



July 15, 2015

**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  
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**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Mayor  
Mary Lou Berger, Vice Mayor  
Hal R. Valeche  
Paulette Burdick  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Robert Weisman

Mr. Wesley Blackman, AICP, Chairman, and  
Members of the Land Development Regulation Advisory Board (LDRAB)  
241 Columbia Drive  
Lake Worth, FL 33460

**RE: July 22, 2015 LDRAB Meeting**

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB hearing on Wednesday, July 22, 2015.

The meeting will commence at **2:00 p.m.** in the Vista Center 1<sup>st</sup> Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact me at (561) 233-5206 or via email at [WCross@pbcgov.org](mailto:WCross@pbcgov.org), or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at [MCantor@pbcgov.org](mailto:MCantor@pbcgov.org).

Sincerely,

William Cross, AICP  
Principal Site Planner, Zoning Division

Attachments: July 22, 2015 LDRAB Agenda

- c: Verdenia C. Baker, Deputy County Administrator
- Rebecca D. Caldwell, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Jon MacGillis, ASLA, Zoning Director
- Maryann Kwok, Deputy Zoning Director
- Monica Cantor, Senior Site Planner, Zoning

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# PALM BEACH COUNTY

## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

JULY 22, 2015

### BOARD MEMBERS

**Wesley Blackman, AICP, Chair** (PBC Planning Congress)

**David Carpenter, RLA, Vice Chair** (District 2)

**Michael J. Peragine** (District 1)

**Barbara Katz** (District 3)

**James Knight** (District 4)

**Lori Vinikoor** (District 5)

**Vacant** (District 6)

**Henry D. Studstill,** (District 7)

**Daniel J. Walesky** (Gold Coast Builders Assoc.)

**Joni Brinkman** (Palm Beach League of Cities)

**Terrence N. Bailey** (Florida Engineering Society)

**Jerome I. Baumoehl** (American Institute of Architects)

**Tommy B. Strowd** (Environmental Organization)

**Frank Gulisano** (Realtor's Assoc. of the Palm Beaches)

**Gary Rayman** (Fl. Surveying and Mapping Society)

**Vacant** (Association Gen. Cont. of America)

**James M. Brake** (Member at Large/Alternate)

**Leo Plevy** (Member at Large/Alternate)

### Board of County Commissioners

**Shelley Vana, Mayor, District 3**

**Mary Lou Berger, Vice Mayor, District 5**

**Hal R. Valeche**  
Commissioner, District 1

**Paulette Burdick**  
Commissioner, District 2

**Steven L. Abrams,**  
Commissioner, District 4

**Melissa McKinlay**  
Commissioner, District 6

**Priscilla A. Taylor**  
Commissioner, District 7

**Robert Weisman**  
County Administrator



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



## **LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

**WEDNESDAY, JULY 22, 2015 AGENDA**  
**2300 NORTH JOG ROAD**  
**KEN ROGERS HEARING ROOM - 1<sup>ST</sup> FLOOR (VC-1W-47)**  
**2:00 P.M.**

**A. CALL TO ORDER/CONVENE AS LDRAB**

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of June 24, 2015 Minutes (Exhibit A)

**B. ULDC AMENDMENTS**

1. Exhibit B Glades Region Amendments & Art. 3.B.4, Glades Area Overlay (GAO)

**C. PUBLIC COMMENTS**

**D. STAFF COMMENTS**

**E. ADJOURN**

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)**  
(Updated 7-10-15)

**Minutes of June 24, 2015 Meeting**

On Wednesday, June 24, 2015 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

**A. Call to Order/Convene as LDRAB**

**1. Roll Call**

Chair Wes Blackman called the meeting to order at 2:03 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 14**

Wesley Blackman (PBC Planning Congress)  
Michael J. Peragine (District 1)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Henry Studstill (District 7)  
Terrence Bailey (Florida Eng. Society)  
Jerome Baumoehl (AIA)  
Joni Brinkman (League of Cities)  
Frank Gulisano (PBC Board of Realtors)  
Gary Rayman (Fl. Surveying & Mapping Soc.)  
Daniel J. Walesky (Gold Coast Build. Assoc.)  
Leo Plevy (Member at Large, Alt.)  
James Brake (Member At Large, Alt.)

**Members Absent: 2**

David Carpenter, Vice Chair (District 2)  
Tommy Strowd, (Environmental Organization)

**Vacancies: 2**

District 6  
Assoc. General Contractors of America

**County Staff Present:**

Leonard Berger, Chief Assistant County Attorney  
Rebecca Caldwell, Executive Director, PZB  
Jon MacGillis, Zoning Director  
Maryann Kwok, Deputy Zoning Director, Zoning  
Maria Bello, Senior Planner, Planning  
Erin Fitzhugh Sita, Senior Planner, Planning  
Robert Kraus, Senior Site Planner, ERM  
Kenny Wilson, Specialist 3, FL Department of Health  
William Cross, AICP, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Lauren Dennis, Site Planner II, Zoning  
Scott Rodriguez, Site Planner II, Zoning  
Zona Case, Zoning Technician, Zoning

**2. Additions, Substitutions, and Deletions**

Mr. Blackman noted that staff distributed an addendum to the agenda, and other handouts relative to the Exhibits.

**3. Motion to Adopt Agenda**

Motion to adopt the agenda with addendum and handouts, by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (14 - 0).

**4. Adoption of May 27, 2015 Minutes (Exhibit A)**

Motion to adopt by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (14 - 0).

**B. ULDC AMENDMENTS**

**1. Exhibit B – AGR Preserve Area – Contiguity Requirements for PDDs**

Ms. Maria Bello, from the Planning Division gave a verbal clarification of the Exhibit accompanied by a slide presentation, outlining the background on the recent Agricultural Reserve Round Table and BCC Workshop proceedings as it relates to the proposed amendments. She responded to questions from the Board and opined that the amendments do not change the Agricultural Reserve (AGR) Tier. Ms. Caldwell was of a similar view, that the main concept of the AGR Tier is not being changed. Mr. Cross clarified the amendment is scheduled to be presented to the Board for Request for Permission to Advertise on July 30, 2015 at the BCC Planning Hearing, concurrent with the Plan amendment transmittal by the Planning Division.

LDRAB members were provided copies of an e-mail from Ms. Roni Freedman, which expressed her concerns with the proposed amendments, and was read into the record by the Chair.

No further public comments were presented.

Motion by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (13 - 1). Mr. Brake voted Nay.

**C. CONVENE AS LDRC**

**1. Proof of Publication**

Motion to approve by Mr. Gulisano, seconded by Mr. Brake. The Motion passed (14 - 0).

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)**  
(Updated 7-10-15)

**Minutes of June 24, 2015 Meeting**

**2. Consistency Determination**

The Chair stated that he received the Consistency Determination by e-mail from Ms. Erin Fitzhugh Sita of the Planning Division. Ms. Fitzhugh Sita confirmed that the proposed amendments, Agenda item B, are consistent with the Comprehensive Plan.

Motion to approve Consistency Determination by Mr. Brake, seconded by Ms. Katz. The motion passed (14 - 0).

**D. ADJOURN AS LDRC AND RECONVENE AS LDRAB**

**E. USE REGULATIONS PROJECT**

Mr. Cross clarified the amendments for Utility and Excavation Uses were presented to the LDRAB Subcommittee on June 11, 2015, with some items still under discussion and may result in additional revisions. He indicated that additional changes would be presented to LDRAB at a later date, if applicable.

**1. Exhibit C – Utility Uses**

Ms. Dennis and Mr. Rodriguez, presented Utility Uses and clarified various portions of the Exhibit. They pointed out the changes made to the Exhibit by the add/delete, explained rationale for some of the changes, highlighted relocated text and changes in use titles and approval processes in the Use Matrix.

Ms. Brinkman commented that the language proposed for the Chipping and Mulching use, related to the size of the chipper and grinder equipment, may not be flexible enough for the user. Staff recommended deletion of reference to chipper and grinder equipment to address the concerns. Staff also noted that Utility Uses, such as Composting Facility and Recycling Center with similar language will also be revised for consistency. Additionally, Ms. Brinkman asked for clarification on the bollard requirement for Chipping and Mulching and Composting and was informed by Staff the requirement would be noted on new projects.

Ms. Dennis informed the Board that Staff was working with Florida Power and Light (FPL) to revise some provisions under the Electric Distribution Substation use and revised language would be brought to the Board at a later date. Additionally, Staff informed the Board there would be updates to Article 5 under the barbed wire provisions to update use names and include a new utility use.

Mr. Blackman asked staff to clarify a revision in the Utility Use Matrix related to Solid Waste Transfer Station. Staff clarified the proposed revision to delete the use from the Multiple Use Planned Development (MUPD) with an Industrial (IND) FLU designation was an oversight and not an intended deletion.

Motion to approve by Ms. Brinkman, seconded by Mr. Brake. The motion passed (14 – 0)

**2. Exhibit D – Article 1.B, Interpretation of the Code**

Ms. Cantor explained the purpose of the Exhibit is to clarify between the Planning, Zoning and Building Executive Director, the Director of Environmental Resource Management (ERM), and the County Engineer, who interprets the Excavation Use regulations, and to reflect the new order of the re-organized Excavation section.

Motion to approve by Mr. Gulisano, seconded by Mr. Brake. The Motion passed (14 - 0).

**3. Exhibit E – Excavation Uses**

Ms. Cantor explained that the scope of the Excavation amendments includes reorganization of the standards for consistency with the construction of Article 4, Use Regulations as part of the Use Regulations Project. The changes include:

- Consolidation of approval processes for all Excavation types in all zoning districts;
- Organization of existing regulations by placing general standards applicable to all excavation uses, followed by definitions, and supplementary standards;

Ms. Cantor also indicated that the amendments include:

- Updates to Excavation references outside of Article 4, Use Regulations;
- Hauling standards to be removed as Land Development is no longer issuing haul permits;

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)**  
(Updated 7-10-15)

**Minutes of June 24, 2015 Meeting**

- Clarification of when the Code Enforcement director can enforce Excavation conditions not included in the Notice of Intent to Construct, established by the Director of ERM; and,
- Reintroduction of definitions for Excavation types which were inadvertently removed from the Code through Ord. 2003-067;

In addition, Ms. Cantor clarified that the proposed provision under Type 2 Excavation for reconfiguration of lakes in built developments may be further revised, and, changes to the Use Matrix to reflect the most restrictive approval process in the current supplementary standards of Agricultural Excavation and Type 2 Excavation will be presented to the Board as part of Round 2015-02.

As part of the items discussed at the Subcommittee meeting, staff will be adding a new standard that pertains mainly to Agricultural Excavation to clarify that Code regulations are not applicable if they are preempted by State laws, more particularly in agricultural related regulations.

Motion to approve by Mr. Brake, seconded by Mr. Gulisano. The Motion passed (14 - 0).

**F. PUBLIC COMMENTS**

There were no public comments.

**G. STAFF COMMENTS**

Mr. Cross stated that the July 22, 2015 LDRAB meeting is scheduled to discuss proposed language for the Glades Area Overlay.

**H. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:18 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by: \_\_\_\_\_

## EXHIBIT B

# GLADES REGION AMENDMENTS & ART. 3.B.4, GLADES AREA OVERLAY (GAO) SUMMARY OF AMENDMENTS (Updated 7-16-15)

1  
2 Part 1. ULDC Art. 3.B.4, Glades Area Overlay (GAO) (pages 25 – 28 of 234), is hereby amended  
3 as follows:  
4

**Reason for amendments:** [Planning/Zoning] These amendments are being processed concurrently with Comprehensive Plan amendments implementing part of the recommendations of the Glades Region Master Plan (GRMP), which will serve as a guiding blueprint to enhance economic competitiveness in the Glades Region. The GRMP was a multi-agency project coordinated by the PBC Department of Economic Sustainability (DES) through funding provided by the U.S. Department of Housing and Urban Development Community Challenge Planning Grant (CCPG).

The DES has tentatively scheduled presentation of the GRMP to the BCC on July 28, 2015 at 9:30 a.m.

See Attached Agenda Item 3.B.4 for the upcoming July 30, 2015 BCC Public Hearing staff report for additional details on the GRMP and related Plan amendments.

## 5 CHAPTER B OVERLAYS

### 6 Section 4 GAO, Glades Area Overlay

#### 7 A. Purpose and Intent

8 The GAO is established to promote ~~sustainable~~ economic diversification in the Glades Area and  
9 facilitate development or redevelopment opportunities emanating from the U.S. Department of  
10 Housing and Urban Development Community Challenge Planning Grant Glades Region Master  
11 Plan (GRMP). The GAO provides flexibility or streamlined procedures for obtaining development  
12 approvals, critical to ensuring a timely response to development or redevelopment opportunities  
13 that may in the range of uses and PDRs allowed in the Glades Tier to accommodate uses, which  
14 if deemed appropriate, will increase job opportunities and improve the economic vitality of the  
15 area. In addition, the GAO may include regulations that recognize the character of the area.  
16 [Ord. 2014-025]

#### 17 B. Applicability

18 The GAO shall apply to all land within the Urban Service Area (USA) of the Glades Tier. All  
19 development orders within the GAO ~~district~~ shall also comply with all applicable Joint Planning  
20 Area Agreements, pursuant to Florida Statutes. [Ord. 2014-025]

#### 21 C. Boundaries

22 The boundaries of the GAO coincides with the USA in the Glades Tier, which is delineated on  
23 Comprehensive Plan Map LU 2.1, Service Areas, and is generally comprised of those lands lying  
24 near or around the Cities of Belle Glade, Pahokee and South Bay, and the unincorporated  
25 community of Canal Point. [Ord. 2005-002] [Ord. 2014-025]

##### 26 1. Tier Requirements

27 The Urban/Suburban Tier Requirements of the ULDC shall apply. [Ord. 2014-025]

#### 28 D. ~~Approval Process Use Regulation Exceptions~~

29 ~~Uses allowed in the GAO shall be permitted, as follows: [Ord. 2005-002] [Ord. 2014-025]~~

##### 30 1. ~~DRO and BCC Thresholds~~

31 ~~The density, intensity and acreage thresholds of Table 4.A.3.A, Thresholds for Projects~~  
32 ~~Requiring DRO Approval, and Table 4.A.4.A, Thresholds for Projects Requiring BCC~~  
33 ~~Approval, shall be multiplied by two within the GAO.~~

##### 34 24. ~~Administrative Approvals Permitted Uses~~

###### 35 a. ~~General~~

36 Uses shown in a Use Matrix as Permitted by Right (P), Special Permit (S), or  
37 Development Review Officer (DRO) shall remain subject to the same approval process  
38 shown in the Use Matrix. [Ord. 2014-025]

###### 39 b. ~~Conditional and Requested Uses~~

40 ~~Uses allowed as Conditional or Requested uses in a non-residential Zoning district may~~  
41 ~~be approved by the DRO after compliance with Art. 2.B.2.B, Standards for Conditional~~  
42 ~~Uses, Requested Uses and Development Order Amendments. [Relocated from Art.~~  
43 ~~3.B.4.D.2, Conditional/Requested Uses below]~~

###### 44 c. ~~Nonconformities~~

###### 45 1) ~~Nonconforming Use~~

46 ~~A nonconforming use permitted to expand subject to DRO approval may be~~  
47 ~~expanded subject to approval of a Special Permit. [Ord. 2006-036] [Ord. 2014-025]~~  
48 [Relocated from Art. 3.B.4.D.3, Nonconforming Use below]  
49

### 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: ].
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EXHIBIT B

GLADES REGION AMENDMENTS & ART. 3.B.4, GLADES AREA OVERLAY (GAO) SUMMARY OF AMENDMENTS (Updated 7-16-15)

2) Permitted Uses and Uses Subject to DRO Approval within Nonconforming Structures

Uses permitted by right and uses subject to DRO approval may exceed the allowable percentages of Table 1.F.1.G, Nonconformities – Percentage and Approval Process for Maintenance, Renovation and Natural Disaster Damage Repair, provided all the standards below are met:

a) Exterior Building and Site Elements Improvements

A minimum 25 percent of the total maintenance, renovation, or natural disaster damage repair improvement value shall be dedicated to exterior building and site elements. Of that percentage, a minimum of ten percent shall be dedicated to façade improvements abutting the R-O-W (frontage and side street frontages) and a minimum ten percent shall be dedicated to landscape improvements;

b) Limitation

The total maintenance, renovation, or natural disaster damage repair improvements for the proposed use(s) may be allowed only if the proposed improvements will not cause an increase in building square footage or generate additional parking, unless the additional parking requirements or design is required to bring the site into compliance with the ULDC to the greatest extent possible; and,

c) Certification of Improvements

The detailed justification statement of compliance to the above standards and calculations of the improvements, including the total improvement value for the project, shall be signed and sealed by the architect of record for the project, and shall be reviewed and certified by the Zoning Division Permitting Section for compliance with this section prior to submittal to the Building Division.

d) Exceptions for Glades Area Housing Authorities

The following developments shall be exempt from limits on maintenance, renovations and natural disaster damage repairs for conforming residential, administrative, recreational or maintenance uses in nonconforming structures, provided that any addition or expansion is in compliance with the ULDC:

- 1) Pahokee Housing Authority, Padgett Island and Fremd Village developments.
2) Belle Glade Housing Authority, Everglades and Osceola developments.

