



**BOARD OF COUNTY COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
JANUARY 26, 2017**

Agenda

<u>Item #</u>	<u>PAGE #</u>	<u>Application and Control #s</u>	<u>Application Name</u>
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REGULAR AGENDA

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

3.	(37-82)	LGA-2016-00006 (1973-00243)	Southern Blvd & Cleary Rd
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AMEND request and motion to the Agenda to read as follows:

LGA-2016-00006 Title: Southern Blvd & Cleary Road application of Global Force Invstmnt Cnsltng Llc by Urban Design Kilday Studios, Agent. Request: To change a future land use designation from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND) and a text amendment to the Future Land Use Element to allow commercial at this intersection.

General Location: Northwest corner of Southern Blvd and Cleary Road. **(Southern Blvd & Cleary Rd)** (Control 1973-00243)

Pages: 37 - 82

Project Manager: Khurshid Mohyuddin

Size: 1.17 acres + BCC District: 2

Staff Recommendation: Denial of the proposed amendment from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND).

Planning Commission Recommendation: Approval with a modification, passed with a 5-2 vote.

MOTION: To adopt an ordinance approving the proposed amendment from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND) and the text amendment.

4.	(83-112)	ZV/Z/CA-2015-02360 (1973-00243)	Cleary Station
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ADD Site Design Condition 1 to Exhibit C-2 to read as follows:

1. Prior to Final Approval by the Development Review Officer, the layout of the site shall be amended to show the minimum required setback for the Gas Canopy from Southern Boulevard. If the site could not be redesigned, the Property Owner may request a Type II Variance or a Waiver for the Base Building Line. (DRO: ZONING –Zoning)

K. ULDC AMENDMENTS

5. (134) ADOPTION HEARING – UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-02

AMEND to read as follows:

Table 3.B.16.F. - PRA Block Building PDRs

Notes:
<p>.....</p> <p>9. Setbacks for Single-family Residential units shall be 7.5 feet for side setbacks and 15 feet for rear setbacks. <u>Accessory Structures to Single-family Residential may be allowed in accordance with the standards for Residential Districts in Art. 5, Supplementary Standards.</u> [Ord. 2012-027]</p>

8. (167) ADOPTION HEARING – UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-02

AMEND to read as follows:

(172) Reasons for Amendments Summary [Related to Homeless Resource Center]

~~4. Homeless Resource Center use and related references are deleted to be discussed at a later time.~~

~~12. Homeless Resource Center use and related references are deleted to be discussed at a later time.~~

(199) Reasons for Amendments Summary [Related to accessory Landscape Service allowed as a Home Occupation]

~~7. Revise provisions allowing for small mom and pop accessory Landscape Service as a Home Occupation where allowed in the Rural Service Area and the Agricultural Residential Zoning district, to require approval by Special Permit. This revision will enable staff to document compliance with screening and parking requirements, and establishing a snap shot in time to ensure that the business does not expand beyond what was originally proposed.~~

(220) Homeless Resource Center

~~1. Delete Homeless Resource Center approval process, definition and Supplementary Use Standards from Art. 4 and reserve the space until the use is further discussed and revised as a separate amendment in early 2017.~~

Re-incorporate “Reasons” originally provided as part of January 28, 2016 Use Regulations Project (URP) update to the BCC, with revisions related to further changes resulting from recent meetings with County Administration and Facilities, Development and Operations.

<p>HISTORY: The Homeless Resource Center use definition and supplemental standards were first referenced in 2009 (Ord. 2009-040).</p>
<p>1. Revise the definition to:</p> <ul style="list-style-type: none"> • Clarify that a Homeless Resource Center can be a public or private establishment. Publicly owned Homeless Resource Centers were referenced in the Government Services Use and relocated to the Homeless Resource Center use so that both distinctions would be incorporated into one use. • Relocate typical services to a new supplemental standard. Typical services reference is not a function of the definition.
<p>2. Revise the Location and Separation Requirements standard to:</p> <ul style="list-style-type: none"> • Clarify PO Deviations are applicable to separation and location provisions; and, • delete the Fire Rescue provision. Fire Department verifies through concurrency

