



**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
JUNE 24, 2013**

**AGENDA ITEM #  
(PAGE #)**

**APPLICATION/CHANGE**

**POSTPONEMENTS/REMANDS/WITHDRAWALS**

**CONSENT AGENDA**

**AMENDMENTS AND ADDITIONS**

- |    |      |  |                |
|----|------|--|----------------|
| 4. | (27) | PDD/DOA-2013-00490<br>(Control 2008-00297) | Gulfstream PUD |
|----|------|--|----------------|

**Amend ENGINEERING Condition 8 to read as follows:**

- 8.
- ... Is hereby amended to read:

The property owner shall provide for alternative access to be utilized if access from 45th Street South is no longer available for the adjacent parcels with Parcel Control Numbers 00424327050280261 and 00424327050280262. These alternative accesses shall accommodate at minimum a single family home or an equestrian use on each parcel and be shown on the Final Subdivision Plan prior to DRO approval. Should suitable access become available by other means, the alternative access on this development order may be removed from the subdivision plan.  
(ONGOING/DRO: ENGINEERING - Eng)

- |    |      |  |                 |
|----|------|--|-----------------|
| 5. | (91) | W/DOA-2013-00494<br>(Control 2005-00162) | Amestoy AGR PUD |
|----|------|--|-----------------|

**Replace ENGINEERING Condition 6 with the following:**

- 6. The property owner shall convey to Palm Beach County Land Development Division by road right of way warranty deed for:
  - i. Lyons Road 55 feet from centerline;
  - ii. Boynton Beach Boulevard 120 feet north of the existing north right of way line of the LWDD L24 Canal.
  - iii. Sufficient right of way to provide for an Expanded Intersection at Boynton Beach Boulevard and Lyons Road.

All right of way deed(s) and associated documents shall be provided and approved prior July 1, 2014. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Grantor must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. 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 County 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. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the property owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (DATE: MONITORING-Eng)

# REGULAR AGENDA

## AMENDMENTS AND ADDITIONS

10. (214) PDD/DOA-2012-3375 Atlantic Commons PUD

### AMEND ENGINEERING Condition E.1.f to read as follows:

Building Permits for more than 464 multi-family dwelling units shall not be issued until either: i) the contract has been awarded for the construction of a shared east approach through/right turn lane on Atlantic Avenue at the east Turnpike intersection, including an appropriate receiving lane and the appropriate paved tapers, OR ii) the property owner makes a proportionate share payment in the amount of 15.1% ~~30%~~ of the total cost to construct the above improvement. (BLDG PERMIT: MONITORING-Eng)

14. (364-366) REQUEST FOR PERMISSION TO ADVERTISE

### AMEND PART 1 to read as follows:

Part 1. ULDC Art. 1.I, Definitions and Acronyms (pages 40, 48, 53 71 and 100 of 119), is hereby amended as follows:

Reason for amendments: [PZ&B and Cooperative Extension Service, with support of ERM, the PBC Health Department, SWA and the County Water Resources Manager] See Part 2 for clarification of overall goals and objectives for the development of best management practices for [properties that receive offsite](#) livestock waste.

#### CHAPTER I DEFINITIONS & ACRONYMS

##### Section 2 Definitions

....

B. Terms defined herein or referenced in this Article shall have the following meanings:

....

17. **Best Management Practices (BMPs)** – technologically and economically feasible means of preventing or reducing amounts of pollution generated by point and non-point sources to a level compatible with the water quality and quantity objectives of ~~the~~ PBC. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. [Ord. 2013-...]

....

C. Terms defined herein or referenced in this Article shall have the following meanings:

....

62. **Composting Facility** - a facility designed and used for transforming food, yard waste and other organic material into soil or fertilizer through biological decomposition. This use does not include backyard-composting serving individual families.

63. **Composting** – the process by which biological decomposition of organic solid waste is carried out under controlled ~~aerobic~~ conditions, and which stabilizes the organic fraction into a material which can easily and safely be stored, handled, and used in an environmentally acceptable manner. [Ord. 2013-...]

[Renumber accordingly.]

D. Terms defined herein or referenced in this Article shall have the following meanings:

21. **Designated Disposal Facility** – for the purposes of Art. 5.J, Best Management Practices for Livestock Waste, a solid waste management facility operated, permitted or designated by the Solid Waste Authority to receive solid waste generated within Palm Beach County, or such alternate facility as may be designated by the Solid Waste Authority in writing. [Ord. 2013-...]

[Renumber accordingly.]

52. **Domesticated Livestock** - for the purposes of Article 5, shall include, but not be limited to, all animals of the equine (excluding horses), bovine (cattle), porcine (swine), caprine (goats), ovine (sheep), and camelid (llamas, alpacas) families as well as poultry (chickens and ducks). For the purposes of Art. 5.J, Best Management Practices for Livestock Waste, livestock shall include all domesticated livestock and horses. [Ord. 2012-027] [Ord. 2013-...]

L. Terms defined herein or referenced in this Article shall have the following meanings:

....

48. Livestock Waste – for the purposes of Art. 5.J, Best Management Practices for Livestock Waste, waste composed of excreta of animals and residual materials that have been used for bedding, sanitary, or feeding purposes for such animals. [Ord. 2013-...]

[Renumber accordingly.]

### Section 3 Abbreviations and Acronyms

....  
CES Cooperative Extension Service  
....

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## AMEND PART 2 to read as follows:

Part 2. ULDC Art. 5, Supplementary Standards (page 92 of 92), is hereby amended to create new Chapter J, Best Management Practices for Livestock Waste, as follows:

Reason for amendments: [PZ&B and Cooperative Extension Service, with support of ERM, the PBC Health Department, SWA and the County Water Resources Manager] The proposed amendment is specifically for those properties that receive off-site livestock waste. The amendment serves to address the inappropriate dumping or storage of livestock waste that far exceeds the maximum nutrient values necessary for fertilizer or soil amendment. These Code amendments will not adversely impact legitimate farming operations.

The use of animal waste for fertilizer or soil amendment is a commonly recognized farming practice; however, when applied haphazardly without an appropriate management plan or use of State approved Best Management Plans (BMPs), there is a strong potential for adverse impacts to the environment, especially water bodies and drinking water supplies. In most instances, legitimate farmers recognize that the overuse or improper spreading of livestock waste doesn't make economic sense, and elect to follow State BMPs. Implementation of these BMPs on bona fide agricultural properties would be pre-empted from the requirements of this code, and are encouraged.

## CHAPTER J BEST MANAGEMENT PRACTICES FOR LIVESTOCK WASTE RECEIVED FROM OFF-SITE SOURCES

### Section 1 Purpose and Intent

The purpose and intent of these regulations is to mitigate potential adverse environmental impacts, pathogens and other nuisances associated with the inappropriate use or disposal of livestock waste received from off-site sources. Adverse impacts include but are not limited to: ground and surface water pollution due to excessive nutrient discharge, specifically nitrogen or phosphorus; odors or other nuisance from improperly stored, composted or spread livestock waste.

### Section 2 Applicability

The standards shall apply to the storage or receiving of livestock waste that is received from offsite sources. ~~with exception to the following:~~

#### A. Exemptions

- 1A. Where pre-empted by State law, including but not limited to, the Right to Farm Act. Where applicable, documentation of implemented Best Management Practices or other method of pre-emption shall be required;
- 2B. A SWA Designated Disposal Facility;
- ~~C. Livestock waste generated by livestock on open pasture lands where the waste is not stockpiled;~~
- 3D. The commercial application of fertilizer on non-agricultural property when in compliance with the Palm Beach County Fertilizer Ordinance (Ord. 2012-039);
- 4E. Composted manure applied by a homeowner or tenant to residential ~~ornamentals~~ lawns or gardens; and,
- 5F. Ten cubic yards per acre up to a maximum of 20 cubic yards in any 12 month period ~~per year~~, with all requirements being met, as listed under Section 3 Separation, below.

### Section 3 Storage or Spreading of Livestock Waste

The storage or spreading of livestock waste that is received from off-site sources is prohibited, unless in compliance with the following:

#### A. Storage

Storage areas shall be covered or contained to prevent run-off or seepage of liquids or ~~materials~~ from the storage area. Storage of livestock waste shall comply with the following:

1. Shall not be located within five feet of any ~~adjacent~~ structure, ~~or unless~~ placed within a structure intended for the storage or composting of such waste;
2. Shall not be located within ~~25 50~~ feet of any property line, with exception to internal lot lines of parcels owned by the same entity; and,

3. Shall not be within 100 feet of a potable water supply well, a storm drainage system, wetland, pond, canal or other water body.

**B. Spreading**

Livestock waste received from off-site sources shall be spread within 72 hours of delivery unless otherwise approved in a Nutrient Management Plan. ~~In either event, storage~~ Storage shall comply with any applicable livestock waste Storage and Separation requirements. Spreading of livestock waste shall comply with the following:

**1. Nutrient Management Plan**

Prior to receiving ~~of~~ livestock waste, an application shall be submitted to the Cooperative Extension Service (CES) for review. Upon completion of the review, the CES shall develop a Nutrient Management Plan which indicates whether application of any livestock waste is appropriate for the soil condition, and if so, in what amount.

**a. Application Form and Requirements**

The application form and requirements shall be in a manner established by the CES.

**b. Validity of Nutrient Management Plan**

The Nutrient Management Plan shall remain current for three years after its issuance by the CES. A current Nutrient Management Plan must be in place prior to receiving of livestock waste at any time. It shall be a violation of the ULDC, Code if livestock waste is ~~being~~ stored or spread in a manner inconsistent with the current Nutrient Management Plan.

**2. Separation**

The spreading of livestock waste shall not occur:

- a. Within ~~25~~ 50 feet of any property line, with exception to internal lot lines of parcels owned by the same entity; and,
- b. Within 100 feet of a potable water supply well, a storm drainage system, wetland, pond, canal or other water body. ~~[Ord. 2013-...]~~



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**MONDAY JUNE 24, 2013**

**9:30 A.M. 6<sup>TH</sup> 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**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

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

**AGENDA  
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**JUNE 24, 2013**

**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**

- 1. **EAC/TDR-2013-00503** Title: an Expedited Application Consideration application of Toll Bros, Inc by Land Design South Inc., Agent. Request: to modify and delete Conditions of Approval (Building and Site Design; Engineering; Planning; and Environmental); to reconfigure the Preliminary Master and Preliminary Site plans, to reduce units and land area, and to restart the date for the Commencement of Development

Title: a Transfer of Development Rights of Toll Bros, Inc by Land Design South Inc., Agent. Request: to modify Conditions of Approval (Transfer of Development Rights)

General Location: Northeast corner of Old Clint Moore Road and Jog Road (**Royal Palm Polo PUD**) (Control 2004-00203)

Pages: 1 - 1

Project Manager: Autumn Sorrow

Size: 121.67 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to September 26, 2013.

**MOTION:** To postpone to September 26, 2013.

- 2. **DOA/R-2012-01264** Title: a Development Order Amendment application of Rreef America Reit li Corp J by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan, modify Conditions of Approval (Parking) and add square footage

General Location: Southeast corner of Glades Road and SR 7 (**Festival Shoppes of Boca PCD**) (Control 1990-00024)

Pages: 2 - 3

Project Manager: David McGuire

Size: 36.96 acres ±

BCC District: 5

(affected area 2.63 acres ±)

Staff Recommendation: Staff recommends a postponement to July 25, 2013.

**MOTION:** To postpone to July 25, 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**

3. **ABN-2012-01836** Title: a Development Order Abandonment application of Deziel and Company by Cotleur & Hearing Inc., Agent. Request: to abandon the Special Exception granted under R-1984-1189  
General Location: Southwest corner of Okeechobee Blvd and Frank Street (**Oil Connection**) (Control 1984-00066)

Pages: 4 - 17

Project Manager: Wendy Hernandez

Size: 0.34 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a resolution approving a Development Order Abandonment, for the Legislative Abandonment of a Special Exception granted under R-1984-1189.



4. **PDD/DOA-2013-00490** Title: an Official Zoning Map Amendment to a Planned Development District application of Jules Romfh, AL Lake Worth LLC, Michael Musto, Lyons Road LW LLC, Elizabeth Romfh, Gulfstream JV LLC, Rita Musto by Land Design South Inc., Atlantic Land Management, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District

Title: a Development Order Amendment of Jules Romfh, AL Lake Worth LLC, Michael Musto, Lyons Road LW LLC, Elizabeth Romfh, Gulfstream JV LLC, Rita Musto by Land Design South Inc., Atlantic Land Management, Agent. Request: to reconfigure the Master Plan, add land area, add units, and modify Conditions of Approval (Engineering)

General Location: Approximately 1300 feet south of Lake Worth Road between Lyons and Polo Roads (**Gulfstream PUD**) (Control 2008-00297)

Pages: 18 - 81

Conditions of Approval (25 - 30)

Project Manager: Carol Glasser

Size: 64.75 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 26 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 6-0

**MOTION:** To adopt a resolution approving an Official Zoning Map amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, add land area, add units, and modify Conditions of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

5. **W/DOA-2013-00494** Title: a Type II Waiver application of Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to allow an increase in the number of cul-de-sacs  
Title: a Development Order Amendment of Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan, delete an access point, redesignate Model Row location, restart the Commencement of Development, and modify Condition of Approval (Engineering)  
General Location: Northwest corner of Boynton Beach Boulevard and Lyons Road (**Amestoy AGR PUD**) (Control 2005-00162)

Pages: 82 - 120

Conditions of Approval (88 - 100)

Project Manager: Carol Glasser

Size: 636.42 acres ±

BCC District: 5,6

(affected area 252.08 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 4 Conditions of Approval as indicated in Exhibit C-1 and 39 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 6-0

**MOTION:** To adopt a resolution approving a Type II Waiver to allow an increase in the number of cul-de-sacs subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, delete an access point, redesignate Model Row location, restart the Commencement of Development, and modify Condition of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C-2.

6. **EAC-2013-00153** Title: an Expedited Application Consideration application of Addison Investment LLC by Kimco Realty Corporation, Agent. Request: to modify a Condition of Approval (Signs)  
General Location: Southeast corner of Jog Road and Linton Boulevard (**Addison Centre**) (Control 1997-00086)

Pages: 121 - 146

Conditions of Approval (125 - 134)

Project Manager: Carol Glasser

Size: 9.41 acres ±

BCC District: 5

(affected area 1.33 acres ±)

Staff Recommendation: Staff recommends approval subject to 57 Conditions of Approval as indicated in Exhibit C.

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

7. **EAC/ABN-2013-00156** Title: a Development Order Abandonment application of Board of County Commissioners by Palm Beach County, Agent. Request: to abandon the Conditional Overlay Zone (COZ) granted under Resolution R-1995-427.

General Location: North and south sides of Westgate Avenue, east of Military Trail, west of Congress Avenue (**Westgate CRA**) (Control 1994-00094)

Pages: 147 - 150

Project Manager: Autumn Sorrow

Size: 21.10 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a resolution approving a Development Order Abandonment of the Conditional Overlay Zone (COZ) granted under Resolution R-1995-427.

**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

8. **SCA-2013-00005** Title: Barkley Place application of Barkley International, Inc - Jay Wallshein by Miller Land Planning, Agent. Request: From Commercial High Office 3 units per acre (CHO/3) to High Residential 8 units per acre (HR-8)

General Location: South side of Hypoluxo Road, west of Military Trail (**Barkley Place**) (Control 2003-00040)

Pages: 151 - 181

Project Manager: Stephanie Gregory

Size: 3.14 acres  $\pm$

BCC District: 3

(affected area 3.04 acres  $\pm$ )

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

Planning Commission Recommendation: Approved 8-0.

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

9. **ABN/Z/CA-2012-03377** Title: an Official Zoning Map Amendment application of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to allow a rezoning from the Commercial High Office (CHO) Zoning District to the Community Commercial (CC) Zoning District  
Title: a Class A Conditional Use of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to allow a Car Wash  
General Location: Approximately 1,000 feet west of Military Trail on the south side of Hypoluxo Road (**Barkley Place**) (Control 2003-00040)

Pages: 182 - 204

Conditions of Approval (189 - 191)

Project Manager: David McGuire

Size: 3.04 acres ±

BCC District: 3

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone and 5 Conditions of Approval as indicated in Exhibit C-1 and 13 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 6-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Commercial High Office (CHO) Zoning District to the Community Commercial (CC) Zoning District subject to a Conditional Overlay Zone and Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow a Car Wash subject to the Conditions of Approval as indicated in Exhibit C-2.

10. **PDD/DOA-2012-03375** Title: an Official Zoning Map Amendment to a Residential Planned Development District application of Atlantic Commons Associates, LLLP by Miller Land Planning, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District

Title: a Development Order Amendment of Atlantic Commons Associates, LLLP by Miller Land Planning, Agent. Request: to reconfigure the Master Plan; add and delete land area; add units and square footage; and, modify/delete Conditions of Approval (Landscape, Planning, Palm Tran)

General Location: Northeast corner of Atlantic Avenue and Florida's Turnpike (**Atlantic Commons PUD**) (Control 2004-00525)

Pages: 205 - 266

Conditions of Approval (213 - 229)

Project Manager: Carol Glasser

Size: 164.14 acres  $\pm$

BCC District: 5

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 43 Conditions as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 6-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan; add and delete land area; add units and square footage; and modify/delete Conditions of Approval (Landscape, Planning, Palm Tran) subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To approve the release of Declaration of Restrictive Covenants for Workforce Housing as recorded in ORB 23581, Page 0106.

11. **SCA-2013-00004** Title: Atlantic Commons Commercial application of Atlantic Commons Associates Llp by G.L. Homes, Agent. Request: From Medium Residential 5 units per acre (MR-5) to Commercial Low (CL)

General Location: Northeast corner of Atlantic Avenue and the Florida Turnpike, West of Hagen Ranch Road (**Atlantic Commons Commercial**) (Control 2012-00646)

Pages: 267 - 300

Project Manager: Bryce Van Horn

Size: 4.99 acres  $\pm$

BCC District: 5

Staff Recommendation: Approval of the proposed amendment from Medium Residential, 5 units per acre (MR-5) to Commercial Low with an underlying Medium Residential, 5 units per acre (CL/5)

Planning Commission Recommendation: Approved 8-0.

**MOTION:** To adopt an ordinance approving the proposed amendment from Medium Residential, 5 units per acre (MR-5) to Commercial Low with an underlying Medium Residential, 5 units per acre (CL/5)

12. **Z/COZ-2012-03376** Title: an Official Zoning Map Amendment application of Atlantic Commons Associates LLLP by Miller Land Planning, Agent. Request: to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Community Commercial (CC) Zoning District with a Conditional Overlay Zone (COZ)

General Location: Northeast corner of Atlantic Avenue and Florida's Turnpike (**Atlantic Commons Commercial**) (Control 2012-00646)

Pages: 301 - 314

Conditions of Approval (305 - 306)

Project Manager: Carol Glasser

Size: 4.99 acres ±

BCC District: 5

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 6-0

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

### G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

### H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

13. **ZV/DOA-2012-03106** Title: a Development Order Amendment application of G & I VII Polo Club Llc by Land Design South Inc., Agent. Request: to reconfigure the site plan, add new uses and add square footage

General Location: Southwest corner of Military Trail and Champion Boulevard (**Polo Club Shoppes**) (Control 1986-00090)

Pages: 315 - 339

Conditions of Approval (320 - 322)

Project Manager: David McGuire

Size: 13.64 acres ±

BCC District: 5

(affected area 1.83 acres ±)

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 15 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 6-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, add new uses and add square footage subject to the Conditions of Approval as indicated in Exhibit C.

### I. ZONING APPLICATIONS - NEW

**J. ULDC AMENDMENTS****14. Title: REQUEST FOR PERMISSION TO ADVERTISE  
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2013-01**

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on July 25, 2013.

Pages: 340 - 366

**MOTION:** To approve on preliminary reading and advertise for First Reading on July 25, 2013: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER B; INTERPRETATION OF THE CODE; 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 A, GENERAL; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4- USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER D, EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER C, DESIGN STANDARDS; NEW CHAPTER I, MURALS; NEW CHAPTER J, BEST MANAGEMENT PRACTICES FOR LIVESTOCK WASTE; ARTICLE 6- PARKING; CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING; CHAPTER D, GENERAL STANDARDS; ARTICLE 8-SIGNAGE; CHAPTER B, EXEMPTIONS; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; ARTICLE 10- ENFORCEMENT; CHAPTER C, GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

**15. ADOPTION HEARING UNIFIED LAND DEVELOPMENT CODE (ULDC)  
AMENDMENT**

Phase II Privately Initiated Amendment (PIA 2012-003): Electrified Fences

Title: A Phase II Privately Initiated Amendment application of Electric Guard Dog by Jon C. Schmidt and Associates, Inc., Agent. Request: To amend standards for fences and walls, emphasis on prohibitions of dangerous materials and, to allow for the use of electrified fences for specific uses, to allow for a two foot increase in maximum fence height permitted, providing for safety fencing and warning signage.

Staff Recommendation: Staff recommends a motion to adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

Pages: 367 - 372



**MOTION:** TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO ESTABLISH STANDARDS TO ALLOW FOR THE USE OF ELECTRIFIED FENCES FOR SPECIFIED USES, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 5 - SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; ARTICLE 7 - LANDSCAPING; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; 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**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. DEPUTY COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**