3. Public Hearing Approvals Conditional/Requested Uses

Uses allowed as Conditional or Requested uses in a non-residential Zoning district shall be permitted by the DRO in the GAO after compliance with Art. 2.B.2.B, Standards for Conditional Uses, Requested Uses and Development Order Amendments. [Relocated under new Administrative Approval above]

a. Prohibited Uses in Non-residential Districts

Uses not otherwise permitted in a non-residential Zoning district may be approved permitted as a Class A Conditional or Requested Use uses in the GAO after provided the BCC makes a finding determines that the proposed use meets the following criteria: [Ord. 2014-025]

- 1)a. Increases increases the number of jobs or provides needed housing;
2)b. Does does not adversely affect adjacent land uses; and
c. is consistent with the goals, objectives and policies of the Plan; and
3)d. Helps helps to support existing or encourage additional Glades Area economic development or the GRMP.

3. Nonconforming Use

A nonconforming use permitted to expand subject to DRO approval may be expanded subject to approval of a Special Permit. [Ord. 2006-036] [Ord. 2014-025] [Relocated under new Administrative Approval above]

....

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EXHIBIT B

GLADES REGION AMENDMENTS &
ART. 3.B.4, GLADES AREA OVERLAY (GAO)
SUMMARY OF AMENDMENTS
(Updated 7-16-15)

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Part 2. ULDC Art. (page 122 of 234), is hereby amended as follows:

Reason for amendments: [Planning/Zoning] New Future Land Use Element (FLUE) Policy 1.6-e, expands upon existing provisions under FLUE Section III.C.5, Agriculture, by clarifying that the AP Zoning district is consistent with all Future Land Use (FLU) designations, except for Conservation. This furthers current County policy recognizing that existing agricultural uses within the Urban/Suburban Tier (includes the GAO) "...shall be considered to be a conforming use..." It will also allow for new agricultural uses to be established on parcels with an existing AP Zoning district regardless of FLU designation (excluding Conservation), without requiring a rezoning.
Additional revisions to similar provisions for the AR Zoning district are being included to copy existing reference to pre-emption that is located under use regulations for Bona-fide Agriculture, and the deletion of the term "interim" which was removed from FLUE Section III.C.5, Agriculture in 2009 (Ord. 2009-032).
Note: Additional revisions related to the proposed Plan amendments for FLU and Zoning district consistency within the GAO, will be consolidated and processed concurrently with similar Plan amendments for Infill Redevelopment, as part of ULDC Amendment Round 2015-02, through amendments to ULDC Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas (FLUA).

CHAPTER C STANDARD DISTRICTS

Section 1 General

A. Agricultural District

1. AP, Agricultural Production District

The AP district is to conserve and protect areas for exclusive, bona fide agricultural and farming related operations particularly where soil and water conditions favor continued agricultural production. A wide range of agricultural activities and their accessory uses shall be permitted in the AP district in order to maintain the vitality of the agricultural industry in PBC.

a. Exempted Residential Uses

Legal lots of record with a LR-1 FLU designation located in an area north of the unincorporated community of Canal Point shall be considered conforming for the purpose of renovating or developing a single-family home, including related accessory uses and structures. [Ord. 2007-013]

b. Agricultural Uses in Glades Tier with an Inconsistent FLU Designation

In order to protect the ability for agricultural operations to continue, within the Glades Tier the AP Zoning district is consistent with all FLU designations, excluding conservation.

....
C. Residential Districts

1. AR, Agriculture Residential District

....
c. Agricultural Uses in the U/S Tier

1) Existing Agricultural Uses in the U/S Tier

Agricultural uses in the U/S Tier existing prior to or in accordance with any previously adopted at the time of adoption of this Code permitting agricultural uses, shall be considered conforming. Any expansion of existing agricultural uses shall be subject to all applicable requirements, unless pre-empted by State law. [Ord. 2011-016]

2) New Agricultural Uses

Agricultural uses not listed as permitted in the U/S Tier shall may only be permitted as an interim use subject to Class A conditional use approval, unless pre-empted by State law. [Ord. 2011-016]

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**EXHIBIT B**  
**GLADES REGION AMENDMENTS &**  
**ART. 3.B.4, GLADES AREA OVERLAY (GAO)**  
**SUMMARY OF AMENDMENTS**  
**(Updated 7-16-15)**

1  
2 **Part 3.**      **ULDC Art. 1.1.3, Abbreviations and Acronyms (page 117 of 119), is hereby amended as**  
3 **follows:**  
4

<b>Reason for amendments:</b> [Planning/Zoning] Establish new acronym, which while only referenced once in the aforementioned amendments, will likely be cited in future Planning or Zoning staff reports.
--

5 **CHAPTER I      DEFINITIONS & ACRONYMS**

6 **Section 3      Abbreviations and Acronyms**

<b><u>GRMP</u></b>	<b><u>Glades Region Master Plan</u></b>
....	....

