



**Department of Planning,
Zoning & Building**

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TO: Interested Parties
Zoning Staff

FROM: Jon MacGillis, ASLA 
Zoning Director

DATE: October 19, 2016

RE: **Urban Redevelopment Area (URA) Application changes based on Adopted Comprehensive Plan and Unified Land Development Code (ULDC) proposed Amendments**

This memo is to provide an update to Applicants, Property Owners, Staff, and Interested Parties on procedural changes based on the recent adopted amendments to the Comprehensive Plan URA provisions and pending ULDC amendments and how these changes will impact the review process:

Please be advised of the following options for Applicants within the URA:

- 1. URA/Priority Redevelopment Area (PRA)** - Properties in the URA/PRA that have an existing Future Land Use (FLU) and Zoning of Urban Center (UC) or Urban Infill (UI) must comply with the current provisions found in the FLU Element, Sub-objective 1.2.2, URA, of the Comprehensive Plan and with the provisions found in Article 3.B.16 of the ULDC. The Code provides for both Administrative and Public Hearing Waivers related to certain development regulations.
- 2. Alternative Future Land Use and Zoning** – On August 22, 2016, the BCC adopted Comp Plan Amendment pursuant to Ordinance 2016-037 which allow flexibility of property owners to revert back to the FLU designations and Zoning districts that were in place prior to the adoption of UC or UI zones. A Pre-Application meeting with Zoning and Planning Staff is required to review requests for this option. The Planning Division will provide a determination of the Land Use and Zoning as part of the Pre-Application response.

Proposed ULDC Amendments in Round 2016 – 02 with adoption scheduled for January 26, 2017)

Staff is currently processing proposed amendments to the ULDC that will establish standards to allow the following changes in the URA/PRA:

- Enable property Owners with UC and UI FLU and Zoning to revert back to the FLU and Zoning which existed prior to the implementation of the URA Overlay consistent with the recent August 2016, Comprehensive Plan amendment;
- Clarify the mixed use in UI zone to refer to residential and/or non-residential uses;



- c. Eliminate the requirements for minimum two-story buildings by allowing a range of one to four-story buildings in UC zone; and one to three-story buildings in UI zone;
- d. Eliminate the references of walkable blocks by creating standards for vehicular connectivity and pedestrian interconnectivity;
- e. Allow parking on the sides of buildings, with added flexibility to allow for some parking in the front of buildings.

If you have questions regarding the URA Alternative FLU and Zoning provisions or the proposed ULDC 2016-02 Amendments contact Wendy Hernandez, Zoning Manager, at 561-233-5218 or Bill Cross, Principal Site Planner, at 561-233-5206.

JM/zp

Attachment: Ordinance 2016-37 – Comp Plan Amendment
Map of prior Land Use and Zoning for properties in URA/ PRA

ORDINANCE NO. 2016 - 037

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ELEMENT (TO REVISE THE URBAN REDEVELOPMENT AREA (URA) PRIORITY REDEVELOPMENT AREAS (PRAS) INCLUDING TO ALLOW ALTERNATIVE FUTURE LAND USES AND ZONING AND ADDITIONAL DEVELOPMENT OPTIONS); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3184(2)(a), Florida Statutes, provides that comprehensive plan amendments shall follow the expedited state review process except as set forth in Section 163.3184(2)(b) and (c), Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the proposed amendments meet the requirements of Section 163.3184(3)(a), Florida Statutes, to be processed through the expedited state review process, and are being processed through the expedited state review process; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on March 11 and April 8, 2016 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 27, 2016 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the state land planning agency and review agencies pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received a letter from the state land planning agency dated June 8, 2016 stating that the agency had identified no comments related to

important state resources and facilities within the Agency's authorized scope of review that will be adversely impacted by the amendment contained in this ordinance if adopted; and

WHEREAS, on August 22, 2016 the Palm Beach County Board of County Commissioners held a public hearing to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with the requirements of the Community Planning Act.

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

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance is Exhibit 1:

1. Future Land Use Element, to revise the Urban Redevelopment Area (URA) Priority Redevelopment Areas (PRAs) including to allow alternative future land uses and zoning and additional development options;

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the County that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment

1 may be issued or commence before it has become effective. If a final order of
2 noncompliance is issued by the Administration Commission, this amendment may
3 nevertheless be made effective by adoption of a resolution affirming its effective status, a
4 copy of which resolution shall be sent to the state land planning agency.

5 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
6 Beach County, on the 22nd day of August, 2016.

7 ATTEST: PALM BEACH COUNTY, FLORIDA,
8 SHARON R. BOCK, CLERK BY ITS BOARD OF COUNTY COMMISSIONERS
9 & COMPTROLLER

10 By  By 
11 Deputy Clerk Mary Lou Berger, Mayor

12 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

13 By 
14 County Attorney

15 Filed with the Department of State on the 24 day of August, 2016.

16 T:\Planning\AMEND\16-CA\Admin\Ordinances\Ord-2-WestBoyntonCenter.docx

Exhibit 1

A. Future Land Use Element, URA Alternative Revisions

REVISIONS: To revise the URA in order to allow alternative future land uses and zoning. The added text is underlined, and the deleted text ~~struck-out~~.

SUB-OBJECTIVE 1.2.2 The Urban Redevelopment Area (URA)

A.1. NEW Policy 1.2.2-m: Alternative Future Land Use and Zoning: The Urban Center (UC) and Urban Infill (UI) regulations foster an urban form for mixed use development with both residential and non-residential uses in the Priority Redevelopment Areas (PRAs). In order to accommodate development and redevelopment that is not mixed use, the County shall allow properties to utilize the future land use designations and zoning districts in place prior to the adoption of the UC and UI. The County may initiate Future Land Use Atlas amendments to assign the prior or other appropriate future land use designations as an underlying/alternative designation.

A.2. REVISE Policy 1.2.2-b: *Unaltered text omitted for brevity*

- **Urban Center:**
 - An interconnected pedestrian-friendly street network, including ~~parallel, alternate vehicular connectivity to the PRAs and the creation of new walkable blocks;~~
 - A ~~minimum of two,~~ with a range of one two to four, story buildings;
- **Urban Infill:**
 - Residential uses, with and/or non-residential uses ~~encouraged in the first story;~~
 - An interconnected pedestrian-friendly street network, including ~~parallel, alternate vehicular connectivity to the PRAs and the creation of new walkable blocks where feasible;~~
 - A range of one to three, story buildings ~~with a minimum of two stories, unless a project/parcel is less than one acre in size;~~

A.3. REVISE Policy 1.2.2-d: ~~For the PRAs, In the Urban Center and Urban Infill Transects, the shaping of the public thoroughfares as part of the public/civic realm shall~~ foster the use of ~~be done by the incorporation of mixed-use, liner buildings, where appropriate.~~ These are buildings that are wide to the primary street but shallow to the block depth. When done in continuous sections, liner buildings can hide parking lots or blank building walls, frame the public realm, reduce gaps in the streetscape between buildings, or when interrupted, create new pockets of public open spaces in small increments. Parking shall be allowed in the front or sides of buildings as determined to be appropriate during the development review process. ~~The building types shall be further detailed in the ULDC based on the liner building concept.~~



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 24, 2016

Honorable Sharon R. Bock
Clerk and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Attention: Gretel Sarmiento, Supervisor – Finance Services

Dear Ms. Bock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your corrected electronic copy of Palm Beach County Ordinance No. 2016-037, which was filed in this office on August 24, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

URA Priority Redevelopment Area

Future Land Use/Zoning Prior to URA

