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Board of County  
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Mary Lou Berger

Mack Bernard

**County Administrator**

Verdenia C. Baker

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**MEMORANDUM**

**TO:** Paulette Burdick, Mayor, and  
Members of the Board of County Commissioners

**THRU:** Patrick Rutter, Executive Director, PZ&B *PR*

**FROM:** Jon MacGillis, ASLA, Zoning Director *JPM*

**DATE:** March 10, 2016

**RE:** **Initiation of Unified Land Development Code (ULDC) Amendment  
Round 2017-01 and Electronic Message Center Sign Pilot Program  
Update**

This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the scheduling of ULDC amendments that have been prioritized for inclusion in Round 2017-01, and the Zoning Director Status Report on the Electronic Message Center Sign One-Year Pilot Program.

This memo will be presented at the March 23, 2017 BCC Zoning Hearing for discussion under "Zoning Director Comments". In addition, staff has scheduled briefings with each Commissioner in advance of the Hearing to discuss the proposed amendments.

If you should have any questions or require additional information, please contact me at (561) 233-5234.

JM/WJC

Attachment 1 - Initiation of ULDC Amendment Round 2017-01

**C:** Verdenia C. Baker, County Administrator  
Faye Johnson, Assistant County Administrator  
Wes Blackman, Chair and Members of the LDRAB  
Robert Banks, Chief Land Use Assistant County Attorney  
Leonard Berger, Chief Assistant County Attorney  
Lorenzo Aghemo, Planning Director  
Maryann Kwok, AICP, Deputy Director, Zoning  
William Cross, AICP, Principal Site Planner, Zoning  
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**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2017-01**  
 (Updated 3/10/17)

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<b>SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS</b>	
<b>BCC ZONING HEARINGS:</b>	<b>LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS:</b>
<ul style="list-style-type: none"> <li>▪ June 22, 2017: Request for Permission to Advertise</li> <li>▪ July 27, 2017: 1<sup>st</sup> Reading</li> <li>▪ August 24, 2017: 2<sup>nd</sup> Reading/Adoption</li> </ul>	<ul style="list-style-type: none"> <li>▪ March 29, 2017 (Annual Meeting)</li> <li>▪ April 26, 2017</li> <li>▪ May 24, 2017 [Land Development Regulation Commission (LDRC)]</li> </ul>

<b>AMENDMENT/TASK</b>	<b>LEAD AGENCY</b>	<b>SUMMARY OF TASK REQUIREMENTS</b>
<b>Art. 1, General Provisions*</b>		
<b>Art. 1.C, Rules of Construction and Measurement</b>	<b>Zoning</b>	Establish standard for rounding of numbers.
<b>Art. 1.I.A.28, Definition for Advertising Structure</b>	<b>Zoning</b>	Delete duplicate definition of "Advertising Structure" addressed under Art. 1.I.S.44.a.4) [Related to Sign Types]
<b>Art. 2, Development Review Procedures*</b>		
<b>Art. 2.D.1.G.1.I [Related to Modifications to BCC/ZC Approvals and Freestanding ATM]</b>	<b>Zoning</b>	Clarify that this provision will include new Unmanned Retail Structure use adopted with the Use Regulations Project.
<b>Mobile Home Owner Disclosure Requirements to Potential Buyers</b>	<b>Zoning/ County Attorney</b>	Ascertain feasibility of requiring owners of Mobile Home dwellings located within a Mobile Home Park (MHP) to provide disclosure to potential buyers, in scenarios where the owner has been informed that a developer has purchased the MHP
<b>Art. 3, Overlays and Zoning Districts*</b>		
<b>Art. 3.B.14.F.2.b, Minimum Building Frontage Exception</b>	<b>Zoning</b>	Applies to the Westgate Community Redevelopment Area Overlay (WCRO): Clarify and define extent to which minimum building frontage requirements may be reduced under provisions recognizing that such standards would not be feasible on narrow lots with no side or alley access to any required parking lots.
<b>Art. 3.E, Planned Development Districts</b>	<b>Zoning/ Planning</b>	Implement Comprehensive Plan amendments adopted on January 30, 2017, which includes: <ul style="list-style-type: none"> <li>• Miscellaneous updates to clarify or simplify mixed and multiple use development requirements.</li> <li>• Expand requirement for vertical integration allowing for maximum residential density and non-residential intensity, to include horizontal integration.</li> <li>• Eliminate redundant Lifestyle Commercial Center.</li> <li>• Clarify language regarding sunset High Residential (RH) Zoning District.</li> </ul>



**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2017-01**

(Updated 3/10/17)

AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
Art. 4, Use Regulations Art. 4.B.2.C.20, Landscape Service	PZ&B	Continuation of Use Regulations Project, extended to allow for additional time to work with industry, primarily in the AGR Tier, to ascertain how best to accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.
Art. 4.B.2.C.15.d, Additional Standards for Approval	Zoning	Eliminate additional standards for approval for Retail Gas and Fuel establishments, whereas several are redundant to other site development requirements, and those related to "excessive pumps" and "excessive number of similar stations in the vicinity" are subjective and best addressed by market demand.
<b>Art. 5, Supplementary Standards*</b>		
Art. 5, Supplemental Use Standards	Zoning/ Building/ Code Enforcement	Use of Shipping Containers for Principal and Accessory Structures: <ul style="list-style-type: none"> <li>• Retain existing exemption for shipping containers associated with Bona-fide Agricultural uses.</li> <li>• Clarify standards for where shipping containers are used to store tools or equipment on construction sites;</li> <li>• Clarify and/or ascertain if additional standards may be required where shipping containers are modified to comply with Florida Building Code (e.g. manufactured buildings), including:               <ul style="list-style-type: none"> <li>✓ Accessory structures such as barns, storage sheds, etc. or</li> <li>✓ Principal structures such as single-family dwellings or non-residential structures.</li> </ul> </li> <li>• Clarify prohibition on use of shipping containers.</li> </ul>
Art. 5.B1.A, Accessory Uses and Structures	Zoning	<ul style="list-style-type: none"> <li>• <b>Accessory Solar Structures:</b> Establish standards to distinguish solar industry trends such as Florida Power and Light "solar trees" to differentiate between commercial solar energy facilities or current practice of allowing placement as an accessory use on rooftops, to address aesthetics, potential for conflict with existing or require landscaping materials, and other safety considerations.</li> <li>• <b>Accessory Structure Setbacks and Location:</b> Establish reasonable exceptions to recognize where multi-structure homes or other uses may be considered as a principal use for purposes of allowing improvements within the front yard (defined as the area between the frontage of the lot and the principal structure).</li> </ul>
Art. 5.B.1.A.12, Accessory Radio Tower	Zoning/ Building	Clarify exemptions for accessory radio towers, including: <ul style="list-style-type: none"> <li>• For State regulated Drainage Improvement Districts, where antennae's or towers are limited to receipt of electronic transmissions used to remotely operate drainage or flood control structures; and,</li> <li>• County Facilities Development and Operations (FD&amp;O) towers used for emergency transmissions.</li> </ul>

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AMENDMENT/TASK	LEAD AGENCY	SUMMARY OF TASK REQUIREMENTS
<b>Art. 6, Parking and Loading*</b> <b>Table 6.A.1.D, Minimum Off-Street Parking and Loading Zone Requirements</b>	<b>Zoning</b>	<ul style="list-style-type: none"> <li>Loading Zone requirements for Congregate Living Facilities and Nursing Homes: Update current standard to establish a threshold where additional loading zones may be redundant and unnecessary.</li> <li>Update use types inadvertently omitted from the Use Regulations Project, including but not limited to uses revised such as General Repair and Maintenance, which became Light Repair and Maintenance and Heavy Repair and Maintenance.</li> </ul>
<b>Art. 8, Signage*</b> <b>Art. 8, Electronic Changeable Copy Message Sign</b>	<b>Zoning</b>	<p>Clarify exemption of gas and fuel price electronic message signage from backlight prohibitions of the AGR Tier.</p> <p><b><u>Discussion Item: Zoning Director Status Report - Electronic Changeable Copy Message Sign Priority Redevelopment Area (PRA) One-Year Pilot Program</u></b></p> <p><b>Option 1:</b> Discontinue the Pilot Program  <b>Option 2:</b> Expand the Pilot Program (future amendment Round), including but not limited to:</p> <ul style="list-style-type: none"> <li>Expand boundaries</li> <li>Amend limitations on: static message requirements; location including setbacks from residential uses or hours of operation; maximum number per development; maximum percentage of sign area; or, expand to allow graphics, among others.</li> </ul>
<b>Art. 8, Signage</b>	<b>Zoning</b>	<b><u>Discussion Item: Agricultural Reserve (AGR) Tier – Industry Request for Modification of Tier Based Limits on Sign Illumination Standards</u></b>
<b>Art. 16, Airport Regulations*</b> <b>Art. 16, Airport Regulation Updates</b>	<b>DOA</b>	Art. 16, Airport Regulation Updates: Airport and Airspace Protection and Zoning updates to Chapter: F.S. 333, Florida Statutes, effective July 1, 2016.
<b>Privately Initiated Amendments (PIA) (may be processed out of Round)*</b>		
<b>PIA-2016-02131 [AGR Tier CLF Intensity]</b>	<b>Zoning Planning</b>	<b>Phase II PIA, Art. 4.B.1.C.1, Congregate Living Facility (CLF):</b> Concurrent Phase II PIA required to implement proposed PIA to amend the Comprehensive Plan to allow a CLF in Zoning districts consistent with the Institutional (INST) future land use (FLU) designation within the AGR Tier, to be calculated by maximum allowed Floor Area Ratio (FAR), versus current density based requirements.
<b>PIA-2017-00314 [Surf Ranch Florida]</b>	<b>Zoning</b>	<b>Phase I PIA, PIPD Commercial Recreation Facilities:</b> Request to initiate Phase II PIA to the Planned Industrial Park Development District (PIPD), to allow for commercial recreation uses not originally anticipated for the district, to enable the development of an Outdoor Entertainment venue to be known as "Surf Ranch Florida," on an 80-acre parcel within the Palm Beach Park of Commerce.



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<b>PENDING [Mixed Use Amendments to AGR Tier MUPD (Morningstar)]</b>	<b>Zoning Planning</b>	<b>Phase II PIA:</b> Concurrent Phase II PIA required to implement proposed PIA to amend the Comprehensive Plan to allow for modifications to policies regarding density, intensity, preserve area requirements, and allow for mixed use within the Multiple Use Planned Development (MUPD) district.
<b>Other - 2017 Legislative Session</b>		
	<b>Zoning</b>	PENDING: Review of laws adopted in 2017 Session to determine if any ULDC amendments are required for consistency.
<b>Other</b>		
<b>2017 Comprehensive Plan Text Amendments</b>	<b>Zoning/ Planning</b>	Concurrent development of ULDC amendments related to the following Plan amendments initiated by the BCC on January 30, 2017: <ul style="list-style-type: none"> <li>• Institutional and Public Facilities Designation</li> <li>• Mixed and Multiple Uses</li> <li>• Commercial Designations</li> <li>• Urban Agriculture</li> </ul>

\* ULDC References are based on ULDC Supplement 20 and subject to change upon publication Supplement 21, excepting Art. 4, Use Regulations.