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## COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 15-2

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### BCC TRANSMITTAL PUBLIC HEARING, JULY 30, 2015

#### I. General Data

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**Project Name:** Glades Region Amendments  
**Elements:** Future Land Use Element, Intergovernmental Coordination  
**Project Manager:** Patricia Behn, Principal Planner  
**Staff Recommendation:** Staff recommends *approval* based on the findings and conclusions presented in this report.

#### II. Item Summary

---

**Summary:** This proposed amendment would revise the Future Land Use and the Intergovernmental Coordination Elements to implement updates identified in the course of the Glades Region Master Plan developed through the Community Challenge Planning Grant. These updates are to:

- Add a policy to acknowledge the Master Plan;
- Add policies that would provide additional development flexibility to promote economic growth in the Glades; and
- Delete or revise outdated policies;
- Make corrections and associated revisions.

**Assessment:** This proposed amendment will address the recommendations from the Glades Region Master Plan, correct errors and establish language that recognizes the ability for agricultural operations in this Tier to continue and expand. In order to spur economic development, in 1989, the County established urban residential designations through the majority of the land in the 24,000 acre Glades Urban Service Area, now known as the Glades Urban Suburban Tier. However, a majority of this acreage is currently utilized for farmland with the Agricultural Production (AP) and Agricultural Residential (AR) zoning districts. Some of the properties were also assigned an incorrect designation (ex., residential instead of commercial).

### III. Hearing History

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**Local Planning Agency Recommendation:** *Approval*, motion by Judy Daversa, seconded by Kiley Harper-Larsen, passed in an 11-0 vote at the July 10th public hearing. There was minimal discussion and no public comment.

**Board of County Commissioners Transmittal Public Hearing:**

**State Review Agency Comments:**

**Board of County Commissioners Adoption Public Hearing:**

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## **IV. Background**

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The purpose of this amendment is to update the Palm Beach County Comprehensive Plan with policies to implement the recommendations from the Glades Region Master Plan (from here forward referred to as the "Master Plan"). The Master Plan was developed through funding provided by the Community Challenge Planning Grant (CCPG) which was awarded to Palm Beach County by the Department of Housing and Urban Development (HUD) in 2012 and led by the Department of Economic Sustainability. The Master Plan will be presented to the Board of County Commissioners (BCC) the July 28, 2015 Workshop, and will serve as a guiding blueprint to enhance economic competitiveness in the Glades Region.

As part of the project team, the Planning, Zoning and Building Department (PZB) participated in the development of the Master Plan. The scope of services required the Planning and Zoning Divisions to: participate in periodic meetings with all of the stakeholders; provide data and support to the partners and stakeholders; participate in the Treasure Coast Regional Planning Council workshops with each of the Glades communities; and prepare Comprehensive Plan amendments needed to implement the Master Plan.

The Master Plan is a comprehensive plan of action detailing existing conditions and areas of improvement in the Glades Region including: economic analysis, water distribution systems, wastewater transmission systems, drainage, flood protection, stormwater management systems, public transportation plans, roadway alignments, roadway and railroad improvements and land planning. To achieve long-term economic sustainability in the Glades Region, the Master Plan provides implementation elements focusing on four primary elements: local and regional tourism development, a Glades-based visitor attraction, a direct Intermodal Logistics Center-related Workforce Skills Improvements and indirect and collateral industries employment opportunities. Further detail on each element of the Master Plan is available in the full report and supporting appendices, provided by the Palm Beach County Department of Economic Sustainability website after the July 28 BCC Workshop.

County staff joined efforts to review the existing conditions in the Glades Urban Service Area and review policies and land development regulations to develop guidelines where the County could address the Plan's livability principals: enhancing economic competitiveness; supporting existing communities; coordinating policies and leveraging investments; and valuing communities and neighborhoods.

Based on data analysis and public input, the primary challenge by far is the lack of economic opportunity and growth in this region. The proposed amendment will provide for clarification of existing Comprehensive Plan policies and add new policies to set the stage for economic vitality. The new policies are based on the recommendations from the Master Plan in order to support the region and to help increase economic development.

## **V. Intent**

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The intent of this amendment is to revise existing policies and add new policies related to the Glades Tier in the Comprehensive Plan that will implement the findings of the Glades Region Master Plan. This amendment will recognize the Master Plan, establish the Agricultural Production zoning designation as being consistent with all future land use designations, excluding conservation, to protect the ability for agricultural operations to continue, and add policies to increase economic opportunity including broader consistency between the future land uses and zoning designations.

## VI. Data and Analysis

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This section provides data and analysis, including an examination of consistency with the Comprehensive Plan.

### A. Existing Conditions

The Glades Tier is the largest Tier in the County, encompassing approximately 818,104 acres. This amendment focuses on the approximately 25,000 acres within the Glades Urban Service Area, also referred to as the Glades Urban Suburban Tier. This area is comprised of approximately 18,000 acres of unincorporated land, and the remaining approximately 7,000 acres are within three municipalities: Belle Glade, Pahokee, and South Bay. This amendment will only apply to the unincorporated portion of the Glades Urban Service Area. The total population in the Glades Urban Service Area is approximately 33,000 residents (28,000 incorporated and 5,000 unincorporated). Opportunities for significant growth currently exist as future land use designations in the unincorporated area could accommodate significantly more residential development. However, lack of adequate infrastructure is a hindrance.

County staff compared the existing and future land uses as designated in the Glades Urban Service Area and found that the existing land uses are predominantly agriculture, institutional and government-owned uses. County staff also examined the unincorporated County parcels to compare the future land use designations and zoning districts to determine the consistencies and inconsistencies.

