



**BOARD OF COUNTY COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
JUNE 25, 2015**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT (By Staff)

6.	(110-127)	ABN/CA-2015-00139	Veritas
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REGULAR AGENDA

J. ZONING APPLICATIONS – NEW

9.	(229)	DOA-2014-02507 (Control 2002-00027)	US 441 Land Trust Auto Repair
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DELETE Engineering – Condition 5 and renumber accordingly.

COMMENTS

C. PLANNING DIRECTOR

11.	(277-281)	Agricultural Reserve Farm Residence Issue
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POSTPONE to Tuesday, July 30, 2015. *See Attachment A.



MEMORANDUM

**Department of Planning,
Zoning & Building**
2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb

TO: The Honorable Shelley Vana, Mayor, & Members of the Board of County Commissioners

FROM: Lorenzo Aghemo, Director *L.Aghemo*
Planning Division

DATE: June 16, 2015

RE: Agricultural Reserve Status Report

I previously notified the Board that Planning staff would be presenting information regarding the Agricultural Reserve 'farm residence' issue to the BCC at the June 25th BCC Zoning meeting. At the March 24th BCC Workshop on the Agricultural Reserve, the BCC had requested that staff, return with additional information on this issue.

At the request of Mayor Vana, this item will be postponed to the July 30th BCC Comprehensive Plan Public Hearing, to allow for full Board attendance. Notification of this change will be posted on the Planning Division website.

Should you have any questions, please contact me at 561-233-5327.

Cc: Robert Wiseman, County Administrator
Verdenia Baker, Deputy County Administrator
Rebecca Caldwell, Executive Director, PZB
Robert Banks, Assistant County Attorney
Jon MacGillis, Zoning Director

**Palm Beach County
Board of County
Commissioners**

- Shelley Vana, Mayor
- Mary Lou Berger, Vice Mayor
- Hal R. Valeche
- Paulette Burdick
- Steven L. Abrams
- Melissa McKinlay
- Priscilla A. Taylor

County Administrator

Robert Weisman

"An Equal Opportunity
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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JUNE 25, 2015

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. Notice
- D. Proof of Publication
- E. Swearing In
- F. 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**

JUNE 25, 2015

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Notice

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Mayor, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Motion to Adopt Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [Z/CA-2014-02502](#) Title: an Official Zoning Map Amendment application of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use of Fuller Florence by Cotleur & Hearing Inc., Agent.
Request: to allow a Day Care General.

General Location: On the south side of SW 185th Street, approximately 400 feet west of SR7/US 441. **(Florence Fuller Child Development Center)** (Control 1987-00150)

Pages: 1 - 1

Project Manager: Carrie Rechenmacher

Size: 5.98 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday July 23, 2015.

MOTION: To postpone to Thursday July 23, 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

E. ZONING APPLICATIONS - NEW

- 2. [DOA/TDR-2014-02516](#) Title: a Development Order Amendment. application of Windsor Place Acquisition LLC by CMS Engineering LLC, Agent. Request: to modify/delete Conditions of Approval (Architectural, Landscape and Planning); reconfigure the Master Plan; restart of the commencement clock; and, release the Restrictive Covenant.
Title: a Transfer of Development Rights of Windsor Place Acquisition LLC by CMS Engineering LLC, Agent. Request: to modify Conditions of Approval (Transfer of Development Rights).
General Location: Northwest corner of Lyons Road and Hypoluxo Road. **(Windsor Place MXPD)** (Control 2003-00079)

Pages: 2 - 38

Conditions of Approval (11 - 24)

Project Manager: Melissa Matos

Size: 40.00 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 49 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of the requests with votes of 8-0.

MOTION: To adopt a resolution approving a Development Order Amendment to modify/delete Conditions of Approval (Architectural, Landscape and Planning); reconfigure the Master Plan; restart the commencement clock; and release the Restrictive Covenant subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Transfer of Development Rights to modify Conditions of Approval (Transfer of Development Rights) subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [Z/CA-2014-02097](#) Title: an Official Zoning Map Amendment application of Bethany Baptist Church of the PB, Inc. by Land Research Management Inc., Agent. Request: to allow a rezoning from Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use of Bethany Baptist Church of the PB, Inc. by Land Research Management Inc., Agent. Request: to allow a Place of Worship.

General Location: North side of Wallis Road, approximately 0.15 mile east of North Jog Road. **(Bethany Baptist Church)** (Control 2007-00016)

Pages: 39 - 58

Conditions of Approval (45 - 47)

Project Manager: Roger Ramdeen

Size: 3.08 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of the requests with votes of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

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

4. **ABN/Z-2015-00333** Title: a Development Order Abandonment application of Palm Beach County Department of Airports by Urban Design Kilday Studios, Agent. Request: to abandon a Special Exception for a self-service gasoline station facility granted under Resolution R-1978-874.

Title: an Official Zoning Map Amendment of Palm Beach County Department of Airports by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Multi-family Residential (RM) and the General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District.

General Location: 12 Parcels generally located at: Northeast corner of Military Trail and Country Club; the north and southwest corners of Military Trail and Bertram Street; the southwest corner of Military Trail and Cambridge Street; the southeast corner of Jules Street and Pine Road; the northeast corner of Wallis Road and William Road; on the west side at the terminus of Sandra Lane; and approximately 370 feet south of Wallis Road on the east side of Wayne Road. **(PBI A Properties Rezoning)** (Control 2008-00362)

Pages: 59 - 81

Conditions of Approval (67 - 67)

Project Manager: Donna Adelsperger

Size: 5.45 acres ±

BCC District: 2,7

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone (COZ) and 6 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of the requests with votes of 8-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Special Exception for a self-service gasoline station facility granted under Resolution R-1978-874.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multi-family Residential (RM) and the General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

5. **EAC-2015-00895** Title: an Expedited Application Consideration application of Mountaineers School of Autism by Urban Design Kilday Studios, Agent. Request: to modify the use and Condition of Approval (Use Limitations).

General Location: Generally located at the northwest corner of Military Trail and Community Drive. **(Oxbridge Academy)** (Control 1985-00171)

Pages: 82 - 109

Conditions of Approval (87 - 97)

Project Manager: Wendy Hernandez

Size: 80.32 acres ±

BCC District: 7

(affected area 40.72 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 64 Conditions of Approval as indicated in Exhibit C.

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

- 6. **ABN/CA-2015-00139** Title: a Development Order Abandonment application of Gateway Community Church Inc, D.R Horton by Land Design South Inc., Agent. Request: to abandon the Class A Conditional Use granted under Resolution R-1999-2065 for a Place of Worship.

Title: a Class A Conditional Use of Gateway Community Church Inc, D.R Horton by Land Design South Inc., Agent. Request: to allow Zero Lot Line lots.

General Location: Approximately 2,121 feet north of Hypoluxo Road on the west side of Lawrence Road. (**Veritas**) (Control 1999-00045)

Pages: 110 - 127

Conditions of Approval (115 - 117)

Project Manager: Osniel Leon

Size: 5.19 acres ±

BCC District: 3

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

Zoning Commission Recommendation: Recommended Approval of the requests with votes of 8-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon the Class A Conditional Use granted under Resolution R-1999-2065 for a Place of Worship.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Zero Lot Line lots subject to Conditions of Approval as indicated in Exhibit C.

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. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

7. [ZV/Z/CA-2014-01883](#) Title: an Official Zoning Map Amendment application of K. Hovnanian Homes by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use of K. Hovnanian Homes by Land Design South Inc., Agent. Request: to allow a golf course (existing).

General Location: Lyons Road and State Road 7, on the north side of Southwest 18th Street. (**Boca Dunes Golf Course**) (Control 2013-00354)

Pages: 128 - 169

Conditions of Approval (135 - 137)

Project Manager: Roger Ramdeen

Size: 153.81 acres \pm

BCC District: 5

(affected area 112.23 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1, 1 Condition of Approval as indicated in Exhibit C-2, and 7 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved the Zoning Variance with a vote of 8-0 and Recommended Approval of the Rezoning and Class A Conditional Use with votes of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a golf course (existing) subject to the Conditions of Approval as indicated in Exhibit C-3.

8. **ZV/PDD-2014-01885** Title: an Official Zoning Map Amendment to a Planned Development District application of Cove Club Inv Ltd by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
General Location: Lyons Road and State Road 7 on the north side of Southwest 18th Street. (**Boca Dunes PUD**) (Control 2014-00169)

Pages: 170 - 221

Conditions of Approval (176 - 178)

Project Manager: Roger Ramdeen

Size: 153.81 acres \pm

BCC District: 5

(affected area 41.58 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 13 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved the Zoning Variance with a vote of 8-0 and Recommended Approval of the Official Zoning Map Amendment with a vote of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

J. ZONING APPLICATIONS - NEW

9. **DOA-2014-02507** Title: a Development Order Amendment application of All American Lube of Boca Inc by Land Design South Inc., Agent. Request: to reconfigure the site plan, add square footage, modify Conditions of Approval (Landscaping and Engineering), and abandon a Car Wash (Permitted Use).
General Location: Northwest corner of SR 7/US 441 and Lantana Road. (**US 441 Land Trust Auto Repair**) (Control 2002-00027)

Pages: 222 - 247

Conditions of Approval (227 - 235)

Project Manager: Roger Ramdeen

Size: 11.53 acres \pm

BCC District: 6

(affected area 0.97 acres \pm)

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of the requests with a vote of 8-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, add square footage, modify Conditions of Approval (Landscaping and Engineering), and abandon a Car Wash (Permitted Use) subject to 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 2015-01

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on July 23, 2015.

Pages: 248 - 276

MOTION: To approve on preliminary reading and advertise for First Reading on July 23, 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 2 - DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 6 - PARKING; CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 8 - SIGNAGE; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER D, PLATTING; 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

C. PLANNING DIRECTOR

11. [To provide information](#) regarding the Agricultural Reserve Farm Residence issue involving a request from Property Owners to permit a Farm Residence on 1 acre of a property, enabling the sale of development rights from the balance of the property (or, alternatively, not requiring density for a farm residence, essentially considering it a large caretaker quarter).

Pages: 277 - 281

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT