



**BOARD OF COUNTY COMMISSIONERS
 ZONING HEARING**

**AMENDMENTS TO THE AGENDA
JANUARY 25, 2018**

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

6. (149-180) SV/Z/CA-2017-01024 Burlington Self Storage of Lake Worth
 (2005-00427)

ADD SITE DESIGN – SELF SERVICE STORAGE FACILITY 2 of Exhibit C-3 to read as follows:

SITE DESIGN-SELF SERVICE STORAGE FACILITY

2. A ten (10) foot gate with knox box shall be provided on the northeast and northwest access points connecting to the wall or storage units. (ONGOING: ZONING - Zoning)

K. ULDC AMENDMENTS

7. (201 – 410) UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS ROUND
 2017-02: ADOPTION HEARING

1 #1 Exhibit B, Art. 2, Development Review Procedures, Part 4, Table 2.C.3, DRO –
 2 Administrative Processes, (Line 1, page 248)

Reason for amendments: [Zoning]	
1.	Expand the list of structures subject to Special Permit to include Tent, Watchman Trailer and Real Estate Sales and Management Office as currently contained in the ULDC Art. 5, Supplementary Standards. Amendments to Art. 5 are scheduled in Round 2018-01 to remove Special Permit process approval and update to recently revised processes in Art. 2.

Table 2.C.3, DRO - Administrative Processes

Requests	Processes	
	Full DRO	ZAR
**** Administrative Approval		
**** Special Permit pursuant to Art. 4.B.5.C.1.c, Home Occupation in AR/RSA related to Limited Contractor Storage Yard; Art. 5.B.1.B2, Tent; Art. 5.B.1.B.3.b.7), Watchman Trailer Mobile Home; Art. 5.B.1.B.3.c.9), Real Estate Sales and Management Office Mobile Home; and, Art. 8.H.2, Billboards.		(6)
****		✓
Notes		
6.	Shall be May processed under a as a Special Permit.	

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 6 #2 Exhibit B, Art. 2, Development Review Procedures, Part 5, Art. 2.C.5.C.2, Variance Request Limitations
 7 (Lines 17, Page 256)
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Reason for amendments: [Zoning]	
1.	List the limited number of uses and structures subject to Special Permit as it is still a valid process.

B.2.Prior Approved and Authorized Special Permits

[Any prior approved Special Permits that have expired are requesting an annual renewal or do not have an expiration date indicated on the Permit, shall be considered invalid, and the Applicant shall be required to submit a new application for subject to the approval of a Temporary Use through the ZAR process. Special Permits shall be issued only for Art. 4.B.5.C.1.c, Home Occupation-AR/RSA related to limited Contractor Storage Yard; Art. 5.B.1.B2, Tent; Art. 5.B.1.B.3.b.7\), Watchman Trailer Mobile Home; Art. 5.B.1.B.3.c.9\), Real Estate Sales and Management Office Mobile Home and, Art. 8.H.2, Billboards, subject to the applicable](#)

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~~standards and code requirements. Only the uses identified in the use matrices in Art. 4, Use Regulations, by an "S" shall require a special permit. This designation does not constitute an authorization of such use or an assurance that such use will be approved under this Code. Each proposed special permit application shall be evaluated by the Zoning Director for compliance with the standards and conditions set forth in this Section, and the applicable district. [Ord. 2015-006] [Ord. 2017-007]~~ [Relocated from Art. 2.D.2.B, Authorized Special Permits as it related to Special Permit]

#3 Exhibit J, Art. 7, Landscaping, Part 3, Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements (Line 5, Page 343)

Reason for amendments: [Zoning]	
1.	Delete proposed Code requirement looking to address the limitations of how much an utility easement can overlap the length of a landscape island. This item will be subject to Landscape Subcommittee meetings and coordinated with other agencies such as Fire Department and Water Utilities to reach consensus on what is the best approach to this issue.

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Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements (4)

	<u>U/S Tier</u>	<u>AGR and Glades Tiers</u>	<u>Exurban and Rural Tiers</u>
Landscape Island (4) and Divider Median Minimum Dimensions			
....			
<u>Landscape Island Min. Length</u> (3)(6)		<u>15 ft.</u>	
....			
Notes:			
		
(6)	Minimum length of islands shall exclude curbs, sidewalks and utility easements.		



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY JANUARY 25, 2018

9:30 A.M.