The Future Land Use designations are primarily residential, with approximately 14,350 of the 18,870 unincorporated acres designated with urban residential densities, ranging from 1 unit per acre to 12 units per acre. These lands allow for approximately 80,000 residential units within the Low, Medium and High Residential Future Land Use designated areas. The vision and strategy for assigning the high residential future land uses in the 1989 Comprehensive Plan was to spur development in the Glades Communities.

Of the 14,350 acres with a residential Future Land Use designation, there are 13,995 acres with a zoning designation of Agricultural Production (AP) or Agricultural Residential (AR). Since currently the County's Unified Land Development Regulations do not list AP as consistent with urban residential future land use designations, this acreage (which constitutes 77% of the unincorporated area as shown on map in exhibit 2) has an inconsistent Future Land Use and Zoning designation.

### B. Proposed Text Amendment

This amendment staff report addresses the specific changes identified numerically in Exhibit 1, in the Future Land Use Element (FLUE) and the Intergovernmental Coordination Element (ICE) as addressed individually below.

#### FLUE Objective 1.6 Glades Tier

- 1. Analysis for Revised FLUE Policy 1.6-a:** This policy was added to acknowledge the Glades Region Master Plan. This recognizes the document as presented to the Board of County Commissioners. A previous policy was removed in Amendment Round 08-2 because it was replaced by a single Future Land Use Designation Table III.C in the Future Land Use Element.

2. **Analysis for Revised FLUE Policy 1.6-c:** This proposed revision eliminates the minimum density requirement in the Glades Tier, repealing a prior waiver process that was available. To date, this policy has only been applied to facilitate the development of three developments within the Glades Urban Service Area. Additional requirements imposed in the Glades Tier may hamper efforts to attract greater housing diversity in the Glades. Due to the nature of the Glades area being predominantly agriculture, this policy will allow development to be below the minimum density requirement in those areas with High Residential 8 and High Residential 12 future land use designation.
3. **Analysis for Revised FLUE Policy 1.6-d:** This policy was revised to remove the outdated deadline of 2002, and to allow the continuation of both agricultural and residential uses in the unincorporated Glades Urban/Suburban Tier. *Table 1.6-a* was added to provide the Glades Tier with a consistent Zoning District for each Residential Future Land Use designation. This table establishes consistency for 181 acres of land in the Glades Tier which have been residentially zoned prior to the adoption of the Comprehensive Plan on August 31, 1989. Additionally, this policy will allow the Lake Harbor area to be consistent with Agricultural Production for such properties which received Residential Estate zoning district designation prior to August 31, 1989.
4. **Analysis for New FLUE Policy 1.6-e:** This new policy will make the Agricultural Production (AP) Zoning District consistent with all future land use designations in the Glades Tier, except for properties with a Conservation Future Land Use. This policy will allow the 13,995 acres of land that have AP or AR zoning with an urban residential future land use designation continue agricultural operations without having to have a land use amendment. Although the intent of the 1989 Comprehensive Plan was to facilitate development in the Glades communities, this policy change is necessary for existing agricultural uses to not be impeded due to that intent.
5. **Analysis for New FLUE Policy 1.6-f:** This policy was added to develop regulations to encourage the preservation and rehabilitation of properties with the potential for historic designation and to continue protecting historic resources. Economic Development in the Glades area may be enhanced through historic preservation and heritage tourism efforts to preserve and celebrate the Glades history, place and culture. Research and planning efforts undertaken to date document the historic value of many of the structures and historical places within the Glades. There are large archaeological sites located close to Lake Okeechobee and East of Canal Point. These include the second largest archeological site in Florida, a ceremonial complex that was used from about 500 B.C. until A.D. 1650. The County's Comprehensive Plan has a Historic Element with many policies encouraging historic resources in the County. This policy encourages these efforts in the Glades area.

#### **FLUE Objective 1.6.1 Glades Area Economic Development Overlay**

6. **Analysis for Revised FLUE Policy 1.6.1-c:** This policy was revised to extend the projected date to January 2022 to allow County staff to continue reviewing the Glades Economic Overlay Zone to increase opportunities for establishing home-based businesses and other mixed use future land uses.

## **ICE Objective 2.1 Glades Enhancement and Economic Diversification New Policy 2.1-d:**

- 7. Analysis for New ICE Policy 2.1-d:** This policy was added to encourage and promote intergovernmental coordination between all of the local governments and agencies. Intergovernmental coordination remains a critical component of the County's effort. The County can prioritize needs according to the Glades Region Master Plan to further economic development, redevelopment and renewal.
- 8. Analysis for New ICE Policy 2.1-e:** This policy was added to continue coordination efforts with the Glades communities. Communities within the Glades Tier are engaged in their own efforts with regard to planning and development. Working with the communities in the Glades is a critical component of the County's efforts. The distance and nature of the issues faced by the Glades communities differ from the challenges faced by the coastal communities to manage growth. These factors warrant a separate initiative to further development in the Glades Tier. In conjunction with the Glades municipalities, business community and area residents, County staff may provide draft development regulations to assist in the development of local regulations to create incentives for new development within the local governments.

## **ICE Objective 2.2 Communication with Glades Communities:**

- 9. Analysis for New ICE Policy 2.2-d:** This policy was added to promote Intergovernmental Coordination with the communities in the Glades Tier and assist in analyzing unincorporated areas and identify future annexation areas.
- 10. Analysis for New ICE Policy 2.2-e:** This policy was added to provide technical assistance to the Glades Communities through Interlocal Agreement(s). This includes providing localized neighborhood planning assistance to unincorporated areas such as Canal Point and providing planning services that coincide with the Glades Region Master Plan to the cities in areas of neighborhood planning and citizen participation. The County should continue to provide technical assistance to the Glades and look for additional ways to provide assistance in a cost-effective manner.

### **C. Consistency with the Comprehensive Plan**

This proposed amendment, through clarifying the consistency of future land use and zoning designations for agricultural lands, will promote economic development within the Glades Urban Service Area, thereby furthering several provisions in the Future Land Use Element (FLUE) of the Comprehensive Plan, including the items listed below. Staff assessment of the consistency with the Comprehensive Plan is provided in this section. Unrelated language is omitted for brevity.

**FLUE, Introduction.** County fundamental principals guide the location and form of development as well as the type of service and facilities to be provided.

- (1) Strategic Planning. Recognizing the diverse communities within the County through implementing strategies to create, protect, and maintain quality livable communities that respects the lifestyle choices for current residents, future generations, and visitors is a key component of the Future Land Use Element.

- (4) Community Planning and Design. Community planning is a critical component to foster livable communities; ensure the most efficient and effective use of land, services and natural resources; and, meet the balanced growth objective.

**Staff Assessment:** With regards to Principal 1, this proposed amendment will preserve the ability of parcels with a residential future land use designation to continue with its existing agricultural land uses, thereby promoting the strategies to recognize the diverse communities within the County and protecting the existing uses. With regards to Principal 4, by establishing policy language to allow consistent future land use and zoning designations, this amendment will ensure the most effective use of land and will promote infill development within the Glades Urban/Suburban Tier and the unincorporated communities of Lake Harbor and Canal Point.

**FLUE, Introduction.** County directions provide the basis for preparation of the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.

- (2) Growth Management. Provide for sustainable communities and lifestyle choices by:
  - (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area;
- (15) Agricultural and Equestrian Industries. Support and enhance agriculture and equestrian-based industries.
- (16) Historic Preservation. Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage.

**Staff Assessment:** With regards to Direction 2, this proposed amendment will preserve the ability of parcels with a residential future land use designation to be consistent with the various zoning districts, thereby promoting infill development. With regards to Direction 15, this amendment will help support and enhance agriculture by making the future land use and zoning designations consistent. With regards to Direction 16, this amendment will help to foster historic preservation by helping to develop regulations to encourage the preservation of properties with the potential for historic designation.

**FLUE, Objective 1.1, Managed Growth Tier System.** Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers to:

6. Protect agricultural land for farm uses, including equestrian uses;
7. Strengthen and diversify the County's economic base to satisfy the demands of the population for employment growth, and provide opportunities for agricultural operations and employment centers; and,

**Staff Assessment:** The proposed amendment will clarify future land use provisions in the Glades Tier to help protect agricultural land for farm uses by establishing the future land use and zoning consistency for the properties which have been zoned prior to the adoption of the comprehensive Plan on August 31, 1989. The proposed changes establish policy language to preserve agricultural uses, thereby supporting the strength and diversity of the County's economic base.

This amendment will support the above referenced provisions in the Comprehensive Plan and is intended to clarify the Glades Tier provisions. There are no inconsistencies with the policies in the Comprehensive Plan.

### **C. Unified Land Development Code Implications**

The Unified Land Development Code (ULDC) will need to be modified for consistency with the proposed Comprehensive Plan changes.

## **VII. Public and Municipal Review**

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The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

**A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on April 20, 2015. At the time of the printing of this report, no calls or written requests for information or objections to the amendment had been received.

**B. Other Notice:** No comments have been received to date. Correspondence received is added to the Exhibits during the amendment process upon receipt.

## **VIII. Conclusion and Recommendation**

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This amendment is proposed to support the Glades Region Master Plan in the Comprehensive Plan by establishing policy language to acknowledge the Master Plan, promote the continued use of agricultural land, and update and clarify policies to promote economic development through collaboration with the Glades communities. The intent of this amendment is to revise existing policies and add new policies related to the Glades Tier in the Comprehensive Plan to provide strategies to implement the findings of the Glades Region Master Plan. Based on the recommendations of the Plan, this amendment will recognize the Glades Region Master Plan, establish the Agricultural Production zoning designation as being consistent with all future land use designations except conservation and add other policies for consistency of the future land use and zoning designations.

As such, staff recommends **approval** of this amendment.

### **Attachments**

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Exhibit 1 – Proposed changes in strike out and underline format	E – 1
Exhibit 2 – Map of inconsistent Future Land Use and Zoning Designations	E – 4

## Exhibit 1

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### A. Future Land Use Element, Glades Future Land Use

**REVISIONS:** To update and revise provisions regarding Industrial future land use designations. The added text is underlined, and the deleted text ~~struck-out~~.

#### OBJECTIVE 1.6 Glades Tier

**General:** The Glades Tier is generally located west of the Conservation Areas and Twenty Mile Bend, and includes the Glades Communities. This area is designated primarily for specialized agricultural operations. Communities within the Glades Tier are engaged in their own efforts with regard to planning and development. This effort is mainly in the form of economic development programming. The geographical distance and the nature of the issues faced by the Glades communities differ from the challenges faced by the coastal communities to manage growth. These factors warrant a separate initiative to further develop the Glades Tier, in conjunction with the Glades municipalities, business community and area residents.

**Objective:** Palm Beach County shall work with the communities in the western areas to preserve and enhance the unique characteristics of the Glades and protect the economically viable agricultural base in this area. The Glades Tier shall include all lands west of the Water Conservation Areas, Twenty Mile Bend, and the J.W. Corbett Wildlife Management Area. The area outside the Urban Service area predominantly supports large-scale agricultural operations, which shall be afforded rural levels of service.

**Policy 1.6-a:** ~~This policy was deleted in Amendment Round 08-2~~ The County recognizes the Glades Region Master Plan as presented to the Board of County Commissioners on July 28, 2015.

**Policy 1.6-b:** Within the Urban Service Area boundary within the Glades Tier the provisions of the Urban/ Suburban Tier shall apply.

**Policy 1.6-c:** Minimum residential density does not apply in the Glades Tier. **Glades Tier.** ~~The Board of County Commissioners may consider the waiver of the minimum density requirement for proposed development in the Glades Tier when:~~

- ~~1. The proposed development is consistent with the provisions of any "Joint Planning Area" agreement (Policy 1.4-d, Intergovernmental Coordination Element); and,~~
- ~~2. An analysis is completed that addresses:~~
  - ~~a) the impact of a reduced density development on the overall infrastructure system; and,~~
  - ~~b) the compatibility of the proposed development with adjacent land uses; and,~~
  - ~~c) the effect of the reduced density development on the ability of the County to meet its Goals, Objectives and Policies related to affordable housing.~~

~~If the development is located in a municipal annexation area, the analysis must be performed by the annexing municipality.~~

**Policy 1.6-d:** By January 2002, the County's Planning Division shall initiate coordination of policy development for the Glades Tier, in cooperation with the cities of Belle Glade, South Bay and Pahokee, and other local and regional organizations. The purpose shall be to provide an overall plan for promoting the revitalization of the Glades area. The County shall work with the existing communities to jointly plan for timely and managed growth in order to prevent urban sprawl, protect native vegetation and address the unique character and challenges of the unincorporated Glades area. The Glades Tier development shall also consider revision of the Glades Economic Overlay. In order to allow the continuation of both agricultural and residential uses, and to promote infill development within the Glades Urban/Suburban Tier and the unincorporated communities of Lake Harbor and Canal Point, the following table shall establish the Future Land Use/Zoning consistency. In addition, within Lake Harbor, RE is consistent with AP for such properties which received RE prior to August 31, 1989.

**Table 1.6-a**  
**Glades Tier Residential Future Land Use/Zoning Consistency<sup>1</sup>**

<b><u>Future Land Use Designation</u></b>	<b><u>Consistent Zoning Districts</u></b>	
	<b><u>Zoning District</u></b>	<b><u>Planned Development</u></b>
<u>Rural Residential</u>	<u>AR, RE</u>	<u>RR-PUD, MHPD, RVPD</u>
<u>Low Residential</u>	<u>AR, RE, RT, RS</u>	<u>PUD, TND, MHPD</u>
<u>Medium Residential</u>	<u>AR, RE, RT, RS, RM<sup>2</sup></u>	<u>PUD, TND, MHPD</u>
<u>High Residential</u>	<u>AR, RE, RT, RS, RM, RH</u>	<u>PUD, TND, MHPD</u>

1. The RH zoning districts has been discontinued. Properties with RH shall not be required to rezone and shall utilize the property development regulations of the RM zoning district.
2. The RM District is consistent with the MR-5 designation only for those areas zoned RM prior to the Plan's August 31, 1989 adoption.

**Policy 1.6-e:** In order to protect the ability for agricultural operations to continue, within the Glades Tier the Agricultural Production zoning district is consistent with all future land use designations, excluding Conservation.

**Policy 1.6-f:** The County will continue to encourage the preservation and rehabilitation of properties with the potential for historic designation. Such regulations will allow for the expansion and redevelopment of the property, and the retention of development density and intensity for the property.

**SUB-OBJECTIVE 1.6.1      Glades Area Economic Development Overlay**

Palm Beach County shall use existing mechanisms or develop new strategies to assist Glades communities, residents and organizations to promote economic diversification, cultural preservation, greenways planning, local revitalization and redevelopment, area beautification and coordinated future land use planning while complying with all applicable environmental regulations and constraints by applying the provisions of the Glades Area Economic Development Overlay.

**Policy 1.6.1-a:** The Glades Area Economic Development Overlay (GA-O) shall apply to all land within the Urban Service Area in the Glades, including the State-designated enterprise zone for the municipalities of Belle Glade, South Bay and Pahokee.

**Policy 1.6.1-b:** Within the GA-O, the County shall provide flexibility in the range of uses and land development regulations allowed to accommodate uses which, if deemed appropriate, will increase job opportunities and improve the economic vitality of the area.

**Policy 1.6.1-c:** By ~~January 2002~~ January 2022, the County shall review and revise the Glades Economic Overlay Zone to increase opportunities for establishing home-based businesses and other mixed future land uses.

**B. Intergovernmental Coordination Element, Glades Region Master Plan Amendments**

**REVISIONS:** To remove add policies. Added text is underlined.

**1. Objective 2.1 Glades Enhancement and Economic Diversification New Policy 2.1-d**

**Policy 2.1-d:** The County shall prioritize needs according to the Glades Region Master Plan to further economic development, redevelopment and renewal.

**Policy 2.1-e:** The County shall coordinate with the Glades communities, including the incorporated cities and the unincorporated communities of Lake Harbor and Canal Point, to assist in the development of incentives for new development as requested.

**2. Objective 2.2 Communication with Glades Communities**

**Policy 2.2-d:** The County Planning, Zoning & Building Department will coordinate with the cities in the Glades Tier to analyze unincorporated areas identified within their future annexation areas, and to assist in facilitating the annexation.

**Policy 2.2-e:** The County Planning Division will reach out to cities to offer assistance in revising their comprehensive plan and/or land development regulations to further the Glades Region Master Plan.

## Exhibit 2

