



**BOARD OF COUNTY COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
DECEMBER 4, 2014**

AGENDA

ITEM # PAGE # APPLICATION AND CONTROL #S APPLICATION NAME

CONSENT AGENDA

A. POSTPONEMENTS

**4. (2-58) ABN/ZV/PDD/DOA/R-2013-02361 Palm Beach Marketplace
(Control 1988-00029)**

MOTION: To postpone to Thursday, January 8, 2014.

ULDC AMENDMENTS

Amend ULDC Amendments to read as follow:

**10. (162-196) REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND
DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2014-02**

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2 Agenda Item K.10, Request for Permission to Advertise Unified Land Development Code (ULDC)
3 Amendment Round 2014-02

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5 Exhibit A, Article 2, Development Review Procedures, line 29, Part 2, Page 168, is amended to
6 add the following:

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8 **Part 1. ULDC Art. 2.D.1.G.1, Modifications to Prior Development Orders (page 168 of 229),**
9 **is hereby amended as follows:**

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Reason for amendments: <u>PBC Fire Rescue shall inform the District Commissioner of the proposed emergency access prior to final plan approval</u>
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14 2) Addition of emergency access ways, as required by PBC Fire Rescue, The PBC
15 Fire Rescue DRO Reviewer shall ensure the District Commissioner is notified of
16 this request in advance of final DRO approval.
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19 Page 174, Exhibit A, Article 2, Development Review Procedures, is amended to add the following:
20 Exhibit A, Article 2, Development Review Procedures, line 22, Part 9, Page 174, is amended to
21 add the following:

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23 **Part 2. ULDC Art. 3.E.1.E.1, Modifications by the DRO to a Master Plan, Site Plan, Subdivision**
24 **Plan or Regulating Plan (page 174 of 229), is hereby amended as follows:**

Reason for amendments:

PBC Fire Rescue shall inform the District Commissioner of the proposed emergency access prior to final plan approval.

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Access shall not be added to roads external to the project, internal roads indicated on the Thoroughfare Identification Map, or to roads external to a pod, except for a residential pod and the addition of emergency access ways as required by PBC Fire Rescue. The PBC Fire Rescue DRO Reviewer shall ensure the District Commissioner is notified of this request in advance of final DRO approval. Access to roads external to a residential pod, but internal to the project, may be added in accordance with Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS.

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COMMENTS

B. ZONING DIRECTOR

11. (197-229) Use Regulation Project Updated Memo

DELETE from the Zoning Agenda.



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY DECEMBER 4, 2014
9:30 A.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

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 4, 2014

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. [Z/COZ-2014-00938](#) Title: an Official Zoning Map Amendment application of Boynton Beach Associates XXII, LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District with a Conditional Overlay Zone (COZ).
General Location: Northwest corner of Lyons Road and Boynton Beach Boulevard. (Amestoy AGR) (Control 2005-00162)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 183.83 acres ±

BCC District: 5

Staff Recommendation: Staff recommends postponement to Thursday, January 8, 2015.

MOTION: To postpone to Thursday January 8, 2015.

2. [PDD/DOA-2014-00939](#) Title: an Official Zoning Map Amendment to a Planned Development District. application of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to reconfigure the Master Plan to swap, add, and delete land area (preserve); re-allocate, and release recorded Conservation Easement; and amend Conditions of Approval (Planning).

General Location: South of Boynton Beach Boulevard and east of and adjacent to Lyons Road. (Canyon Isles AGR PUD) (Control 2002-00068)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 264.00 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends a postponement to Thursday January 8, 2015.

MOTION: To postpone to Thursday January 8, 2015.

3. [ZV/PDD/DOA-2014-00940](#) Title: a Type II Variance application of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to allow an increase in the building coverage for single-family units from 40 percent to 44 percent.

Title: an Official Zoning Map Amendment to a Planned Development District of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to reconfigure the Master Plan; add land area (Development and Preserve); add a model row; add an access point to release and amend Conservation Easements; add units; amend Conditions of Approval (Planning); and re-allocate land area.

General Location: - South of Boynton Beach Boulevard at the terminus of Acme Dairy Road.

- North of Boynton Beach Boulevard and west of and adjacent to Lyons Road. **(Valencia Cove AGR-PUD)** (Control 2004-00369)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 2,070.59 acres ±

BCC District: 5,6

(affected area 1,408.00 acres ±)

Staff Recommendation: Staff recommends a postponement to Thursday, January 8, 2015.

MOTION: To postpone to Thursday, January 8, 2015.

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

4. [ABN/ZV/PDD/DOA/R-2013-02361](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Development Order Amendment of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to modify the Site Plan; and, add land area, square footage, and uses.
Title: a Requested Use of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow a Hotel, a General Daycare; and, a Type I Restaurant.
General Location: South side of Okeechobee Road, starting approximately 400 feet west of the I-95 interchange, and located generally east of Frank Street. **(Palm Beach Marketplace)** (Control 1988-00029)

Pages: 2 - 58

Conditions of Approval (12 - 22)

Project Manager: Carrie Rechenmacher

Size: 10.18 acres ±

BCC District: 2

Staff Recommendation: Staff Recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C-2; 1 Condition of Approval in Exhibit C-3; 1 Condition of Approval in C-4; 1 Condition of Approval in Exhibit C-5; and, 1 Condition of Approval in Exhibit C-6.

Zoning Commission Recommendation: The ZC approved the Abandonment and Type II Variances; and recommends approval of the Rezoning, Development Order Amendment and Requested Uses with votes of 6-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to a Condition of Approval in Exhibit C-3.

MOTION: To adopt a resolution approving a Development Order Amendment to modify the Site Plan; and, add land area, square footage, and uses subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow a Hotel, subject to the Conditions of Approval in Exhibit C-4.

MOTION: To adopt a resolution approving a Requested Use to allow a General Daycare subject to the Conditions of Approval in Exhibit C-5.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant subject to the Conditions of Approval in Exhibit C-6.

E. ZONING APPLICATIONS - NEW

5. [ZV/DOA/Z/CA-2014-01351](#) Title: a Development Order Amendment application of SUNCAP Property Group LLC by Akerman LLP, Agent. Request: to reconfigure the Site Plan, to delete square footage, and to modify and delete Conditions of Approval (Engineering, Planning and Signs).
General Location: Southeast corner of Pike Road and 7th Place North. **(Federal Express Distribution Center)** (Control 1996-00041)

Pages: 59 - 91

Conditions of Approval (65 - 70)

Project Manager: Roger Ramdeen

Size: 27.23 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1; and 25 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: The ZC approved the Type II Variances; and recommends approval of the Development Order Amendment with votes of 8-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, to delete square footage, and to modify and delete Conditions of Approval (Engineering, Planning and Signs) subject to Conditions of Approval as indicated in Exhibit C-2.

6. [Z/ABN-2014-01337](#) Title: an Official Zoning Map Amendment. application of Falls Country Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Commercial Recreation (CRE) Zoning District.

Title: a Development Order Abandonment of Falls Country Club Inc by Cotleur & Hearing Inc., Agent. Request: to abandon the Special Exception to allow a private recreation facility and club including a golf course, swimming pool, and tennis courts granted under R-86-241.

General Location: Northwest corner of Jog Road and Hypoluxo Road. **(The Falls Country Club)** (Control 1985-00155)

Pages: 92 - 112

Conditions of Approval (96 - 96)

Project Manager: Melissa Matos

Size: 171.31 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: The ZC recommends approval of the Rezoning and Development Order Abandonment with votes of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map amendment to allow rezoning from the Agriculture Residential (AR) Zoning District to the Commercial Recreation (CRE) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon Resolution R-1986-0241.

F. CORRECTIVE RESOLUTIONS

- 7. [CRB-2014-02294](#) Title: a Corrective Resolution application of Engineering and Public Works Department by Joanne Keller, Agent. Request: a corrective resolution adding a portion of Engineering Condition 9 omitted from the Resolution R-2014-1646.

General Location: South of intersection of Orange Blvd. and Seminole Pratt Whitney Road, north of 50th Street N., east of 190th Terrance N. (**Minto West TTD**) (Control 2006-00397)

Pages: 113 - 114

Project Manager: Joanne Keller

Size: 3,788.60 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a corrective resolution adding a portion of Engineering Condition 9 omitted from the Resolution R-2014-1646.

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. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

8. [SCA-2015-00008](#) Title: Glades Underlying Dominguez application of Ines Dominguez by Palm Beach County, Agent. Request: To change the future land use designation from Industrial (IND) to Industrial with underlying 8 units per acre (IND/8).

General Location: West side of NW 16th Street, north of NW Avenue L. (**Glades Underlying**) (Control 2014-00151)

Pages: 115 - 120

Project Manager: Erin Sita

Size: 2.51 acres ±

BCC District: 6

Staff Recommendation: Approval of the proposed amendment from Industrial (IND) to Industrial with an underlying 8 units per acre (IND/8).

Planning Commission Recommendation: Recommended adoption, with a vote of 14-0.

MOTION: To adopt an ordinance approving the proposed amendment from Industrial (IND) to Industrial with an underlying 8 units per acre (IND/8).

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

9. [EAC-2014-02198](#) Title: an Expedited Application Consideration application of Allegro At Boynton Beach LLC by Miller Permitting and Land Development LLC, Agent. Request: to allow an alternative buffer for the Type III Incompatibility Buffer along the north and east property lines.

General Location: Approximately 0.5 mile south of Woolbright Road on the east side of Hagen Ranch Road. (**Allegro At Boynton Beach**) (Control 1997-00075)

Pages: 121 - 161

Conditions of Approval (126 - 129)

Project Manager: Wendy Hernandez

Size: 7.50 acres \pm

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 21 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving an Expedited Application Consideration to allow an alternative buffer for the Type III Incompatibility Buffer along the north and east property lines subject to the Conditions of Approval as indicated in Exhibit C.

K. ULDC AMENDMENTS

10. TITLE: [REQUEST FOR PERMISSION TO ADVERTISE](#)
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2014-02

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 8, 2015.

Pages: 162 - 196

MOTION: To approve on preliminary reading and advertise for First Reading on January 8, 2015: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067 AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER C, COMMUNICATION TOWER, COMMERCIAL; ARTICLE 5 - SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; ARTICLE 7 - LANDSCAPING; CHAPTER D, GENERAL STANDARDS; ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER A, GENERAL REQUIREMENTS; 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.

L. COMPREHENSIVE PLAN TEXT AMENDMENTS**M. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

11. [Use Regulation Project Updated Memo](#)

Pages: 197 - 229

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT