

**CITY OF PALM BEACH GARDENS
CITY COUNCIL
Agenda Cover Memorandum**

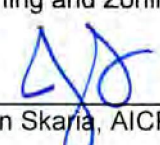
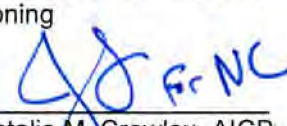
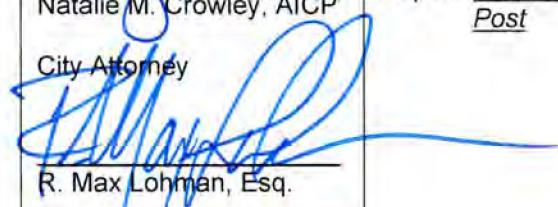
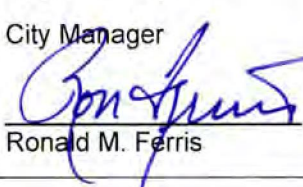
**Meeting Date: July 9, 2026
Ordinance 16, 2026**

Subject/Agenda Item:

City-Initiated Amendment to the Land Development Regulations

First Reading and Public Hearing: A City-initiated amendment to Chapter 78-Land Development of the City's Code of Ordinances, at Sec. 78-159, Table 21; Sec. 78-221, PGA Boulevard Corridor Overlay; and at Sec. 78-751 Definitions to update the PGA Boulevard Corridor Overlay uses and clarify the boundary language.

☒ **Recommendation to APPROVE**
☐ **Recommendation to DENY**

Reviewed by: Assistant Director of Planning and Zoning  Joann Skaria, AICP Development Compliance Manager  Olivia Ellison, AICP Director of Planning and Zoning  Natalie M. Crowley, AICP City Attorney  R. Max Lohman, Esq.	Originating Dept.: Planning and Zoning  Martin L. Fitts, AICP Planning Manager ☐ Quasi – Judicial ☒ Legislative ☒ Public Hearing Advertised: ☒ Required ☐ Not Required Date: <u>6/29/2026</u> Paper: <u>Palm Beach Post</u>	Finance: Accountant <u>N/A</u> Yentl Cortez Fees Paid: <u>N/A</u> Funding Source: ☐ Operating ☒ Other <u>N/A</u> Budget Acct. #: <u>N/A</u> Effective Date: <u>N/A</u> Expiration Date: <u>N/A</u>	Council Action: ☐ Approval ☐ App. w/ Conditions ☐ Denial ☐ Continued to: _____ Attachments: - Letter of Support – PGA Corridor Association - Letter of Support – Palm Beach North Chamber of Commerce - Ordinance 16, 2026
Approved By: City Manager  Ronald M. Ferris	Affected parties: ☐ Notified ☒ Not Required		

EXECUTIVE SUMMARY

The request is a City-initiated amendment to the Land Development Regulations (LDRs) to update various sections of the City's Code related to the PGA Boulevard Corridor Overlay (Overlay) to provide clarity, internal consistency, and applicability of permitted uses, further define the boundaries of the Overlay, and introduce new definitions. Since the introduction of the Overlay, various uses have been modified in Section 78-159, Table 21. Permitted, Conditional, and Prohibited Use Chart, but are not addressed or included in the Overlay standards. Additionally, the amendment clarifies the boundaries of the Overlay. Finally, definitions have been modified and added related to discount stores to provide clarity on what is and is not permitted within the Overlay. Staff recommends approval of the petition.

BACKGROUND

On July 20, 2000, the City Council adopted Ordinance 17, 2000, which created the PGA Boulevard Corridor Overlay (Overlay). The purpose of the Overlay was to implement policies and regulations to protect the "Main Street" character and aesthetics of PGA Boulevard as well as identify uses consistent with said character. The Overlay has been modified and updated several times since 2000 to amend the list of permitted uses. Recently, shifts in the regional and national retail market require more clearly articulated definitions of discount stores to ensure consistent application of Overlay standards.

PROPOSED AMENDMENTS

The amended section titles of the Code are listed below. Following each section, a staff comment describing and explaining the purpose and intent of the proposed change(s) is provided.

Sec. 78-159. Permitted uses, minor and major conditional uses, and prohibited uses.

Staff Comment: This amendment updates Table 21: Permitted, Conditional, and Prohibited Use Chart to add *Discount Store*, *Grocery Store*, *Discount and Grocery Store*, *Specialty* to the list of uses. Additionally, Note 24 is updated to note that Discount stores are not included under *Retail, General*. Also, Note 26 is updated to remove the maximum size limit on *Thrift and used merchandise stores*. And finally, Note 48 is updated to provide conditional use criteria for reviewing *Veterinary office and clinic* uses proposed in the PGA Overlay.

Sec. 78-221. PGA Boulevard corridor overlay.

Staff Comment: These amendments update the boundaries of the PGA Boulevard Corridor Overlay to provide clarity by identifying that parcels that front or abut PGA Boulevard, all of a Planned Unit Development (PUD) that fronts or abuts PGA Boulevard, or the non-residential site plans within Planned Community Development (PCD) that front

or abut PGA Boulevard are within the overlay. Additionally, it clarifies that only the first 55 feet of non-residential vegetated areas such as golf courses or preserve areas are included in the PGA Overlay.

The list of permitted and conditional uses in the PGA Overlay is updated to provide consistency with Table 21: Permitted, Conditional, and Prohibited Use Table such as places of assembly with various levels of review based on scale, which are federally protected and permitted in all zones per Religious Land Use Protection Act (RLUPA) and update terminology of uses such as *massage therapist/spa* and *barber/beauty shops/salon*. The amendments also remove outdated provisions and add *Veterinary office or clinic*, *Medical spa*, *Off-campus emergency department* uses to reflect changes to Table 21 and Sec. 78-159 - Definitions. Additionally, the amendment clarifies that *consignment*, *thrift*, *temporary or seasonal retail stores*, and *grocery store, discount* are prohibited as types of discount retail stores. Furthermore, the amendment provides support for the Planning and Zoning/Growth Management Director to determine if a store is discount in nature.

Finally, the amendment removes duplicative language contained in the Parkway Overlay Section of the City Code. Also, the amendment allows projects consisting of three acres or less to request a waiver to the 55-foot special front setback pursuant to the criteria set forth in Sec. 78-158.

Sec. 78-751. – Definitions

Staff Comment: These amendments update the definitions for *Department store*, *Discount department store*, and *Thrift and used merchandise store* and adds definitions for *Discount store*, *Fixed-price retail store*, *Outlet or clearance store*, *Grocery store, discount*, *Grocery store, specialty*, and *Temporary or seasonal store* to provide clarity and to address changes in the retail marketplace.

STAFF ANALYSIS

The proposed legislation refines the boundary language for the Overlay for clarity. Also, the City's Code has been updated in recent years with the introduction of new uses, such as *Medical Spa* and *Off-campus Emergency Department*. Additionally, some legally required uses have been included such as with the incorporation of *Place of Assembly*. These amendments update the list of approved and conditional uses for the PGA Overlay to be consistent with the new and modified uses. Changes in the retail marketplace necessitate the addition of new definitions to clarify different types of discount retail operations. Discount stores are, and have always been, prohibited in the Overlay, and the amendments clarify this. Finally, the amendments add *Veterinary office and clinic* as a permitted use in the Overlay while providing criteria for review of proposed locations to address uses in existence prior to the approval of the Overlay.

PUBLIC NOTICE

The petition was noticed in accordance with Sec. 78-54, with an advertisement published in the *Palm Beach Post* on June 29, 2026.

PLANNING, ZONING, AND APPEALS BOARD

The Planning, Zoning, and Appeals Board recommended approval of the petition at the June 9, 2026, meeting by a vote of 5 to 0.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 16, 2026 as presented on first reading.



June 30, 2026

Mrs. Natalie Crowley, AICP
Director of Planning and Zoning
City of Palm Beach Gardens
10500 North Military Trail
Palm Beach Gardens, Florida 33410

RE: Support for City of Palm Beach Gardens PGA Boulevard Corridor Overlay
Land Development Regulations Amendments

Dear Mrs. Crowley:

The PGA Corridor Association strives to be a catalyst for a vibrant and sustainable Palm Beach Gardens. Our mission is to preserve, enhance, and promote the PGA Corridor as the premier business location in Florida. The PGA Corridor Association recognizes that the City's proposed PGA Corridor Overlay regulation amendments will provide clarity to the Overlay's boundaries and clarity to the list of permitted and prohibited uses. The new definitions and uses will protect the "Main Street" character and aesthetics of the PGA Corridor.

The proposed amendments recognize evolving retail environments and provide guidance to future businesses regarding what uses are permitted in the Corridor and those that are prohibited enabling predictability and surety. The PGA Corridor Association appreciates the opportunity to participate and provide meaningful input during the development of these amendments.

The PGA Corridor Association commends and strongly supports the City of Palm Beach Gardens in modernizing and updating the Land Development Regulations.

Sincerely,

Don Kiselewski
Chair, PGA Corridor Association



June 29, 2026

Ms. Natalie Crowley, AICP
Director of Planning and Zoning
City of Palm Beach Gardens
10500 N. Military Trail
Palm Beach Gardens, FL 33410

RE: Support for City of Palm Beach Gardens PGA Boulevard Corridor Overlay Land
Development Regulations Amendments

Dear Ms. Crowley:

The Palm Beach North Chamber of Commerce strives to be a dynamic organization that serves as a vital business and community resource, focusing on the development and retention of businesses while protecting and improving the quality of life for residents. PGA Boulevard is a premier business location in Palm Beach County. The Palm Beach North Chamber of Commerce recognizes that the City's proposed PGA Corridor Overlay regulation amendments will provide clarity to the Overlay's boundaries and clarity to the list of permitted and prohibited uses. The new definitions and uses will protect the "Main Street" character and aesthetics of PGA Boulevard.

The proposed amendments recognize evolving retail environments and provide guidance to future businesses regarding what uses are permitted in the Corridor and those that are prohibited, enabling predictability and surety. The Palm Beach North Chamber of Commerce appreciates the opportunity to participate and provide meaningful input during the development of these amendments.

The Palm Beach North Chamber of Commerce commends and strongly supports the City of Palm Beach Gardens in modernizing and updating the Land Development Regulations.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Martinez".

Noel Martinez
President & CEO

ORDINANCE 16, 2026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78 – LAND DEVELOPMENT AT SECTION 78-159. – PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. BY AMENDING TABLE 21: PERMITTED, CONDITIONAL, AND PROHIBITED USE CHART AND BY AMENDING SUBSECTION (J) AT NOTES (24), (26), AND (48); FURTHER AMENDING CHAPTER 78 AT SECTION 78-221. – PGA BOULEVARD CORRIDOR OVERLAY. BY REPEALING SUBSECTION (C) AND READOPTING SAME, AS REVISED, AND BY AMENDING SUBSECTION (D) TO CLARIFY THE OVERLAY BOUNDARIES AND UPDATE THE LIST OF PERMITTED AND PROHIBITED USES FOR CLARITY AND CONSISTENCY WITH TABLE 21; FURTHER AMENDING CHAPTER 78 AT SECTION 78-751. – DEFINITIONS. BY AMENDING THE DEFINITIONS OF *DEPARTMENT STORE*, *DISCOUNT DEPARTMENT STORE*, AND *THRIFT AND USED MERCHANDISE STORE* AND ADDING DEFINITIONS FOR *DISCOUNT STORE*, *FIXED-PRICE RETAIL STORE*, *OUTLET OR CLEARANCE STORE*, *GROCERY STORE*, *DISCOUNT*, *GROCERY STORE*, *SPECIALTY*, AND *TEMPORARY OR SEASONAL STORE* TO PROVIDE CLARITY; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78 – LAND DEVELOPMENT SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Palm Beach Gardens has determined that various sections of Chapter 78 of the City's Code of Ordinances need to be amended to provide clarity and consistency; and

WHEREAS, this Ordinance was reviewed by the Planning, Zoning, and Appeals Board at a public hearing on June 9, 2026, and received a recommendation of approval by a vote of 5 to 0; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Palm Beach Gardens and the public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, that:

SECTION 1. Chapter 78 – Land Development of the Code of Ordinances of the City of Palm Beach Gardens, Florida, is hereby amended at Section 78-159. – Permitted uses, minor and major conditional uses, and prohibited uses. by amending Table 21:

Permitted, Conditional, and Prohibited Use Chart to add new uses of *Discount Store, Grocery Store, Discount, and Grocery Store, Specialty* and amending subsection (j) at Notes (24), (26), and (48); providing that Section 78-159 shall hereafter read as follows:

Sec. 78-159. – Permitted uses, minor and major conditional uses, and prohibited uses.

(a) – (h) (These subsections shall remain in full force and effect as previously adopted.)

(i) *Planned development overlay districts.* Permitted, conditional, and prohibited uses within planned overlay districts, including planned unit developments, planned community districts, and mixed use developments, shall be established within the development order approved by the city council. Permitted, conditional, and prohibited uses within such districts shall be established with reference to such uses within the underlying zoning district. However, the city council may approve any use within a planned development overlay district, subject to the following:

- (1) Consistency with the comprehensive plan;
- (2) Consistency with the overall purpose and intent of the land development regulations; and compatibility with existing, proposed, or potential land uses located on adjacent properties.

Table 21: Permitted, Conditional, and Prohibited Use Chart

P = Permitted Use	C = Minor Conditional Use	C* = Major Conditional Use
Blank = Prohibited		
PUDs and PCDs = Permitted Uses by Development Order Approved by City Council		

	AR	AE	RE	RR10	RR20	RL1	RL2	RL3	RM	RH	RMH	PO	CN	CG1	CG2	CR	M1	M1A	M2	P&I	CONS	PDA	Note
Omitted for Brevity																							
RETAIL & COMMERCIAL																							
Omitted for Brevity																							
Discount Department Store															P								15
Discount Store														P	P								
Drugstore or Pharmacy, General													C	P	P								
Omitted for Brevity																							
Gift and Card Shop													P	P	P								
Grocery Store, Discount														P	P								
Grocery Store, Retail													C	P	P								
Grocery Store, Specialty													C	P	P								
Hardware, Paint, Glass, Wallpaper and Floor covering Store													C	P	P								16
Remainder of Table 21 Omitted for Brevity																							

(j) *Additional standards.* The following standards apply to specific uses as indicated in the "Note" column of Table 21.

(1) – (23) (These subsections shall remain in full force and effect as previously adopted.)

(24) Retail, general. General retail are those establishments engaged in retail sales and rental of products, including apparel for women and men; appliance sales; auto parts store; book stores; business machines and office equipment sales; camera and photography sales and service; candy, nuts, and confectionery sales; department stores; floor covering sales; food stores, excluding convenience stores; furniture stores, hardware and building supply sales; household goods; lawn and garden sales, including lawnmowers; leather goods and luggage stores; liquor and package sales; marine equipment sales, excluding boats and personal water craft; motorcycle sales and parts; music and musical instrument sales; newsstand and cigar sales; optical goods; pet shops; shoe stores; sporting goods; tobacco shops; toy stores; and similar uses as may be determined by the growth management director. Retail, general does not include Discount store uses.

(25) (This subsection shall remain in full force and effect as previously adopted.)

(26) Thrift and used merchandise stores. Thrift and used merchandise stores shall not operate collection, classification, and distribution activities as a principal use. Such activities shall be an accessory use to the retail use. ~~Stores of this nature shall not exceed three thousand (3,000) gross square feet in a CN-zoning district and five thousand (5,000) gross square feet in a CG1 zoning district.~~

(27) – (47) (These subsections shall remain in full force and effect as previously adopted.)

(48) Veterinary office and clinic. Veterinary offices and clinics with kennels and/or overnight boarding facilities shall not be allowed unless soundproofed and approved as a minor conditional use.

a. Veterinary offices and clinics within the PGA Boulevard Corridor Overlay shall comply with the following:

1. Veterinary offices and clinics may be located in a standalone location with a minor conditional use approval pursuant to Sec. 78-158 and shall also be subject to the following criteria:

a) Applicant shall provide hours of operation as part of the application to ensure compatibility with surrounding uses.

b) Shall provide appropriate waste removal measures and/or be connected to a city-approved wastewater treatment facility.

c) Boarding of animals shall be accessory to the primary use.

d) Boarding facilities shall provide staff on site at all times.

e) Soundproofing, additional setbacks, landscaping, and any applicable design considerations to minimize noise, odor, and visual impacts on adjacent properties and/or tenants shall be considered as part of the conditional review process.

f) All operations shall be consistent with Sec. 78-661, Performance standards.

g) Shall be licensed by and comply with all requirements of the Palm Beach County Animal Care and Control Department and Chapter 828, Florida Statutes.

2. Veterinary offices and clinics may be located in an inline commercial shopping center location or professional office building if approved as a major conditional use pursuant to Sec. 78-158 and shall be subject to the following criteria:

a) All criteria listed for the minor conditional use in subsection a.1. above.

b) Shall not be located immediately adjacent to restaurant or food service establishments.

c) Shall only be accessed through an external entrance. Animals are not permitted to access the facility through a common lobby, courtyard, or corridor.

(49) – (79) (these subsections shall remain in full force and effect as previously adopted.)

SECTION 2. Chapter 78. – Land Development of the Code of Ordinances of the City of Palm Beach Gardens, Florida, is hereby amended at Section 78-221. – PGA Boulevard Corridor Overlay. by repealing subsection (c) and readopting same, as revised, and by amending subsection (d); providing that Section 78-221 shall hereafter read as follows:

Sec. 78-221. – PGA Boulevard corridor overlay.

(a) – (b) (These subsections shall remain in full force and effect as previously adopted.)

(c) *Applicability and effects.*

(1) *Applicability.*

a. Standards. The standards contained in this division shall apply to all property which fronts upon or is considered by the city to be functionally oriented to PGA Boulevard. These standards may apply regardless of whether or not a property is primarily accessed via PGA Boulevard or where property may not be accessible via PGA Boulevard.

- b. Existing approvals. While existing development and approvals granted prior to August 18, 1994, are not required to comply with the standards of this division, any major amendments to previous approvals, or any redevelopment shall conform with these regulations.
- c. ~~Affect~~ Effect on nonconformities. Nonconforming buildings, lots, or uses shall be subject to the provisions of the overlay should they seek any expansion or modification, or should they suffer damage in excess of 50 percent of their appraised value.

(2) Boundaries. The PGA Boulevard corridor overlay consists of those lands fronting or abutting PGA Boulevard, including access drives, ~~for a depth of 1,000 feet from the edge of right-of-way,~~ within the city limits.

- a. Planned Unit Developments (PUD). If a ~~portion of a~~ PUD fronts or abuts PGA Boulevard ~~and any portion is within 1,000 feet from the edge of right-of-way,~~ then all parcels within the approved PUD site plan for said PUD shall be included in the overlay regardless of ~~property~~ the depth of the PUD.
- b. Planned Community Developments (PCD). If a ~~All~~ nonresidential components of a PCD that fronts or abuts PGA Boulevard, ~~the nonresidential site plan~~ shall be included within the boundaries of the PGA Boulevard Corridor Overlay regardless of the depth of the ~~parcel~~ site plan.
- c. Nonresidential vegetated areas such as golf courses, buffers, or conservation lands that front or abut PGA Boulevard shall be included within the boundaries of the PGA Boulevard Corridor Overlay for a depth of 55 feet from the edge of right-of-way.

(3) Conflicts. To the extent that any conflicts occur between the standards of the overlay and this chapter or other regulations, the provisions of the overlay shall prevail. Additionally, where provisions of this overlay are not in conflict with other regulations, that which is more strict shall prevail.

(d) *Site development guidelines.*

(1) District uses.

- a. Application. The city wishes to continue to preserve and promote the unique character of the PGA Boulevard corridor, and to this end some uses shall be prohibited within the overlay which might be permitted in other zoning districts which are not subject to the overlay.
- b. Permitted and prohibited uses. Those uses permitted, conditionally permitted, and prohibited within the PGA Boulevard corridor overlay are listed below:
 - 1. Permitted uses shall consist of the following:
 - (i) *Cultural, entertainment, and recreational uses: private club or lodge*;* public park; and theater** (500-seat max.)

- (ii) *Office uses:* medical or dental office, clinic or supply sales; optician or optometrist office; veterinary office or clinic (stand-alone)*; veterinary office or clinic (inline commercial shopping center or professional office building)**; and professional and business office.
- (iii) *Personal services that are not wholesale or discount in nature:* bank/financial institution (drive-thru lanes shall not face PGA Boulevard); banquet facility*; beauty barber/beauty shops/salon (excluding stand-alone nail salons); catering service*; commercial marinas (waterfront only); convenience stores with gas sales and auto service stations that existed prior to September 20, 2006***; day massage therapist/spa; dry cleaning (pick-up and drop-off only); health, physical fitness, and weight reduction, and spa**; medical spa; pet grooming shop (no overnight boarding); photo studio and processing; picture framing; studio* (instructional or professional); and travel agency.
- (iv) *Public and institutional facilities:* ~~churches and places of worship~~ place of assembly (100 seats or less), place of assembly (101 to 500 seats*), place of assembly (501 or more seats)**; college or university, public or private**; governmental uses; hospital, public or private**; off-campus emergency department**; post office**; and schools, public or private**.
- (v) *Research and light industrial uses:* laboratory** (general, dental, or medical, or industrial research and development); minor utilities and accessory uses; self-storage**; and passenger and transit stations**.
- (vi) *Residential uses:* hotel; multifamily dwelling; and single-family dwelling.
- (vii) *Specialty retail uses that are not wholesale or discount in nature:* antique shop; appliance and/or electronics store; art gallery, museum, and/or studio; bakery; bookstore; bridal/formalwear store; camera and photography sales and service; candy, nuts, and confectionary sales; card store; clothing store; department store (specialty or full line); drug store (drive-thru lanes shall not face be visible from PGA Boulevard); ~~provided stand-alone drug stores do not front upon PGA Boulevard~~; floral or florist shop; furniture store; gift shop; grocery store (specialty); ice cream shop; interior design (including sales); houseware sales; jewelry store (including repair of jewelry and clocks); leather goods and luggage store; microbrewery/craft brewery/brew pub**; music and musical instrument sales; news and magazine sales; office equipment sales; optical retail sales; specialty pet boarding**; pottery shop; restaurant (no drive-thru; no exterior take-out windows); shoe store; sporting goods sales; telecommunication equipment sales (for personal use only); tobacco shop; and toy store.

* Minor conditional use approval required.

** Major conditional use approval required.

~~Note: The conditional use criteria and additional standards for specific uses established in this chapter shall apply to the uses established above. All conditional uses are subject to and must satisfy the criteria set forth at Sec. 78-159, as well as any additional standards applicable to specific uses as set forth herein.~~

*** A convenience store with gas sales or an auto service station that existed prior to September 20, 2006, shall be permitted to expand its size provided the expansion does not result in more than a one percent traffic impact or an expansion of the existing land area of the site. Further, an auto service station shall be permitted to change its use to convenience store with gas sales.

2. A use not listed in paragraph 1 but possessing similar characteristics as defined in subsection 78-159(f) may be established upon approval by the growth management director. Appeals to such determinations shall be made to the planning, zoning, and appeals board.
3. The following uses are prohibited:
 - (i) Any use not listed as a permitted use, minor conditional use, or major conditional use in [subsection] 1. above.
 - (ii) Any use not recognized as a similar use as provided in [subsection] 2. above.
 - (iii) Any use not listed as a permitted use, minor conditional use, or major conditional use in the underlying zoning district.
 - (iv) By example, but without limitation, any of the following uses: Auto, recreational vehicle, truck, and similar vehicle sales, storage, and repair; Grocery store, discount; electric automobile showroom; membership club, retail or wholesale; wholesale, discount store*, including consignment, thrift, seasonal, and outlet stores; self-storage buildings that directly front upon PGA Boulevard; outdoor self-storage; stores having a tenant space equal to or greater than 40,000 gross square feet; single-entity retail establishments, unless otherwise provided in this division; intense commercial and industrial activities characteristic of the CG-2 and M-2 districts; mobile home parks; drive-in facilities unless as an accessory use to a bank or drug store; and night clubs, bars, and lounges as defined in section 78-751.

* as determined by the Growth Management Director (pursuant to the PGA Boulevard Discount Use Determination Guidelines).

4. This section shall not be construed or held to affect the rights of (1) any existing established business, its successors, or assigns, to continue in a use or structure that may otherwise become a legal nonconformity as a result of the passage of Ordinance 18, 2004, Ordinance 25, 2006, or Ordinance 29, 2007, or (2) any use specifically approved by a development order granted by the City prior to the effective date of Ordinance 18, 2004, Ordinance 25, 2006, or Ordinance 29, 2007.

c. – g. (These subsections shall remain in full force and effect as previously adopted.)

(2) Special regulations. The city's comprehensive plan establishes special regulations to guide the growth, development and redevelopment of the city. These regulations, pertaining to minimum size, gross density, and rezoning requirements, apply to properties within the PGA Boulevard corridor overlay. Development shall only be permitted within the overlay consistent with the objectives and policies of the comprehensive plan.

(3) Parkway. The portion of PGA Boulevard located between Central Boulevard and the Beeline Highway has been designated a parkway in the comprehensive plan and on the future land use map. ~~The PGA Boulevard parkway shall have a minimum right-of-way/easement requirement of 400 feet. This right-of-way/easement shall be reserved by the abutting landowner or dedicated to the city within the overlay district. Within this right-of-way/easement sidewalks and pathways shall be provided. These pedestrian and bike facilities shall be provided as components of the city's linkage plan, as described in section 78-231.~~

(4) Special front setback requirements.

a. Consistent with subsection I herein, all lands west of Prosperity Farms Road having frontage on PGA Boulevard shall be subject to the special front setback requirements listed below.

1. Structures and paved areas for motor vehicles, other than for ingress and egress, shall not be installed or constructed within 55 feet of the road right-of-way or future expanded right-of-way, whichever is greater. This requirement may be varied by the city council to allow for art in public places, transit stops, pedestrian amenities such as meandering sidewalks, kiosks, or signage within the setback, and outdoor seating with or without service for restaurants. Outdoor seating for restaurants shall be located north of the public sidewalk on the north side of PGA Boulevard and south of the public sidewalk on the south side of PGA Boulevard. At no time shall outdoor seating for restaurants encumber the public sidewalk.

2. The entire area within the required front setback shall be fully grassed and landscaped consistent with the requirements of division 8 of article V.

3. ~~Within the 400-foot parkway portion of the corridor, if a greenbelt area at least 55 feet in width is provided, the 55-foot special setback shall not apply. Projects 3 acres or less in size may request to waive this requirement with approval by the city council pursuant to Sec. 78-158.~~

(e) – (k) (These subsections shall remain in full force and effect as previously adopted.)

SECTION 3. Chapter 78. – Land Development of the Code of Ordinances of the City of Palm Beach Gardens, Florida, is hereby amended at Section 78-751. – Definitions. by repealing, adopting, and amending certain definitions set forth hereinbelow; providing that such definitions shall hereafter read as follows and shall be inserted into Section 78-751 in alphabetical order:

Sec. 78-751. – Definitions.

The following words, terms and phrases, when used in these land development regulations, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning:

~~*Department store* means an establishment which sells a wide range of goods and services to the public, including but not necessarily limited to apparel, household and major appliances, linens, china and other household items, consumer electronics items, furniture, jewelry, shoes, sporting goods, specialty food items, travel services, optometrist services and eyeglasses, entertainment event ticketing, and other similar goods and services, and where the following conditions generally are present:~~

- ~~(1) Sales are conducted within a single building or accessory structure to a single building;~~
- ~~(2) Floor areas are divided into departments according to category of merchandise being sold;~~
- ~~(3) Salespersons are employed to enter sales into cash registers and to assist the public within each department; and~~
- ~~(4) The cash registers or actual points of sale are distributed throughout the store, usually with one or more points of sale within each individual merchandise department.~~

Department store means a large-format retail establishment that sells a wide range of merchandise, which often includes national, premium, or designer brand items, across multiple departments with multiple points of sale. Department stores are characterized by partitioned floor plans and decorative, finished interior construction, which typically conceal structural and mechanical systems, and typically utilize high quality merchandise displays.

~~*Discount department store* means an establishment which sells a wide range of goods and services to the public at prices which are typically below retail, including but not necessarily limited to apparel, household and major appliances, linens, china and other household items, consumer electronics items, furniture, jewelry, shoes, packaged food and beverage items, small tools, paint and hardware items, sporting goods, travel services, optometrist services and eyeglasses, and other similar goods and services, and where at least four of the following six conditions are present:~~

- ~~(1) Sales are conducted within a single building or accessory structure to a single building;~~
- ~~(2) Floor areas are divided into departments according to category of merchandise being sold;~~

- 1 ~~(3) Shopping carts are provided for customer use in carrying merchandise in the store;~~
 2 ~~(4) Merchandise is arranged predominantly in aisles to aid customers' use of shopping~~
 3 ~~carts;~~
 4 ~~(5) Customer shopping is self-service (i.e., salespersons are not employed or are~~
 5 ~~limited to only a few departments such as consumer electronics or jewelry); and~~
 6 ~~(6) The actual point of sale is via cash registers located at a centralized facility typically~~
 7 ~~located near the exit doors at the front of the store, where the customer brings~~
 8 ~~merchandise for the sales transaction.~~

9
 10 Discount department store means a large-format retail establishment that sells a
 11 wide range of merchandise, across multiple departments, at prices that are below typical
 12 retail prices and may be marketed to emphasize the discount nature of the store. Discount
 13 department stores are characterized by open (or minimally partitioned) floorplans with
 14 limited interior finishings, which may include exposed structural and mechanical systems,
 15 and typically one centralized point of sale area, provide for the use of shopping carts, and
 16 may display merchandise in its original box/packaging on the shelf or on pallets.

17
 18 Discount store means a retail establishment that generally sells merchandise at
 19 prices that are below typical retail and may include discount department stores, discount
 20 grocery stores, fixed-price retail stores, outlet or clearance stores, and thrift and used
 21 merchandise stores.

22
 23 Fixed-price retail store means a retail establishment that sells merchandise at
 24 prices that are typically below retail using a restricted price (or price range) format.

25
 26 Grocery store, discount means a retail establishment that sells grocery items,
 27 which often include store-brand items, at prices that are typically below retail and are
 28 often marketed to emphasize the discount nature of the store. Discount grocery stores
 29 are characterized by limited (or no) on-site food preparation and limited (or no) specialty
 30 departments and may display merchandise in its original box/packaging on the shelf or
 31 on pallets.

32
 33 Grocery store, specialty means a retail establishment that sells a limited variety of
 34 grocery items, which are characterized by specialty or unique goods such as fresh foods,
 35 wine/liquor selection, floral, and market-style goods, with a small-scale building footprint
 36 of less than 30,000 square feet.

37
 38 Outlet or clearance store means a retail establishment, which may be affiliated with
 39 a brand-name manufacturer or retailer, that sells overstocked, discontinued, obsolete,
 40 damaged, or irregular goods at prices that are typically below retail.

41
 42 Temporary or seasonal store means a retail establishment that operates on a
 43 temporary or seasonal basis, which typically occupies a vacant commercial space.
 44
 45
 46

1 *Thrift and used merchandise store* means a retail establishment, ~~including which~~
2 ~~may include a flea market, or estate sale store, which sells ordinary used, or secondhand,~~
3 ~~or junk merchandise, including but not limited to vehicular or marine engine and body~~
4 ~~parts, books, clothes, electronic and mechanical equipment and parts, furniture,~~
5 ~~household goods, jewelry, shoes, tools of all kinds, toys, and similar goods that are is~~
6 ~~donated, purchased or otherwise acquired for resale.~~

7
8 **SECTION 4.** All ordinances or parts of ordinances in conflict be and the same are
9 hereby repealed.

10
11 **SECTION 5.** Should any section or provision of this Ordinance or any portion
12 thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction
13 to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

14
15 **SECTION 6.** Specific authority is hereby granted to codify this Ordinance.

16
17 **SECTION 7.** This Ordinance shall become effective immediately upon adoption.

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21 (The remainder of this page is intentionally left blank.)
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PASSED this ____ day of _____, 2026, upon first reading.

PASSED AND ADOPTED this ____ day of _____, 2026, upon second and final reading.

CITY OF PALM BEACH GARDENS	FOR	AGAINST	ABSENT
BY: _____	_____	_____	_____
Dana P. Middleton, Mayor			
_____	_____	_____	_____
John D. Kemp, Vice Mayor			
_____	_____	_____	_____
Marcie Tinsley, Councilmember			
_____	_____	_____	_____
Robert G. Premuroso, Councilmember			
_____	_____	_____	_____
Rachelle A. Litt, Councilmember			

ATTEST:

BY: _____
Patricia Snider, CMC, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
R. Max Lohman, City Attorney

