Where applicable, setbacks shall be measured from the perimeter of the  
45 subject parcel, unless otherwise stated herein; and,  
46 (f) All structures and accessory structures within the IPF portion of the lot,  
47 excluding fences or walls, shall be set back a minimum of five feet from an  
48 AGR-PUD Preserve Area located on the same lot.  
49 ....

Part 2. ULDC Art. 7.C.2.C, Landscaping, Landscaping Buffer and Interior Landscape Requirements, Types of Landscape Buffer, Incompatibility Buffer, AGR-PUD Landscape Buffer (page 20 and 21 of 58, Supplement 27), is hereby amended as follows:

#### 50 CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS

#### 51 Section 2 Types of Landscape Buffer

52 There are three types of landscape buffers: Right-of-Way (R-O-W); Compatibility; and, Incompatibility  
53 Buffers. Landscape requirements for each type of buffer shall be provided in accordance with the following  
54 standards, unless stated otherwise herein. **[Ord. 2018-002]**

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**C. Incompatibility Buffer**  
An Incompatibility Buffer shall consist of Canopy trees, palms or pines, and rows of shrubs. Palms or pines may be used as a substitute for trees. In addition, an Incompatibility Buffer shall consist of a continuous, opaque landscape barrier. **[Ord. 2009-040] [Ord. 2016-016] [Ord. 2018-002]**  
....  
**4. AGR-PUD Landscape Buffer**  
**a.** A Type 3 Incompatibility Buffer shall be required between the Development Area and all adjacent properties zoned AGR, AP, SA, or AR, including Preservation Areas. The buffer shall be a minimum of 50 feet in width and a wall shall not be required. **[Ord. 2006-004] [Ord. 2008-003] [Ord. 2018-002]**  
**~~a.1~~) Buffer Width Reduction**  
The minimum 50-foot buffer width required along the perimeter of an AGR-PUD Development Area may be reduced for the following: **[Ord. 2013-001] [Ord. 2018-002]**  
**~~1a~~) Abutting R-O-W, Open Space, or Another Buffer**  
A 50 percent reduction (minimum of 25 feet in width) shall be permitted if: **[Ord. 2013-001] [Ord. 2018-002]**  
**~~a~~(1)** the buffer is within a non-residential pod and adjacent to a R-O-W greater than 50 feet in width; **[Ord. 2018-002]**  
**~~b~~(2)** the buffer is adjacent to another platted PUD buffer a minimum of 20 feet in width; or, **[Ord. 2018-002]**  
**~~e~~(3)** the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than 50 feet in width. **[Ord. 2018-002]**  
**~~2b~~) Abutting a Rural Parkway**  
**~~a~~(1)** A reduction to a minimum of 15 feet in width shall be permitted if the buffer is abutting a Rural Parkway a minimum of 100 feet in width. **[Ord. 2013-001] [Ord. 2018-002]**  
**b. A Lot with Split Zoning of IPF and AGR-PUD**  
No landscape buffer shall be required between the portion of the lot zoned IPF and AGR-PUD Zoning Districts, provided both areas are owned by Faith Farm Ministries or another single non-profit entity whose primary mission is residential treatment and recovery program.

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