<p>review process if a fire rescue station response time and accessibility is within the goals of that department to respond to any use.</p>
<p>3. Establish a standard that recognizes government operated or owned Homeless Resource Centers approved during the period when this use was created and the effective date of this ordinance to consider them conforming. This change is made in response to the deletion of a standard that allows Homeless Resource Centers to utilize Government Services approval.</p>
<p>4. <u>Establish alternative Approval Process for Homeless Resource Center (HRC) owned or operated by a government entity, that:</u></p> <p>a) <u>Re-establishes scope of eligible Zoning districts previously permitted when identified under the Government Services Use; and,</u></p> <p>b) <u>Establishes an alternative Approval Process for government owned or operated HRC's, where PBC Department of Facilities, Development and Operations (FD&O) has developed standards to clarify an alternative form of enhanced public notification, outreach and participation related to site development or operations. This would include opportunity for interested persons to voice concerns or support at a duly noticed Board of County Commission (BCC) public meeting, whether prior to initiation of the project and/or approval of any related construction or operational contracts, or other similar. Failure to comply with this requirement would default to requiring Class A Conditional Use approval.</u></p> <p><u>Background and Summary: FD&O indicates that existing Policies and Procedures are in place to provide for enhanced public participation at all stages of the Planning process for a site specific Homeless Resource Center. FD&O further indicates that requiring Class A Conditional Use approval at a BCC Zoning Hearing, including related opportunities for public participation, is redundant to FD&O enhanced public participation and other BCC public meetings where FD&O presents programmatic updates, approvals for RFQ's, contract approval, or other similar. FD&O has also advised that the County is likely to remain the sole provider of government provided homeless services in the unincorporated area, and in the case of the West Palm Beach service center, continues to coordinate with area residents, business owners, the City of WPB, or other interested persons, through a Memorandum of Understanding.</u></p> <p><u>FD&O has agreed to memorialize specific standards for enhanced public participation in a Policy and Procedures Manual (PPM) # FDO-071, and to ensure that other concerns regarding notification of opportunities for public participation at BCC public meetings are addressed.</u></p>

Reason for amendments in the Use Matrix: [Zoning] The following changes are being proposed:

- Delete Class B Conditional (B) approval from the CC Zoning District. The use does not meet the intent of the Community Commercial Zoning District as this district is to provide neighborhood serving commercial facilities. An Homeless Resource Center is more of a regional serving facility.
- Change the approval process in CHO and CG Standard Zoning Districts from Class B Conditional Use to Class A Conditional Use. The change is made for consistency with the approval of the use in similar zoning districts.
- Add Class A Conditional Use approval process to the CH and CHO of the IRO Zoning Districts. The use is proposed to be changed from DRO approval to Class A Conditional Use in the IL Zoning District and subject to Class A Conditional use in the MUPD with IND FLU designation for consistency between each other.
- Add Class A Conditional Use approval process to the PO Zoning District. The proposed addition is addressing the relocation of Homeless Resource Center from Government Services. Homeless Resource Center, regardless if the use is private or public, will be subject to the same approval process and supplementary use standards.
- The use is deleted from the Industrial light (IL) pod and Commercial pod of PIPD as it is a non-industrial use that is not supporting major function of an employment center such as PIPD.

(223) **Reasons for Amendments Summary [Related to accessory Contractor Storage Yard allowed as a Home Occupation]**

7. Revise newly added provisions allowing for small mom and pop accessory Contractor Storage Yard use as a Home Occupation, limited to larger lots in the Rural Service Area and the Agricultural Residential Zoning district, to require approval by Special Permit. This revision will enable staff to document compliance with screening and parking requirements, and establishing a snap shot in time to ensure that the business does not expand beyond what was originally proposed.

(258) **Reasons for Amendments Summary [Related to Homeless Resource Center]**

~~3. Homeless Resource Center use and related references are deleted to be discussed at a later time.~~

(282) **Exhibit B, Art. 2, Development Review Procedures (lines 18 – 20)**

~~10) Deviations from separation requirements for Homeless Resource Centers in the PO Zoning District, pursuant to Art. 4.B.1.A.70.1.a.1) 4.B.4.A.8, Homeless Resource Center. [Ord. 2009-040]~~

(288) **Exhibit B, Art. 2, Development Review Procedures (lines 18 – 19)**

15. to review, hear, consider, and approve, approve with conditions, or deny requests for deviations from: ~~Article 4.B.1.A.70.1.a.1) 4.B.4.A.8 Homeless Resource Center, Location and Separation Requirements, and~~ Articles 5, 6, and 7 for development supporting government facilities within the PO Zoning District; [Ord. 2007-013] [Ord. 2009-040] [Ord. 2011-016]

(368-369) **Exhibit D-2, Art. 4.B.2.C.20, Landscape Service [Related to provisions for Home Occupation] (page 368 lines 52 – 55, and page 369 lines 5 – 7).**

2) **AR District in RSA**

A landscape service may be ~~permitted~~ allowed subject to Special Permit approval and the limitations of Art. ~~4.B.1.E.8 4.B.1.A.70~~, Home Occupation, except that parcels three acres or more in size may also be eligible for the following: [Ord. 2007-013]

....
b) **Outdoor Storage**

....
~~2e) Storage areas shall be screened from view from any R-O-W or parcel of land with a residential FLU designation or use parcel through the use of opaque fences, walls or existing or newly planted native vegetation, provided the material provides an opaque screen within one year of the prior to issuance of the Business Tax Receipt business tax receipt. No additional vegetation shall be required where equipment is screened from view behind permitted fences or other structures. [Ord. 2007-013]~~

(381-382) **Exhibit D-2, Commercial Uses, Art. 4.B.5.C.34, Retail Sales [Related to Unmanned Retail Sales]**

....
6. Utilize the existing language from the Kiosk use to determine <u>Establish</u> the maximum building size <u>as 50 square feet larger than the existing Kiosk use, in order to accommodate new industry trends that may be slightly larger than 100 square feet, such as ice-dispensing structures that require additional area for the temporary creation and storage of bulky items prior to dispensing them to customers. Clarify that the building square foot limitation does not apply to decorative awnings or weather protection canopies, as defined by Building Square Footage in Art. 1.</u>
....
9. Clarify that total sign face area shall not exceed eight square feet, regardless of Wall Sign limitations in Art. 8, Signage, in order to limit total signage, based on the

	maximum total area of 400 <u>150</u> square feet for each structure.
<u>10.</u>	<u>Limit freestanding structures to 15 feet in height in order to ensure that the use is appropriately pedestrian-scaled.</u>
<u>11.</u>	<u>Allow in-line structures up to nine feet in height in order to accommodate equipment, camera viewing angle requirements and weather protection or decorative canopies.</u>

11434. Retail Sales, General

....

f. Unmanned Retail Structure

....

3) Size

Shall not exceed ~~400~~150 square feet, excluding canopies provided for decorative aesthetics or protection from weather.

....

5) Design Standards

....

a) Freestanding

(1) Shall achieve architectural compatibility with the other structures in the development, including texture, paint and similar building materials.

(2) Shall be limited to one story, not to exceed 15 feet in height.

b) In-Line

~~(1) Shall be painted to match the wall color of the closest façade; and,~~

(21) Shall not exceed ~~six-eight~~ feet in height; and, or nine feet if including a weather protection canopy.

(32) Shall not obstruct more than 20 percent of the windows ~~or architectural glazing of an adjacent structure.~~

Replace deleted text on pages/lines noted above and re-incorporate amendments originally provided as part of January 28, 2016 URP update to the BCC, with revisions related to further changes resulting from recent meetings with County Administration and Facilities, Development and Operations.

8. Homeless Resource Center

a. Definition

A facility public or private establishment that provides multiple services for the homeless population. ~~Typical services include: counseling, kitchen and dining facilities, medical and dental outpatient facilities, temporary housing, intake, social services, employment services, and administrative offices.~~

b. Typical Services

Typical services provided by a Homeless Resource Center may include but are not limited to: Counseling, kitchen and dining facilities, medical and dental outpatient facilities, temporary housing, intake, social services, employment services, and administrative offices.

c. Approval Process

A Homeless Resource Center owned or operated by a governmental entity may be allowed where Government Services uses are allowed by Table 4.B.4.A., Institutional, Public and Civic Use Matrix, subject to Class A Conditional Use Approval; or, may be Permitted by Right where Government Services uses are allowed in non-residential districts, provided that prior to development, or any modification to a previously approved development, program or operation, an eligible government entity complies with the following:

- 1) Schedule and make a presentation to the BCC at a duly noticed Public Meeting(s);
- 2) Prepare a report documenting compliance with Palm Beach County Facilities, Development and Operations, FDO PPM-071, Public Outreach and Community Involvement for Homeless Resource Centers;
- 3) Provide notice of intent to the Zoning Director a minimum of 30 days prior to requesting placement on a BCC Public Meeting agenda, to include the aforementioned report;
- 4) The BCC shall make a finding that the governmental entity has complied with FDO PPM-071, which may include Conditions of Approval; and,
- 5) A BCC finding of compliance, or compliance subject to conditions, may remain valid for three years, or as otherwise provided by Condition of Approval.

