



PUBLIC HEARING REQUESTS APPLICATION INSTRUCTIONS

Palm Beach County Zoning Division

2300 North Jog Road, West Palm Beach, FL 33411, (561) 233-5200

INTRODUCTION

Pursuant to the Unified Land Development Code (ULDC), Article 2.A.2.C Application Types and Authorities, the Board of County Commissioners (BCC) and Zoning Commission (ZC) shall make final decisions on certain public hearing applications.

ZONING APPLICATIONS SUBJECT TO PUBLIC HEARING

The complete list of Zoning Public Hearing applications are listed in ULDC Art. 2. The instructions within this document are for the following types of Public Hearing Zoning applications. Contact the Zoning Division Public Hearing Section at 561-233-5200 or email PZB-ZoningIntake@pzb.gov for assistance following the review of these instructions.

The BCC shall make a final decision on the following types of Zoning applications:

- Official Zoning Map Amendment (Z)
- Class A Conditional Use (CA)
- Development Order Amendment (DOA) - of a prior DO approved by the BCC
- DOA Expedite Application Consideration (EAC)
- Development Order Abandonment (ABN) - of a prior DO approved by the BCC
- Type 2 Waiver (W)
- Public Ownership (PO)

The ZC shall make a final decision on the following types of Zoning applications:

- Class B Conditional Use
- Development Order Amendment (DOA) - of a prior DO approved by the ZC
- Development Order Abandonment (ABN) - of a prior DO approved by the ZC
- Type 2 Variance - either Zoning or Subdivision Variances

APPLICATION INSTRUCTIONS

The following guidelines provide instructions for the completion of the application. The blank application and forms are available via the Zoning Website at: [PZB - Zoning Division \(pbc.gov\)](http://PZB-ZoningDivision(pbc.gov)).

1. **Registration:** Register as an Agent or Log in at [Register/Log in Portal](#)
2. **Pre-Application Review (PAR):** A Pre-Application Review (PAR) is required for Zoning Applications to confirm application type and request(s). The PAR instructions and forms are available via the Zoning Website at: [PZB - Zoning Division \(pbc.gov\)](http://PZB-ZoningDivision(pbc.gov)). Applications proposing a Type 2 Variance or Type 2 Waiver, and applications with a concurrent Future Land Use Amendment processed by the Planning Division, require a Pre-Application Meeting follow submittal of the PAR request and prior to the issuance of a PAR Response. Following the review, Zoning Staff will issue a formal PAR Response with instructions on the next steps.

3. **Intake Appointment Inquiry:** Email Zoning Staff at PZB-ZoningIntake@pbc.gov to request a reference number for Online submittal. Include in the email, the complete Form 1, General Application, and the PAR Response. Intake requests must be submitted approximately 4 days prior to each Intake Date. See the Zoning Calendar for the application intake dates and intake appointment deadlines. Upon receipt of the request, Zoning Intake staff will provide a Reference Number for online submittal of the complete application through the Online Portal.

4. **Application Intake**

- 1) **Intake:** The intake of applications occurs typically by noon on the third Wednesday of each month as established by the [Zoning Calendar](#). Incomplete or insufficient applications may need to resubmit with the proper documentation.
- 2) **Online submittal:** Upload Application with all documents and plans through the Online Portal using the Reference Number provided by Zoning Intake Staff and in accordance with the Zoning Calendar. See below for application requirements. Submit at the following link: <https://www.pbcgov.org/ePZB.Admin.WebSPA/#/login>. Forms can be found at [PZB - Zoning Division Applications Forms \(pbcgov.org\)](#)

Public Hearing Application Submittal Requirements
<u>Application Forms/Documents:</u> A. Form 1 - General Application (Word format) B. Form 2 - Affidavit of Completeness and Accuracy C. Form 3 - Consent Form, with attached Sunbiz Information or Articles of Incorporation D. Warranty Deed E. Legal Description (in Word format with acreage that matches the Survey for each request) F. Liens and Fines Report – via PZB - Administration Division Fine/Lien, Open Permit and Code Enforcement Open Violation Searches G. Justification Statement providing a complete project narrative including what is being requested, the location and size of the property, and an analysis addressing each of the Standards per Art. 2.B.7. of the ULDC based on particular requests. H. Concurrency Documents are required if the request is increasing density (dwelling units) or intensity (square footage, seats, fueling positions, etc.). - o Form 31 - Concurrency Supplement and required documents. I. Abstracted Survey (must be abstracted with benefit of title, within one year, signed and digitally sealed by professional surveyor) if indicated in PAR Response letter <u>Miscellaneous:</u> J. Additional forms and documents pursuant to the individual request(s) K. Westgate Community Redevelopment Area (WCRA) letter if in the WCRA Overlay L. Palm Beach County School District for School Capacity Availability Determination (SCAD) if the application proposes an increase in residential density <u>Plans:</u> Required Plans and format are detailed in the Technical Manual

3. Application Processing:

- a. **Sufficiency Review:** Upon receipt, Zoning Staff will complete a Sufficiency Review within 10 working days. Applications found sufficient will be processed. Applications found Insufficient will be directed to modify the application or documents and re-submit. See ULDC Art. 2.C.2.A, Sufficiency Review.
- b. **Fees:** Zoning Staff shall issue a Fee Invoice to the Applicant upon the finding that the application is Sufficient for processing, and prior to Agency review. Fees can be paid online at [ePZB Admin \(pbcgov.org\)](http://ePZB_Admin(pbcgov.org)). The Fee Schedule can be found at [Fees.pdf \(pbcgov.org\)](http://Fees.pdf(pbcgov.org)).
- a. **Application Review:** Following payment of the Fee Invoice, Zoning Staff will review the application will be reviewed by the applicable Development Review Officer (DRO) agencies pursuant to ULDC Art. 2.
 - 1) **DRO Review Agency Comments and Certification Issues:** DRO Review Agencies enter comments and certification issues into the ePZB system. If the reviewing agencies have comments or issues on the application, then the Applicant has 10-days to respond through a resubmittal. Zoning Staff will also review the proposed use and site plan to determine whether requests meet the requirements pursuant to the established procedures and standards in the Unified Land Development Code (ULDC).
 - 2) **Application Resubmittal:** Applicants respond to DRO Review Agency comments and issues through resubmitting documents and plans through the ePZB online portal. Resubmittals for PH applications are accepted once per month as noted in the Zoning Calendar. The Applicant uploads new documents and plans to supersede prior versions. Applicants must request a resubmittal appointment by emailing PZB-ZoningIntake@pbc.gov no later than noon on the Thursday prior the resubmittal date. Following each resubmittal, DRO Review Agencies have 10 working days to review to determine if the issues have been addressed or if the proposed corrections generate new issues. This process continues through the review process.
- c. **Time Extensions:** Applications must be reviewed and completed (approved or denied) within 180 days of sufficiency. An applicant may request a Time Extension by letter, emailed to the Zoning Project Manager with copy to the Zoning Director. The request should provide a summary of delay and indicate the amount of additional months are needed to complete the application utilizing dates in the Zoning Calendar.
- d. **Certification:** Upon the completion of the review by DRO Review Agency Staff, the DRO may certify the application to move forward with public hearings. Certification typically takes place on the 3rd Wednesday of the month, and the associated ZC and BCC hearings typically occur beginning 6 weeks later. Any application that does not require review and/or recommendation by ZC, such as Public Ownership Zoning Deviations and Expedited Application Consideration, may proceed to the BCC approximately 5 weeks following Certification. See Zoning Calendar for specific dates and hearings.

e. **Public Notice**

- 1) **Courtesy Notice:** Prior to the Variance Public Meeting, Zoning staff will notify the applicant of deadlines related to Courtesy Notices and Sign posting. Zoning staff send Courtesy Notice postcards to property owners within 500-1,000 feet of the subject site the proposed variance to the adjacent properties within a 500-foot distance surrounding the subject site no later than two weeks prior to the Public Meeting. Zoning staff provide an invoice to the Applicant to cover postage and handling. See Art. 2.B.5.C-Notification.
- 2) **Sign Posting:** The Applicant shall post the property with a Sign posted in full view by the public per Art. 2.B.5.D-Signs, approximately three weeks and no later than two weeks prior to the Public Meeting. The Applicant shall provide Zoning Staff verification of posting pursuant to a [Form 28 - Affidavit of Installation of Notification Signs](#).
- 3) **Newspaper Advertisement.** Zoning Staff shall post the Public Meeting in the Palm Beach Post legal advertisement.

j. **Staff Report and Recommendations:** Zoning Staff shall write a Staff Report with a determination on whether the proposed variance request meets the Standards listed in Art. 2.C.5.F.4. The DRO Review Agencies analysis and any Conditions of Approval will be included in the Report. The DRO shall make a recommendation of approval, approval with conditions, or denial based on the applicable Standards. The Staff Report shall be posted online with the Public Meeting Agenda at least five working days prior to the Public Meeting.

- 1) **Conditions of approval:** The DRO Review Agencies may add Conditions of Approval to ensure consistency with the ULDC and pursuant to ULDC Art. 2.C.6. Review Agencies are expected to coordinate directly with Applicants prior to entering Conditions of Approval into ePZB. Conditions of approval will be included in the staff report(s) and associated resolution(s).

k. **Public Hearings:** Public Hearing applications may be approved by the ZC or BCC, depending on the type of application as established by ULDC Art. 2.A.2C, Application Types and Authorities. Hearing procedures are regulated by ULDC Art. Art. 2.B.6.D, Conduct of Hearings. Applicants attend hearings to present the items for consideration, and members of the public attending the meeting may speak regarding the request.

- 1) **Development Order:** Zoning Applications requiring public hearings are typically approved by a resolution establishing the Development Order. The Zoning Division posts the Resolution online following the hearing. Resolution Development Orders are effected for four years. Any Conditions of Approval must be implemented within this time frame unless the Applicant requests and is granted time extensions through the Planning Division Monitoring Section.
- 2) **Denial.** If the ZC or BCC denies request (depending on the type of application), the Applicant may appeal as described in ULDC Art. 2.

Should you have any questions regarding the above instructions you may contact the Zoning Division at 561-233-5200 or via PZB-ZoningIntake@pzb.gov for assistance.