



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
DECEMBER 5, 2012**

<u>AGENDA ITEM #</u>	<u>APPLICATION/CHANGE</u>
<u>(PAGE #)</u>	

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT AGENDA

REGULAR AGENDA

AMENDMENTS AND ADDITIONS

4. (108-142)	ZV/DOA/R-2012-01256 (Control 2008-00243)	HYPOLUXO SHOPPES
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Amend LANDSCAPE - GENERAL Condition 6 of Exhibit C-2 to read as follows:

6. The landscape buffer along the southwest property line (south of the entrance with frontage on High Ridge Road) shall be upgraded to include:

- a. ~~a minimum width of thirty (30) foot wide~~; one (1) canopy tree at each twenty (20) linear feet on center of the property line to be planted at 14 feet in height; ~~Trees are to be staggered on either side of the wall;~~
- b-e. palms or pine in group of five (5), in staggered height at eight (8) to twelve (12) feet.; Palms and pine shall be planted at each forty (40) feet between groups; ~~on either side of the wall;~~ and
- c. small, medium and large shrubs shall be in accordance with Code requirements. (BLDG PERMIT: LANDSCAPE - Zoning)

ULDC AMENDMENTS

AMENDMENTS AND ADDITIONS

7. (186-246)	Request for Permission to Advertise – Unified Land Development Code (ULDC) – Amendment Round 2012-02
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(Pages 244-245) Amend Exhibit N, Recycling Uses – lines 56 [pg. 244] and 1-3 [pg. 245], Part 11 as follows*:

104. Recycling Drop-Off Bin

....
f. Signage

....
3) Content

.... No additional content other than logos, clarification of materials to be collected for recycling, or direction signage identifying the bin shall be permitted, including any philanthropic contributions or activities of the owner or operator.

(Page 245) Amend Exhibit N, Recycling Uses – line 23, Part 11 as follows*:

104. Recycling Drop-Off Bin

....

I. Approval Process

If there is no DRO certified site plan on file with the Zoning Division, a Special Permit shall be required. [Relocated from Art. 4.B.1.A.104, Recycling Drop-Off Bin]

- * Double underlined indicates new text or previously stricken text to remain.
- ~~Double Stricken~~ indicates text to be ~~deleted~~.
- Italized* indicates relocated language.
- Indicates language omitted to save space.



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

WEDNESDAY DECEMBER 5, 2012

1:30 P.M. 6TH FLOOR

JANE 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 5, 2012

CALL TO ORDER

- A. Roll Call - 1:30 P.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

1. **ZV/CA-2012-01258** Title: a Type II Variance - Concurrent application of Rocker Real Estate Inc by Land Design South Inc., Agent. Request: to allow 100% easement overlap in a right-of-way buffer and to allow extended hours of operation for a commercial property adjacent to a residential property

Title: a Class A Conditional Use of Rocker Real Estate Inc by Land Design South Inc., Agent. Request: to allow a Type I Restaurant

General Location: Approximately 800 feet east of Congress Avenue on the north side of Northlake Boulevard (**South Gardens Donuts**) (Control 1985-00027)

Pages: 1 - 1

Project Manager: Carol Glasser

Size: 0.60 acres ±

BCC District: 1

Staff Recommendation: To postpone to Thursday January 3, 2013.

MOTION: To postpone to Thursday, January 3, 2013.

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

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

- 2. **W/DOA-2012-01838** Title: a Waiver application of Boca Raton Associates VI LLLP by G.L. Homes, Agent. Request: to allow an increase in the number of cul-de-sacs

Title: a Development Order Amendment of Boca Raton Associates VI LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan, delete units; and, modify Conditions of Approval (Planning)

General Location: Approximately 1.5 miles south of W. Atlantic Avenue on the east side of Lyons Road (**Bridges AGR PUD**) (Control 2004-00250)

Pages: 2 - 38

Conditions of Approval (25 - 32)

Project Manager: Carol Glasser

Size: 722.53 acres ±

BCC District: 5

(affected area 299.07 acres ±)

Staff Recommendation: Staff recommends approval of the Waiver; and, approval of the Development Order Amendment subject to 37 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 8-0

MOTION: To adopt a resolution approving a Waiver to allow an increase in the number of cul-de-sacs.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, delete units; and, modify Conditions of Approval (Planning) subject to the Conditions of Approval as indicated in Exhibit C.

3. **ZV/DOA-2012-00985** Title: a Development Order Amendment application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Preliminary Site Plan, to add an access point, and modify a Condition of Approval (Signage)

General Location: Southeast corner of Frank Street and Okeechobee Blvd (**Palm Beach Market Place**) (Control 1988-00029)

Pages: 39 - 63

Conditions of Approval (55 - 59)

Project Manager: Wendy Hernandez

Size: 5.84 acres ±

BCC District: 2

Staff Recommendation: Staff Recommends approval of the request subject to 23 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 8-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Preliminary Site Plan, to add an access point, and modify a Condition of Approval (Signage) subject to the Conditions of Approval as indicated in Exhibit C-2.

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

- 4. **SCA-2012-00009** Title: Hypoluxo Shoppes, Small Scale Land Use Amendment application of MBSA 3 LLC by Land Design South Inc., Agent. Request: Commercial Low with an underlying Low Residential 3 units per acre (CL-3) to Commercial High (CH)
General Location: Northeast corner of Hypoluxo Road and High Ridge Road (**Hypoluxo Shoppes**) (Control 2008-00243)

Pages: 64 - 107

Project Manager: Bryce Van Horn

Size: 4.32 acres ±

BCC District: 3

(affected area 4.20 acres ±)

Staff Recommendation: Approval of the proposed amendment from Commercial Low with underlying Low Residential, 3 units per acre (CL/3) to Commercial High (CH)

Planning Commission Recommendation: Approval 6-2

MOTION: To adopt an ordinance approving the proposed amendment from Commercial Low with underlying Low Residential, 3 units per acre (CL/3) to Commercial High (CH)

5. **ZV/DOA/R-2012-01256** Title: a Development Order Amendment application of Hypoluxo and I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to reconfigure the Site Plan, reduce square footage and to restart the commencement clock

Title: a Requested Use of Hypoluxo and I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to allow a Convenience Store with Gas Sales and a Type I Restaurant

General Location: Northeast corner of Hypoluxo Road and High Ridge Road (**Hypoluxo Shoppes**) (Control 2008-00243)

Pages: 108 - 142

Conditions of Approval (126 - 133)

Project Manager: Joyce Lawrence

Size: 4.20 acres ±

BCC District: 3

DISCLOSURE

Staff Recommendation: Staff recommends approval of the Development Order Amendment subject to 28 Conditions of Approval as indicated in Exhibit C-2 and approval of the Requested Use subject to 5 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved as amended 8-0

MOTION: To adopt a resolution approving of a Development Order Amendment to reconfigure the Site Plan, add square footage and to re-start the time of commencement subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving the Requested Uses to allow a Type I Restaurant and a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-3.

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

6. **PDD-2012-01257** Title: an Official Zoning Map Amendment to a Planned Development District application of Jules Romfh, Elizabeth Romfh by Land Design South Inc., Atlantic Land Management, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District

General Location: South of Lake Worth Road on the east side of Lyons Road (**Gulfstream PUD**) (Control 2008-00297)

Pages: 143 - 185

Conditions of Approval (163 - 167)

Project Manager: Carol Glasser

Size: 58.25 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 22 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 7-1

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

I. ZONING APPLICATIONS - NEW**J. ULDC AMENDMENTS**

7. **TITLE: REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2012-02**

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 3, 2013.

Pages: 186 - 246

MOTION: MOTION: To approve on preliminary reading and advertise for First Reading on January 3, 2013: 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 AMENDED, AS FOLLOWS: ARTICLE 1- DEFINITIONS AND ACRONYMS; CHAPTER H; LOT OF RECORD; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); ARTICLE 4- USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER D, EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER H, MASS TRANSIT STANDARDS; ARTICLE 6- PARKING; CHAPTER A, PARKING; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 13, IMPACT FEES; CHAPTER B, COUNTY DISTRICT, REGIONAL, AND BEACH PARKS IMPACT FEE; CHAPTER C, FIRE RESCUE IMPACT FEE; CHAPTER D, LIBRARY IMPACT FEE; CHAPTER E, LAW ENFORCEMENT IMPACT FEE; CHAPTER F, PUBLIC BUILDINGS IMPACT FEE; CHAPTER G, SCHOOL IMPACT FEE; CHAPTER H, ROAD IMPACT FEES; ARTICLE 14- ENVIRONMENTAL STANDARDS; CHAPTER B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

8. **TITLE: REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS**

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 3, 2013.

Pages: 247 - 252

MOTION: MOTION: To approve on preliminary reading and advertise for First Reading on January 3, 2013: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SITTING AS THE ENVIRONMENTAL CONTROL BOARD, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-068, AS AMENDED, AS FOLLOWS: ARTICLE 15- HEALTH REGULATIONS; CHAPTER A, (ENVIRONMENTAL CONTROL RULE I) ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS); CHAPTER B, (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. OTHER ITEMS

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

9. [Internet Cafe Moratorium](#)

Pages: 253 - 254

10. [Postponement of Mural Dissussion](#)

Pages: 255 - 255

COMMISSIONER COMMENTS

ADJOURNMENT