ac. Location and Separation Requirements

For the purpose of required separations, measurements shall be made from facade to facade, except where the separation required is between a structure and a district boundary. **[Ord. 2009-040]**

- 1) A minimum 250 foot separation shall be required from the property line of residentially zoned parcels. Type II variance relief, in accordance with Article 2.B, Public Hearing Process, may be requested if this standard cannot be met. ~~Facilities located in the PO zoning district may request a deviation from this requirement pursuant to the standards in Article 5.A.3, Deviations for the PO Zoning District.~~ **[Ord. 2009-040]**
- 2) A Homeless Resource Center (~~HRC~~) shall not be located within a 1,200 foot radius of another Homeless Resource Center. **[Ord. 2009-040]**
- 3) ~~The applicant shall obtain certification from Palm Beach County Fire Rescue that a fire rescue facility is available to serve the proposed facility. Certification shall be provided prior to issuance of the development permit. [Ord. 2009-040]~~ Facilities owned or operated by a governmental entity and located in the PO Zoning District may request a PO Deviation from Location and Separation Requirements, subject to BCC approval, utilizing the standards in Art. 5.A.3, Deviations for the PO Zoning District.

bd. Facility Use

A minimum of twenty-five percent of the GFA shall be reserved for accessory service delivery other than temporary housing. **[Ord. 2009-040]**

ce. Subsequent Development with Locational Standards Nonconformities

The subsequent approval of a development order for a residential district shall not change the status of the HRC to a nonconforming use. [Ord. 2009-040] [Relocated to Location and Separation Requirements Standard, above]

f. Existing Approvals

A prior approval for a government owned or operated Homeless Resource Center shall be considered a legal conforming use for sites approved between October 28, 2009, (Ordinance 2009-040), and the effective date of this ordinance.

(424) **Exhibit D-5, Industrial Uses, Art. 4.B.5.C.1, Contractor Storage Yard**
[Related to provisions for Home Occupation (Lines 44 – 48, and 61 – 66)]

c. Home Occupation – AR/RSA

A limited Contractor Storage Yard use, may be allowed as a Home Occupation subject to Special Permit approval, when located in the Agriculture Residential (AR) Zoning district within the Rural Service Area (RSA) on lots a minimum of five acres in size, subject to the requirements of Art. 4.B.1.E.8, Home Occupation, and the following:

1) General

....

d) Outdoor Storage

1) Where additional vehicles or equipment are allowed below, the use may be exempt from the outside storage limitations of Art. 4.B.1.E.8.j, provided that outside storage areas shall be screened from view from any R-O-W or parcel of land with a residential FLU designation or use, parcel through use of opaque fences, walls or existing or newly planted native vegetation, provided the material provides an opaque screen within one year of the prior issuance of the Business Tax Receipt;

(552) **Exhibit D-11, Temporary Uses, Art. 4.B.11.C.3, Mobile Retail Sales**
[Related to provisions for Location and Operation]

....
4. Limit the number of parking spaces to be utilized by a Mobile Retail Sales to two required parking spaces when the applicant demonstrates that the site does not have enough space available to locate <u>elsewhere</u> . In such case, it would be limited to only one Mobile Retail Sales vendor per site. Additional provisions allow up to three vendors if the location is in parking spaces that are in excess of the minimum spaces required for the site to operate.
....
<u>7. Clarify how mobile vendors must operate, specifically defining the end of each day, midnight, as the time at which their operations and all related uses must vacate, further clarifying that the use must physically become mobilized, vacating the site and not just closing for business.</u>

3. Mobile Retail Sales

....

d. Location

1) Sites must comply with parking space requirements outlined in Table 6.A.1.B - Minimum Off Street Parking and Loading Requirements prior to applying for a Special Permit for Mobile Retail Sales.
2) The first Mobile Retail Sales vendor approved on a site may occupy up to two of the required parking spaces. Additional Mobile Retail Sales vendors may occupy on-site parking spaces only when those spaces are in excess of Table 6.A.1.B - Minimum Off Street Parking and Loading Requirements.
Vendors shall not be located in vehicular maneuvering areas, or access aisles, however, a vendor may be located in two required parking spaces when limited areas are available on-site.