**BCC Chambers 6th Floor, Jane Thompson Memorial Chambers
301 N Olive Ave, West Palm Beach, 33401**

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 25, 2018

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

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

- 1. [EAC-2017-01988](#) Title: an Expedited Application Consideration application of DiVosta Homes, L.P. by Urban Design Kilday Studios, Agent. Request: to modify Conditions of Approval (Engineering).

General Location: Approximately 650 feet south of Lake Worth Road, on the north side of the LWDD L-14 Canal, with Polo Road to the west and Hooks Road and Florida's Turnpike to the east. (**Fields at Gulfstream Polo PUD**) (Control 2005-00594)

Pages: 1 - 53

Conditions of Approval (7 - 18)

Project Manager: Meredith Leigh

Size: 224.90 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 41 Conditions of Approval as indicated in Exhibit C.

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

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

2. [ABN-2017-01411](#) Title: a Development Order Abandonment application of Horizon Baptist Church Inc by Land Research Management Inc., Agent. Request: to abandon a Place of Worship.

General Location: Northeast corner of Orange Boulevard & 130th Avenue North. **(Horizon Baptist Church)** (Control 1998-00015)

Pages: 54 - 57

Project Manager: Diego Penaloza

Size: 6.22 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Place of Worship.

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

- 3. [SCA-2017-00019](#) Title: KidSanctuary Campus, Small Scale Land Use Amendment application of KidSanctuary Campus Inc by Cotleur & Hearing Inc., Agent. Request: To change a future land use designation from Low Residential, 2 units per acre (LR-2) to Institutional (INST/2).

General Location: Southeast corner of Pioneer Road and Safe Haven Drive. **(KidSanctuary Campus)** (Control 2007-00238)

Pages: 58 - 83

Conditions of Approval (69 - 69)

Project Manager: Kathleen Chang

Size: 4.86 acres ±

BCC District: 2

Staff Recommendation: Approval of the proposed amendment from Low Residential, 2 units per acre (LR-2) to Institutional and Public Facilities with an underlying Low Residential, 2 units per acre (INST/2) subject to Conditions of Approval.

Planning Commission Recommendation: Planning Commission recommended approval, by a vote of 11-0.

MOTION: To adopt an Ordinance approving the proposed amendment from Low Residential, 2 units per acre (LR-2) to Institutional and Public Facilities with an underlying Low Residential, 2 units per acre (INST/2) subject to Conditions of Approval.

4. [ZV/ABN/Z/CA-2017-00810](#) Title: a Development Order Abandonment application of KidSanctuary Campus, Inc. by Cotleur & Hearing Inc., Agent. Request: to abandon a Class A Conditional Use to allow a Type III Congregate Living Facility.
- Title: an Official Zoning Map Amendment of KidSanctuary Campus, Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District and the Single Family Residential (RS) Zoning District to the Institutional and Public Facilities (IPF) Zoning District.
- Title: a Class A Conditional Use of KidSanctuary Campus, Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a Type 3 Congregate Living Facility.
- General Location: Southeast corner of Pioneer Road and Safe Haven Drive. (KidSanctuary) (Control 2007-00238)

Pages: 84 - 115

Conditions of Approval (94 - 99)

Project Manager: Meredith Leigh

Size: 10.27 acres ±

BCC District: 2

DISCLOSURE

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

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Class A Conditional Use to allow a Type III Congregate Living Facility.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District and the Single Family Residential (RS) Zoning District to the Institutional and Public Facilities (IPF) 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 Type 3 Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-3.

5. **SCA-2018-00001** Title: Burlington Self Storage of Lake Worth, Small Scale Amendment application of Rolando Silva by Jon E Schmidt & Associates, Agent. Request: To change a future land use designation from Medium Residential, 5 units per acre (MR-5) to Industrial with an underlying Medium Residential, 5 units per acre (IND/5)

General Location: North side of Lantana Road, east of Haverhill Road (**Burlington Self Storage of Lake Worth**) (Control 2005-00427)

Pages: 116 - 148

Conditions of Approval (126 - 126)

Project Manager: Jerry Lodge

Size: 4.55 acres ±

BCC District: 3

Staff Recommendation: Approval of the proposed amendment from Medium Residential, 5 units per acre (MR-5) to Industrial with an underlying Medium Residential, 5 units per acre (IND/5) subject to Conditions of Approval.

Planning Commission Recommendation: Planning Commission recommended approval, by a vote of 11-0.

MOTION: To adopt an Ordinance approving the proposed amendment from Medium Residential, 5 units per acre to Industrial with an underlying 5 units per acre subject to Conditions of Approval.

6. [SV/Z/CA-2017-01024](#) Title: an Official Zoning Map Amendment application of Burlington Self Storage of Lake Worth by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District.

Title: a Class A Conditional Use of Burlington Self Storage of Lake Worth by Schmidt Nichols, Agent. Request: to allow a Single Use over 100,000 square feet in the Industrial FLU.

General Location: Northwest corner of Lantana Road and De Soto Road, approximately 660 feet east of South Haverhill Road. **(Burlington Self Storage of Lake Worth)** (Control 2005-00427)

Pages: 149 - 180

Conditions of Approval (157 - 161)

Project Manager: Carrie Rechenmacher

Size: 4.55 acres \pm

BCC District: 3

DISCLOSURE

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) and a Class A Condition for a use over 100,000 square feet subject to 5 Conditions of Approval as indicated in Exhibit C-2 and 14 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-0-0.

Zoning Commission Recommendation: Approved a Subdivision Variance (with conditions) by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) 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 Single Use over 100,000 square feet in the Industrial FLU subject to the Conditions of Approval as indicated in Exhibit C-3.

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

K. ULDC AMENDMENTS

7. [Title: UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2017-02 - ADOPTION HEARING](#)

The proposed Ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications, as well as several specific amendments, as follows:

- Exhibit A - Art.1.C.4, Measurement [Related to Rules of Construction]
- Exhibit B - Art. 2, Development Review Procedures
- Exhibit C - Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO)
- Exhibit D - Art. 3.E.1.E.1.c, Housing Classification Type
- Exhibit E - Art. 3, Overlays and Zoning Districts [Related to Requested Uses]
- Exhibit F - Art. 4, Use Regulations [Related to SSSF and Gas and Fuel Wholesale]
- Exhibit G - Art. 5.B.1.A.8, Dumpsters
- Exhibit H - Art. 5.B.1.A, Accessory Uses and Structures [Related to Government Owned Towers]
- Exhibit I - Art. 5.C.1.H Guidelines Related to Architectural Guidelines
- Exhibit J - Art. 7, Landscaping
- Exhibit K - Art. 8, Signage [Related to Temporary Signs]
- Exhibit L - Art. 8.G.3.B, Electronic Message Signs

Pages: 181 - 410

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends a motion to adopt ULDC Amendment Round 2017-02, an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

LDRAB/LDRC: 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 25. Sitting as the LDRC on October 25, 2017, all proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: November 30, 2017, Request for Permission to Advertise for First Reading on January 4, 2018: Approved (7-0). January 4, 2018, First Reading and Advertise for an Adoption Hearing on January 25, 2018: Approved (6-0).

MOTION: 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, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER F, NONCONFORMITIES; CHAPTER G, EMINENT DOMAIN; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER C, FLU PLAN AMENDMENTS; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER F, CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARD); CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS: 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, USER GUIDE AND GENERAL PROVISIONS; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER D, PARKS AND RECREATION - RULES AND RECREATION STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; ARTICLE 6 - PARKING: CHAPTER A, PARKING; ARTICLE 7 - LANDSCAPING: CHAPTER A: GENERAL; CHAPTER B, APPROVAL PROCESS AND APPLICABILITY; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER E, REVIEW, INSTALLATION AND MAINTENANCE; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; CHAPTER H, ENFORCEMENT; ARTICLE 8- SIGNAGE: CHAPTER A, GENERAL; CHAPTER B, EXEMPTIONS; CHAPTER C, PROHIBITIONS; CHAPTER D, TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; CHAPTER H, OFF-SITE SIGNS; 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: Initiation of Unified Land Development Code \(ULDC\) Amendment Round 2018-01](#)

Solicit feedback for the Board of County Commissioners on the scheduling of ULDC Amendment that have been prioritized for inclusion in Round 2018-01.

Pages: 411 - 415

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends a motion to initiate ULDC Amendment Round 2018-01.

MOTION: To initiate ULDC Amendment Round 2018-01 based on the list of priority items provided by staff.

9. [Title: Landscape Service Memorandum:](#) Overview of Land Development Regulation Advisory Board (LDRAB) Landscape Service Use Subcommittee recommendation, to include summary of issues with Landscape Service industry located in the Agricultural (AGR) Reserve Tier and residential Zoning districts within the Urban/Suburban (U/S) Tier.

Pages: 416 - 429

Project Manager: William Cross

Staff Recommendation: Staff is seeking direction from BCC on how to proceed with ULDC Amendment in Round 2018-01 for August 2018 adoption.

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT