

County Administrator: Robert Weisman

# BOARD OF COUNTY COMMISSIONERS ZONING MEETING

# AMENDMENTS TO THE AGENDA DECEMBER 1, 2011

#### AGENDA ITEM # (PAGE #)D

# APPLICATION/CHANGE

#### AMENDMENTS

7. (75-103)

DOA-2011-1735 (Control 1993-039) **Cameron Park PUD** 

# Amend Engineering Condition 8 to read as follows:

8. ... Is hereby amended to read:

this fill material. (DATE:MONITORING-Eng)

The property owner shall:

8.a. Prior to December 31, 2013 or within ninety (90) days of written notification by the County Engineer, whichever shall occur first, convey to PBC sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved/ by the County Engineer (CE), to provide legal positive outfall (LPO) for runoff from those segments of Sims Road along the property frontage; and a max. of 800 feet of these adjacent roadway(s). The limits of this additional 800 feet and final location of the easement of drainage shall be determined by the CE. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of LPO. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up. The drainage system within the project shall have sufficient retention/detention, Compensating storage within this projects retention system as required by all permitting agencies, and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the SFWMD, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the CE the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the CE. Elevation and location of the entire drainage system shall be approved by the CE. Any and all excess fill material from excavation by PBC within said easements shall become the property of PBC which at its discretion may use this fill material. (DATE/ONGOING:MONITORING-Eng)

8.b. Prior to issuance of the first Certificate of Occupancy, design, permit, construct and receive a satisfactory final inspection from PBC for the ultimate roadway drainage system within the right of way of Sims Road, along the project frontage, as required by the County Engineer. (CO:MONITORING-Eng)

8.c As an alternate to 8.b, the property owner may provide a payment to the Palm Beach County Land Development Division in the amount of 110% of an acceptable Cost Estimate certified by the property owner's engineer to cover the County's costs for design, permitting, construction and inspection of the ultimate roadway drainage system within the right of way of Sims Road. If this option is chosen, payment shall be made prior to issuance of the first Certificate of Occupancy. (CO:MONITORING-Eng) 9. (116-133) EAC-2011-1988 Ospre (Control 2005-058)

Osprey Oaks Parcel #2

Amend Engineering Condition 1 is hereby <u>deleted</u> : [REASON: A build out date is not required]

10. (134-151) EAC-2011-1989 Osprey Oaks Parcel #3 (Control 2005-059)

Amend Engineering Condition 1 is hereby <u>deleted</u> : [REASON: A build out date is not required]

11. (152-169) EAC-2011-1990 Osprey Oaks Parcel #4 (Control 2005-060)

Amend Engineering Condition 1 is hereby <u>deleted</u> : [REASON: A build out date is not required]

12. (170-187) EAC-2011-1991 (Control 2005-061) Osprey Oaks Parcel #5

Amend Engineering Condition 1 is hereby <u>deleted</u> : [REASON: A build out date is not required]

18. Request for Permission to Advertise – Unified Land Development Code (ULDC) – Amendment Round 2011-01

(page 379) Amend Exhibit H, Criteria for Rezoning - lines 23-25, as follows\*:

E. <u>Exemptions/Applicability</u> Exceptions for Prior Approvals

Any application for a Development Order that requires Public Hearing approval, excluding Status Reports, EAC, Class B Conditional Uses, or Type II Variances, and prior Special Exception or Conditional Use for or DOA to a prior approval corresponding to a Planned Unit Development (PUD), are not required to rezone. Other prior Special Exceptions for Planned Developments such as PCD, PCND, PGCD, POBP or PID, are encouraged but not required to rezone when submitting an application for amendment to the prior approval include a concurrent shall be accompanied by an application to rezone to a current Zoning district. Any application for a Development Order to any of the prior approvals listed herein that does not exceed the threshold requiring rezoning shall comply with the applicable requirements of the corresponding district, except for any information permitted to be carried forward from a prior approval. **[Ord. 2011-016]** 

11/30/2011 3:57 PM

<sup>\* &</sup>lt;u>Double underlined</u> indicates new text or previously stricken text to remain.

Double Stricken indicates text to be deleted. .... Indicates language omitted to save space.

**Board of County Commissioners** 

**County Administrator** 

Robert Weisman



Department of Planning, Zoning & Building

2300 N. Jog Road West Palm Beach, FL 33411 Phone: 561-233-5200 Fax: 561-233-5165

# BOARD OF COUNTY COMMISSIONERS ZONING MEETING

# THURSDAY DECEMBER 1, 20119:30 A.M.6TH FLOORJANE M. THOMPSON MEMORIAL CHAMBERS

# CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

# POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

**CONSENT AGENDA** 

# **REGULAR AGENDA**

DIRECTOR COMMENTS

# **COMMISSIONER COMMENTS**

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

# AGENDA PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

# **DECEMBER 1, 2011**

# CALL TO ORDER

- A. Roll Call 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication Motion to receive and file
- D. Swearing In County Attorney
- E. Motion to Adopt Agenda

# POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. POSTPONEMENTS
- B. REMANDS
- C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

#### CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

#### B. DISCLOSURES FOR THE CONSENT ITEMS

#### C. STATUS REPORTS - NEW

 CTR-1973-00008-1 Status Report for Resolution R-2008-0689 (Control No. 1973-008). <u>Property Owner:</u> Latham Road Commerce Ctr Inc <u>General Location:</u> Southeast corner of Latham Road and Old Okeechobee Road <u>Current Zoning:</u> IL (Old Okeechobee Industrial)

Pages: 1 - 5 Size: 6.68 acres +

BCC District: 2

**MOTION:** To approve a one-year time extension, from September 3, 2011, to September 3, 2012, to comply with Condition Numbers ENG.1 and ENG.2 of Resolution No. 2008-0689.

 STR-1974-00126-1 Status Report for Resolutions R-1989-0717 and R-2000-1945 (Control No. 1974-0126). <u>Property Owner:</u> Gun Club Subsidary, LLC and Gun Club Shopping Center, LLC <u>General Location:</u> northwest corner of Gun Club Road,anf Military Trail <u>Current Zoning:</u> Urban Center (UC) (Gun Club Center)

Pages: 6 - 9 Size: 18.50 acres <u>+</u>

BCC District: 2

**MOTION:** To adopt a resolution to revoke the Day Care use granted by Resolution R1989-717 and to delete conditions D. 1 and D.2 from Resolution R-2000-1945.

STR-1981-00170-1 Status Report for Resolution R-2008-1387 (Control No. 1981-170). <u>Property Owner:</u> Achva Vahava LLC <u>General Location:</u> southwest corner of Powerline Road and Boca Grove Boulevard <u>Current Zoning:</u> CS/SE (Boca Grove Centre)

Pages: 10 - 14 Size: 0.45 acres <u>+</u>

BCC District: 5

**MOTION:** To approve: 1) three year time extension, from August 28, 2011 to August 28, 2014, to commence development, and 2) adopt a resolution to amend conditions of approval.

4. STR-2007-00407-1 Status Report for Resolution R-2008-1356(Control No. 2007-0407). <u>Property Owner:</u> Jomar Florida Enterprises, LLC <u>General Location:</u> Northwest corner of Military Trail and Forest Hill Blvd <u>Current Zoning:</u> CG (1747 South Militiary Trail)

Pages: 15 - 18 Size: 0.46 acres <u>+</u>

BCC District: 2

**MOTION:** To adopt a resolution to revoke Resolution R-2008-1356.

# D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

# E. ZONING APPLICATIONS - NEW

5. PDD-2011-01175 <u>Title:</u> an Official Zoning Map Amendment to a Planned Development District (PDD) application of Minto Communities LLC by Land Design South Inc., Agent. <u>Request:</u> to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District <u>General Location:</u> Approximately 1,300 feet south of the West Palmetto Park Road and Riverside Drive Intersection ( Boca Reserve PUD) (Control 2011-00244)

Pages: 19 - 53 Conditions of Approval (34 - 37) Project Manager: Joyce Lawrence Size: 18.92 acres <u>+</u>

BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 19 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 9-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District (PDD) to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

6. Z-2011-01191 <u>Title:</u> an Official Zoning Map Amendment application of Heber Docampo by Jim Spagnoli, Agent. <u>Request:</u> to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to General Commercial (CG) Zoning District

<u>General Location:</u> Approximately 500 feet east of Indian Road on the north side of Westgate Avenue (**Do Campo**) (Control 1994-00094)

Pages: 54 - 74 Conditions of Approval (66 - 66) Project Manager: Douglas Robinson Size: 0.28 acres <u>+</u>

BCC District: 2

<u>Staff Recommendation:</u> Staff recommends approval of the request with a Conditonal Overlay Zone subject to 3 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approve: 9-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment rezoning from the Neighborhood Commercial (CN) Zoning District to General Commercial (CG) Zoning District with a Conditional Overlay Zone subject to Conditions of Approval as indicated in Exhibit C.

 DOA-2011-01735 <u>Title:</u> a Development Order Amendment application of Api Cameron Park Llc by Charles Putman & Associates, Agent. <u>Request:</u> to delete land area and reconfigure the Master Plan.

<u>General Location:</u> Southwest corner of Atlantic Avenue & Sims Road extension **(Cameron Park PUD)** (Control 1993-00039)

Pages: 75 - 103 Conditions of Approval (88 - 96) Project Manager: David McGuire Size: 40.55 acres <u>+</u> (affected area 39.75 acres +)

BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request, subject to 42 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approve: 9-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to delete land area and reconfigure the Master Plan subject to the Conditions of Approval as indicated in Exhibit C.

 Z-2011-01736 <u>Title:</u> an Official Zoning Map Amendment application of Nicole Smith by Lake Worth Drainage District, Agent. <u>Request:</u> to allow a rezoning from the Residential Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ) <u>General Location:</u> Southwest corner of Atlantic Avenue & Sims Road extension (Lake Worth Drainage District Canal E-3) (Control 2011-00332)

Pages: 104 - 115 Conditions of Approval (114 - 114) Project Manager: David McGuire Size: 1.80 acres +

BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 3 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approve: 9-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

 EAC-2011-01988 <u>Title:</u> an Expedited Application Consideration application of Br Osprey Acquisition Llc by JKM Developers, Agent. <u>Request:</u> to delete a Condition of Approval (Engineering)

<u>General Location:</u> SE corner of Jog Road and Hypoluxo Road with frontage on Western Way (Osprey Oaks Parcel #2) (Control 2005-00058)

Pages: 116 - 133 Conditions of Approval (127 - 128) Project Manager: David McGuire Size: 4.85 acres <u>+</u>

BCC District: 3

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete an Engineering Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C.

 EAC-2011-01989 <u>Title:</u> an Expedited Application Consideration application of Br Osprey Acquisition Llc by JKM Developers, Agent. <u>Request:</u> to delete a Condition of Approval (Engineering) <u>General Location:</u> SE corner of Jog Road and Hypoluxo Road with frontage on

<u>General Location:</u> SE corner of Jog Road and Hypoluxo Road with frontage on Western Way. (Osprey Oaks Parcel #3) (Control 2005-00059)

Pages: 134 - 151 Conditions of Approval (145 - 146) Project Manager: David McGuire Size: 7.27 acres <u>+</u>

BCC District: 3

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete an Engineering Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C.

**11.** EAC-2011-01990 <u>Title:</u> an Expedited Application Consideration application of Br Osprey Acquisition Llc by JKM Developers, Agent. <u>Request:</u> to delete a Condition of Approval (Engineering)

<u>General Location:</u> SE corner of Jog Road and Hypoluxo Road with frontage on Western Way. **(Osprey Oaks Parcel #4)** (Control 2005-00060)

Pages: 152 - 169 Conditions of Approval (163 - 164) Project Manager: David McGuire Size: 5.02 acres <u>+</u>

BCC District: 3

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete an Engineering Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C.

 EAC-2011-01991 <u>Title:</u> an Expedited Application Consideration application of Br Osprey Acquisition Llc by JKM Developers, Agent. <u>Request:</u> to delete a Condition of Approval (Engineering)

<u>General Location:</u> SE corner of Jog Road and Hypoluxo Road with frontage on Western Way. **(Osprey Oaks Parcel #5)** (Control 2005-00061)

Pages: 170 - 187 Conditions of Approval (181 - 182) Project Manager: David McGuire Size: 4.92 acres <u>+</u>

BCC District: 3

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete an Engineering Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C.

**13.** EAC/ABN-2011-01745 <u>Title:</u> an Expedited Application Consideration application of David Pollow by Land Design South Inc., Agent. <u>Request:</u> to delete a Condition of Approval (Use Limitation)

<u>Title:</u> a Development Order Abandonment of David Pollow by Land Design South Inc., Agent. <u>Request:</u> to abandon the auto service station (no major repairs - auto lube) approved in Resolution R-1989-1631

<u>General Location:</u> Southwest corner of Forest Hill Blvd and Military Trail (Sears Plaza) (Control 1977-00079)

Pages: 188 - 205 Conditions of Approval (199 - 201) Project Manager: David McGuire Size: 12.79 acres +

#### BCC District: 2

<u>Staff Recommendation:</u> Staff recommends approval of the Expedited Application Consideration subject to 45 Conditions of Approval as indicated in Exhibit C and approval of the Development Order Abandonment.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete a Condition of Approval (Use Limitation) subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon the auto service station (no major repairs - auto lube) approved in Resolution R-1989-1631.

14. EAC-2011-01734 <u>Title:</u> an Expedited Application Consideration application of Canyon Lakes Hmownrs Assn Inc by Canyon Lakes HOA, Agent. <u>Request:</u> to amend a Condition of Approval (Planning)
Constraint Leastion: South of Pownton Posch Plud cost of and adjacent to Lyona

<u>General Location:</u> South of Boynton Beach Blvd. east of and adjacent to Lyons Road (Fogg Property North PUD) (Control 2002-00067)

Pages: 206 - 241 Conditions of Approval (222 - 236) Project Manager: Donna Adelsperger Size: 3.97 acres <u>+</u>

BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 77 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Expedited Application to modify a Condition of Approval (Planning) subject to the Conditions of Approval as indicted in Exhibit C.

15. DOA/W-2011-01739 <u>Title:</u> a Development Order Amendment application of Boynton Beach XIX Corp General Partner, Boynton Beach Associates XIX LLLP by G.L. Homes, Agent. <u>Request:</u> to reconfigure the Master Plan to delete land area, units, and access point

<u>Title:</u> a Waiver of Boynton Beach XIX Corp General Partner, Boynton Beach Associates XIX LLLP by G.L. Homes, Agent. <u>Request:</u> to allow an increase of streets allowed to terminate in a cul-de-sac

<u>General Location:</u> Between Lyons Road and SR7/US441, south of Boynton Beach Boulevard (Lyons West AGR PUD) (Control 2005-00003)

Pages: 242 - 297 Conditions of Approval (265 - 276) Project Manager: Carol Glasser Size: 1,061.07 acres <u>+</u> (affected area 1,043.07 acres +)

BCC District: 6

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 48 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 9-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan to delete land area, units, and an access point subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Waiver to allow an increase of streets allowed to terminate in a cul-de-sac.

MOTION: To approve the Partial Release of a Conservation Easement as indicated in Exhibit E.

16. Z-2011-01738 <u>Title:</u> an Official Zoning Map Amendment application of Boynton Beach Associates XXIV LLLP, Boynton Beach XXIV Corp General Partner by G.L. Homes, Agent. <u>Request:</u> to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District

<u>General Location:</u> West side of SR7/US441, South of West Atlantic Avenue (Hyder **Preserve**) (Control 2011-00340)

Pages: 298 - 313 Project Manager: Carol Glasser Size: 18.00 acres <u>+</u>

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

Zoning Commission Recommendation: Approve: 9-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District.

# F. CORRECTIVE RESOLUTIONS

#### G. ABANDONMENTS

# END OF CONSENT AGENDA

# **REGULAR AGENDA**

- A. ITEMS PULLED FROM CONSENT
- B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA
- C. PUBLIC OWNERSHIP ZONING DISTRICT DEVIATIONS
- D. PREVIOUSLY POSTPONED STATUS REPORTS
- E. STATUS REPORTS NEW
- F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS
- G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

#### H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

17. DOA/R-2011-00939 <u>Title:</u> a Development Order Amendment application of Mission Lakes II LLC, Mission Lakes I LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to reconfigure the Site Plan and increase square footage; modify Conditions of Approval (Architectural Review, Landscape, Signs); and, re-start the Commencement of Development Clock <u>Title:</u> a Requested Use of Mission Lakes II LLC, Mission Lakes I LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a Type I Restaurant <u>General Location:</u> Northeast corner of Lantana Road and SR7/US441 (Mission Lakes MUPD) (Control 2003-00007)

Pages: 314 - 365 Conditions of Approval (333 - 349) Project Manager: Carol Glasser Size: 37.85 acres <u>+</u> (affected area 7.24 acres +)

BCC District: 2

DISCLOSURE

<u>Staff Recommendation:</u> Staff recommends approval of the Development Order Amendment subject to 86 Conditions of Approval as indicated in Exhibit C-1; and, approval of the Requested use subject to 4 Conditions of Approval as indicated in Exhibit C-2. [The applicant withdrew the request to amend Architectural Review 4 on November 7, 2011.]

Zoning Commission Recommendation: Approved 8-1

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and increase square footage; modify Conditions of Approval (Architectural Review 1, Landscape, Signs), and restart of the Commencement of Development Clock subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Requested Use to allow a Type 1 Restaurant subject to the Conditions of Approval as indicated in Exhibit C-2.

#### I. ZONING APPLICATIONS - NEW

#### J. ULDC AMENDMENTS

# **18.** TITLE: REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2011-02

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 5, 2012.

Pages: 366 - 394

#### REGULAR AGENDA

MOTION: MOTION: To approve on preliminary reading and advertise for First Reading on January 5, 2012: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AND 03-070, AS ARTICLE 1 - DEFINITIONS AND ACRONYMS; AMENDED, AS FOLLOWS: CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER Β. PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 -OVERLAYS AND ZONING DISTRICTS; CHAPTER A, GENERAL; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS; ARTICLE 4 - USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5 - SUPPLEMENTARY STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; ARTICLE 9 - ARCHAELOGICAL AND HISTORIC PRESERVATION; HISTORIC PRESERVATION PROCEDURES; CHAPTER Β. ARTICLE 11 -SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS: CHAPTER Α. GENERAL REQUIREMENTS; ARTICLE 13 -IMPACT FEES; CHAPTER Α, GENERAL: ARTICLE 14 -ENVIRONMENTAL STANDARDS; CHAPTER B WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; MINIMUM **STANDARDS** FOR SEWER PIPE APPENDIX 5, FITTINGS; INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN PROVIDING FOR: CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

# K. COMPREHENSIVE PLAN TEXT AMENDMENTS

# L. OTHER ITEMS

# **19.** Title: Capital Improvements Annual Tables Update

The proposed ordinance is the annual update of the capital improvements tables, as required by Florida Statute. The tables reflect the County's five-year Capital Improvement Program, and the ordinance is proceeding separately from the 11-2 Round of Comprehensive Plan amendments that were heard in October.

Pages: 395 - 441

**MOTION:** To adopt an Ordinance to update the five-year capital improvements schedule tables.

#### 20. TITLE: Five Year Road Program Ordinance

SUMMARY: In accordance with Traffic Performance Standards, Article 12, Chapter N, Section 5 of the present Unified Land Development Code requires that concurrent with the adoption of the annual Program, the Board of County Commissioners (Board) must determine that the Findings of Fact (Findings) have been made. The Findings have been made and are defined in Attachment -1-. This is the annual update of the County's Program which is required to be considered each year by the Program Ordinance. On November 15, 2011, the Board continued the approval of this Ordinance. Exhibit -A- to the Ordinance contains the road projects to be undertaken by the County in the next five years.

Pages: 242 - 454

**MOTION:** A) determine that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan (Plan) and that fewer than 20% of the FY 2010 construction projects are more than 12 months behind schedule as defined in Attachment -1-; and

B) adopt a Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Program; providing for title; purpose; adoption of revised Program and revised list of projects contained in Exhibit -A-; implementation of the plan; modification of plan; funding of other roadway improvements, interpretation of exhibit; repeal of Laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date.

# END OF REGULAR AGENDA

#### DIRECTOR COMMENTS

- A. EXECUTIVE DIRECTOR
- **B. COUNTY ATTORNEY**

# C. PLANNING DIRECTOR

**21.** Commercial Low 65,000 sq ft Tenant Size Limitation Discussion (Sluggett Property)

Pages: 455 - 463

#### D. ZONING DIRECTOR

#### **COMMISSIONER COMMENTS**

# ADJOURNMENT