....

g. Operation

Merchandise shall only be displayed in the interior of the mobile vehicle or portable trailer.
1) All operations, equipment, merchandise and related activities shall be contained within the mobile vehicle or portable trailer.

2) All mobile vehicles and portable trailers shall vacate the site by midnight, unless otherwise stated within Art. 5.E.5, Hours of Operation, whichever is more restrictive.

....

(554) Exhibit E, Art. 5, Supplementary Standards (Lines 21-23)

Delete proposed provisions intended to clarify what regulations will be applicable between business hours of operation and hours included in noise prohibitions regulations. The proposed language is deleted as the most restrictive provisions would be applicable.

C. Noise

~~If hours of operation conflict with the noise regulation hours contained in Art. 5.E.4.B, restrictions for noise regulations shall prevail.~~

(577) Exhibit F, Art. 6, Parking

<u>Homeless Resource Center</u>	<u>1 space per 200 sq. ft. of accessory service delivery areas</u>	<u>E</u>
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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY JANUARY 26, 2017

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. Amendments to the Agenda
- G. Motion to Adopt the 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**

JANUARY 26, 2017

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. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. [ZV/ABN/DOA/R-2015-01924](#) Title: a Type II Variance application of Calvary Chapel of Jupiter Inc by Cotleur & Hearing Inc., Agent. Request: to reduce the width of a Type 3 Incompatibility buffer and eliminate the wall.

Title: a Development Order Abandonment of Calvary Chapel of Jupiter Inc by Cotleur & Hearing Inc., Agent. Request: to abandon a Water and Wastewater Treatment Facility.

Title: a Development Order Amendment of Calvary Chapel of Jupiter Inc by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan; relocate and add square footage; and, modify and delete Conditions of Approval (All Petition, Architectural Review, Engineering, Landscape, Parking, Signs, Site Design, Use Limitations, and Health).

General Location: Southwest corner of Jupiter Farms Road and Indiantown Road. **(Calvary Chapel Church of Jupiter)** (Control 1992-00017)

Pages: 1 - 2

Project Manager: Carlos Torres

Size: 37.93 acres ±

BCC District: 1

(affected area 6.82 acres ±)

Staff Recommendation: To postpone to Thursday, February 23, 2017.

Zoning Commission Recommendation: Postponed to 02/02/2017 with a vote of 6-0-0

MOTION: To postpone to Thursday, February 23, 2017.

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. [ZV/ABN/DOA/CA-2016-00423](#) Title: a Class A Conditional Use application of Young Israel of Boca Raton Inc by Wantman Group Inc., Agent. Request: to allow a Place of Worship; an Elementary or Secondary School (Private School); and, a College or University.

General Location: Approximately 1,015 feet west of Powerline Road, on the south side of Palmetto Circle North. **(Young Israel of Boca Raton)** (Control 1993-00009)

Pages: 3 - 36

Conditions of Approval (9 - 18)

Project Manager: Adam Mendenhall

Size: 3.50 acres ±

BCC District: 4

Staff Recommendation: Staff recommends approval of the requests subject to 16 Conditions of Approval as indicated in C-2, 16 Conditions of Approval as indicated in C-3; and 16 Conditions of Approval as indicated in C-4.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use with a vote of 6-0-0

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment with a vote of 6-0-0

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 6-0-0

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.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an Elementary or Secondary School (Private School) subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an College or University subject to the Conditions of Approval as indicated in Exhibit C-4.

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

3. [LGA-2016-00006](#) Title: Southern Blvd & Cleary Road application of Global Force Invstmnt Cnsltng Llc by Urban Design Kilday Studios, Agent. Request: To change a future land use designation from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND).

General Location: Northwest corner of Southern Blvd and Cleary Road. **(Southern Blvd & Cleary Rd)** (Control 1973-00243)

Pages: 37 - 82

Project Manager: Khurshid Mohyuddin

Size: 1.17 acres ±

BCC District: 2

Staff Recommendation: Denial of the proposed amendment from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND).

Planning Commission Recommendation: Approval with a modification, passed with a 5-2 vote.

MOTION: To adopt an ordinance approving the proposed amendment from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND).

4. [ZV/Z/CA-2015-02360](#) Title: an Official Zoning Map Amendment application of Global Force Investment Consulting LLC - Marta Gonzales by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the General Commercial (CG) Zoning District.

Title: a Class A Conditional Use of Global Force Investment Consulting LLC - Marta Gonzales by Urban Design Kilday Studios, Agent. Request: to allow a Convenience Store with Gas Sales.

General Location: Northwest corner of Southern Boulevard and Cleary Road. **(Cleary Station)** (Control 1973-00243)

Pages: 83 - 112

Conditions of Approval (92 - 95)

Project Manager: Carrie Rechenmacher

Size: 1.17 acres \pm

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 17 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 6-0-0

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use with a vote of 6-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the General Commercial (CG) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-2.

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

K. ULDC AMENDMENTS

5. Title: ADOPTION HEARING - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-02:

SUMMARY: The proposed ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications to the Unified Land Development Code (ULDC), as well as several specific amendments, as follows:

Ordinance Title

- Exhibit A - AGR Tier - Previously Approved and Non-conforming Uses
- Exhibit B - AGR Tier - Planned Development Districts
- Exhibit C - Art. 3.B.20, Urban Redevelopment Area Overlay (URAO)
- Exhibit D - Reasonable Accommodation Expiration
- Exhibit E - Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm Residences
- Exhibit F - Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WRAO)
- Exhibit G - Table 6.A.1.D, Minimum Parking Lot Dimensions
- Exhibit H - Table 8.G.3.B, Electronic Message Sign Types and Approval Process
- Exhibit I - Definition for Addition
- Exhibit J - Administrative Inquiry
- Exhibit K - Art. 3.D.1.D.1, Base Building Line
- Exhibit L - Regulating Plans

Pages: 113 - 152

Project Manager: William Cross

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.

Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendments by multiple votes on October 26, November 16, and November 30, 2016. Sitting as the LDRC on November 16, and November 30, 2016, all proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: December 7, 2016, Request for Permission to Advertise for First Reading on January 5, 2017: Approved, 5-0. January 5, 2017 - Approve on First Reading and advertise for an Adoption Hearing on January 26, 2017. Approved, (7-0).

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; 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; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER F, LEGAL DOCUMENTS; ARTICLE 6- PARKING: CHAPTER A, PARKING; ARTICLE 8- SIGNAGE: CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; 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.

6. Title: **UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ESTABLISH THE WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO) - FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING.**

SUMMARY: This Phase 2 Privately Initiated Application (PIA) to amend the Unified Land Development Code (ULDC) has been submitted by GL Homes concurrent with related privately initiated text and map series amendments to the Comprehensive Plan. These amendments include establishing the Western Communities Residential (WCR) future land use (FLU) designation and related Policies, which will be implemented as the WCR Planned Unit Development (PUD). These new provisions further allow for concurrent or future Rezoning applications within the Overlay, including the project known as the Indian Trails Grove (ITG) PUD.

Pages: 153 - 162

Project Manager: William Cross

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on February 23, 2017, of ULDC Amendments to establish the Western Communities Residential Overlay (WCRO).

Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: The proposed ULDC amendments were presented to the LDRAB and LDRC on April 27, 2016: LDRAB recommendation to approve, passed (13-0); and, LDRC determination of consistency with the Comprehensive Plan, passed (13-0). Revisions to the original amendment request were also presented to the LDRAB and LDRC on December 14, 2016: LDRAB recommendation to approve, passed (12-0); and, LDRC determination of consistency with the Comprehensive Plan, passed (12-0).

MOTION: To approve on First Reading and Advertise for Adoption Hearing on February 23, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, TO ESTABLISH THE WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO), TO ALLOW FOR THE INDIAN TRAILS GROVE PLANNED UNIT DEVELOPMENT (PUD), AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); 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.

7. Title: UNIFIED LAND DEVELOPMENT CODE (ULDC)

MEDICAL MARIJUANA TREATMENT CENTER AND MEDICAL MARIJUANA DISPENSING ORGANIZATION MORATORIUM

Pages: 163 - 166

Project Manager: William Cross

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on February 23, 2017.

MOTION: To approve on First Reading and Advertise for Adoption Hearing on February 23, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ENACTING A ONE YEAR MORATORIUM UPON THE ACCEPTANCE OF ZONING APPLICATIONS AND ALL APPLICABLE REQUESTS FOR ZONING APPROVALS FOR MEDICAL MARIJUANA TREATMENT CENTERS AND MEDICAL MARIJUANA DISPENSING ORGANIZATIONS WITHIN PALM BEACH COUNTY, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 4 - USE REGULATIONS; CHAPTER B, USE CLASSIFICATION; 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: UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS - [USE REGULATIONS PROJECT](#):
FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING

The proposed ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications to the Unified Land Development Code (ULDC), as well as several specific amendments, as follows:

Cover Sheet

Exhibit A - Article 1, General Provisions

Exhibit B - Article 2, Development Review Process

Exhibit C - Article 3, Overlays and Zoning Districts

Exhibit D - Article 4, Use Regulations

Exhibit E - Article 5, Supplementary Standards

Exhibit F - Article 6, Parking

Exhibit G - Article 7, Landscaping

Exhibit H - Article 8, Signage

Exhibit I - Article 9, Archaeological and Historical Preservation

Exhibit J - Article 10, Enforcement

Exhibit K - Article 11, Subdivision, Platting, and Required Improvements

Exhibit L - Article 12, Traffic Performance Standards

Pages: 167 - 589

Project Manager: William Cross

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on February 23, 2017.

Land Development Regulation Advisory Board (LDRAB) and Land Development Regulation Commission (LDRC): The proposed code amendments were submitted for review to the LDRAB on October 23, 2013; February 26 and July 23, 2014; June 24 and November 18, 2015; April 27, May 25, October 14, October 26, November 30 and December 14, 2016, and the (LDRC) on November 30 and December 14, 2016. All proposed ULDC amendments were found to be consistent with the Plan.

BCC Public Hearings: January 5, 2017, Request for Permission to Advertise for First Reading on January 26, 2017, approved (7-0).

See Agenda Item Cover Sheet for additional details.

MOTION: To approve on First Reading and Advertise for Adoption Hearing of ULDC Amendments - Use Regulations Project, on February 23, 2017: 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 B, INTERPRETATION OF CODE; CHAPTER C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER E, PRIOR APPROVALS; CHAPTER G, EMINENT DOMAIN; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS: CHAPTER A, GENERAL; 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 C, COMMUNICATION TOWER, COMMERCIAL; CHAPTER D, EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; CHAPTER H, MASS-TRANSIT STANDARDS; ARTICLE 6- PARKING: CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING: CHAPTER A, GENERAL; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; ARTICLE 8- SIGNAGE: CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; ARTICLE 9- ARCHAEOLOGICAL AND HISTORICAL PRESERVATION: CHAPTER A, ARCHAEOLOGICAL RESOURCES PROTECTION; ARTICLE 10- ENFORCEMENT: CHAPTER C, GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD; CHAPTER E, REMEDIES; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS: CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 12- TRAFFIC PERFORMANCE STANDARDS: CHAPTER J, TRANSPORTATION CONCURRENCY MANAGEMENT AREAS (TCMA); CHAPTER L, TRANSPORTATION CONCURRENCY EXEMPTION FOR PROJECTS THAT PROMOTE PUBLIC TRANSPORTATION; CHAPTER Q, PROPORTIONATE FAIR-SHARE PROGRAM; 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.

9. Title: RECESS AS THE BOARD OF COUNTY COMMISSIONERS

AND

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS - [USE REGULATIONS PROJECT, ARTICLE 15, HEALTH REGULATIONS](#): FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING ON FEBRUARY 23, 2017.

SUMMARY AND REASON FOR AMENDMENT: The proposed amendments in Exhibit A - Article 15, Health Regulations, are related to the Use Regulations Project.

Pages: 590 - 594

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends approval of First Reading of ULDC Amendments, Use Regulations Project on January 26, 2017 and to Advertise for Adoption Hearing on February 23, 2017.

LDRAB/LDRC: The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on December 14, 2016, and the Land Development Regulation Commission (LDRC) on December 14, 2016. All proposed ULDC amendments were found to be consistent with the Plan.

MOTION: MOTION: To approve on First Reading of ULDC Amendments - Use Regulations Project, on January 26, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, SITTING AS THE ENVIRONMENTAL CONTROL BOARD, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-068, AS AMENDED, AS FOLLOWS: ARTICLE 15- HEALTH REGULATIONS: CHAPTER B, (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS; CHAPTER C, GENERAL THRESHOLD VIEW; 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.

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

AND

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT