

payment is in addition to Road Impact Fee payment and is not creditable against any other required payments. (BLDGPM: MONITORING Engineering)

AMEND Engineering Condition 11 of Exhibit C-2 as follows:

11. The Property Owner shall....

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first 160th building permit. (BLDGPM: MONITORING -Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate 233 Certificates of Occupancy. (BLDGPM/CO: MONITORING -Engineering)

10. (277) ZV/PDD/CA-2018-00608 Community Assisted Living (2017-00059)

ADD Site Design Condition 2 of Exhibit C-2, as follows:

Prior to Final Approval by the Development Review Officer (DRO), the Site Plan shall be amended to indicate:

a. a six-foot high concrete panel wall with an opening for Fire Rescue emergency access to be located within the 15-foot wide R-O-W Buffer along the north property line; and,

b. a six-foot high concrete panel wall within the 15-foot wide Type 2 Incompatibility Buffer along the west property line to connect and tie into the wall along the north property line. (BLDGPM/DRO: ZONING-Zoning)

K. ULDC AMENDMENTS

11. (292-420) Request for Permission to Advertise – Unified Land Development Code (ULDC) Amendment Round 2018-02

Notes:

Underlined indicates new text; Double underline indicates revised added text;

~~Stricken~~ indicates text to be deleted; ~~Double stricken~~ indicates revised deleted text;

~~Stricken and italicized~~ means text to be totally or partially relocated;

If being relocated destination is noted in bolded brackets **[Relocated to:]**;

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**;

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT K ARTICLE 7 – LANDSCAPING

Amend Exhibit K, Part 3 page 361, lines 38, and 40-42, to delete duplicative proposed language that is proposed language as it is repeated on page 362 lines 3-5.

...

2. Overhead Utilities

~~Trees-Vegetation that is planted~~ within or abutting any easement with overhead utilities shall comply with the placement planting and maintenance requirements in ~~the latest edition of~~ FP&L's publication "~~Plant the Right Tree, in the Right Place,~~" as amended, available from the Zoning Division, ~~and The Applicant shall~~ take into consideration the mature height and spread of the species beneath or adjacent to overhead utilities. For the purpose of this Section, the term vegetation shall include, trees, palm or pines. If there is conflict between this Code and FP&L's publication "Right Tree, Right Place," as amended, the latter shall apply. ~~Where overhead utilities exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from overhead lines.~~

a. Planting near Overhead Electric Utilities

The setbacks shall be measured from the centerline of the trunk to the outer edge of the overhead utility lines. The following minimum setbacks shall apply:

1) Vegetation that at a mature height may grow to 50 feet or greater shall be planted at least 50 feet away from overhead electric utility lines;

2) Vegetation that at a mature height may grow to between 14 to 49 feet shall be planted at least 30 feet away from overhead electric utility lines;

3) Palms shall be planted at least 20 feet plus the maximum palm frond length away from overhead electric utility lines; and,

4) Only Vegetation that at a mature height grow to less than 14 feet shall be permitted to be planted underneath or adjacent to overhead electric utility line. and,

~~5) Vegetation shall not be planted within eight feet of the front and three feet of the sides of a transformer cabinet.~~

Amend Exhibit C, Part 4 page 362, Reason for Amendment, Page 363 lines 14-16, and Page 363 lines 37-39, to clarify tree size at installation and reference to distance to overhead utilities, and to delete the proposed language as Pines do not come in small, medium or large species.

Part 4. ULDC Art. 7.D.4.D, Landscaping, Landscape Standards, Trees, Palms and Pines (pages 35-36 of 53, Supplement 24); and, Landscaping, Landscape Standards, Trees, Landscape Barrier (pages 39-40 of 53, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]

1. To modify the standards for Minimum Trees and Palms ~~and Pines~~ when they are in proximity to easements with overhead utilities, consistent with FP&L's publication "Right Tree, Right Place," as amended.

Reason for amendments: [Zoning]

2. Remove the additional language of the location of the wall or fence to avoid confusion with the setback requirements per Table 7.D.4.D. Walls are only required for a Type 3 Incompatibility buffer, and if an applicant desires to install a fence or wall in other types of buffers such as: R-O-W buffers which ranges from 10 feet to 20 feet in width; Compatibility - 8 feet in width; Type 1 and 2 Incompatibility Buffers which ranges from 10 feet to 15 feet. The Code requires a setback of the wall or fence from the property line, and sufficient area for the accommodation of the required plantings on both side of the fence or wall.

3 **Section 2 Trees, Palms and Pines**

4 **A. Trees**

5 The size of a Canopy tree shall include the height and caliper pursuant to the Shade Trees, Types
6 One through Five Matrices of the Grades and Standards for Nursery Plant. The minimum size of a
7 Canopy tree shall be 12 feet in height with a two and one half inch caliper at installation, unless stated
8 otherwise below. [Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002]

9 **1. Average Height**

10 Required Canopy tree size may be achieved by utilizing the average height calculation.

11 a. Average height of total quantity of trees shall have a minimum of 12 feet. A maximum of 25
12 percent of the required trees shall be at a minimum height of eight feet. [Ord. 2018-002]

13 **2. Overhead Utilities with or without an easement**

14 a. May be exempt from the Average Height;

15 b. Shall be a minimum of 8 feet in height at installation and comply with Article 7.C.5.A.2,
16 Overhead Utilities; and,

17 c. Shall comply with FP&L's publication "Right Tree, Right Place," as amended.

....

35 **C. Pines**

36 The size of a pine shall include the height and the caliper of the pine. The minimum size of a pine
37 shall be 12 foot in height with a two and one half inch caliper at installation. ~~May be exempt from~~
38 ~~the minimum height, where there is an adjacent Overhead Utilities with or without an easement,~~
39 ~~and shall comply with FP&L's publication "Right Tree, Right Place," as amended.~~ [Ord. 2014-025]
40 [Ord. 2016-042]

Amend Exhibit C, Part 5 page 365, lines 6 and 8, to add Chapter Code reference and grammar.

...

4 **Section 3 ~~Tree~~ Credit and Replacement**

5 ~~This Section clarifies when existing vegetation can be utilized to satisfy Art. 7.C, Landscape Buffer and~~
6 ~~Interior Landscaping Requirements and Art. 7.D, Landscape Standards. In addition, this Section also~~
7 ~~establishes requirements for quantity and size for replacement. Replacement of vegetation may be~~
8 ~~required due to injury, damage or removed, which includes: improper pruning, hatracking, or other~~
9 ~~actions that render existing vegetation unable to achieve its natural and intended form. The quantity and~~
10 ~~the size of the replaced vegetation is based on the size of the individual vegetation at the time when the~~
11 ~~vegetation was injured, damaged or removed. For the purpose of this Section, the term Vegetation shall~~
12 ~~include trees, palms or pines. A preserved upland or drought-tolerant tree or palm meeting the standards~~
13 ~~in this Article may be substituted for required trees, subject to the following:~~ [Ord. 2018-002]

Amend Exhibit C, Part 5 page 366, line 4, to clarify tree replacement.

2 **1. Natural Disaster Replacement**

3 Each tree, palm or pine that has been damaged by natural disaster shall be replaced by a similar
4 species tree, palm or pine, and subject to the following:

5 a) Quantity – one for one; and,

6 b) Size – pursuant to Art.7.D.2, Trees, Palms and Pines.



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

MONDAY NOVEMBER 26, 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

OTHER DEPARTMENT ITEMS

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**

NOVEMBER 26, 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

1. [ZV/CB/CA-2017-02404](#) Title: Type 2 Variance application of Mike Cioffi Lawn Service, Inc., Matheson Tri Gas, Inc. by WGINC, Agent. Request: to eliminate Type 3 Incompatibility Buffer along the northern and eastern property lines; and, to eliminate a wall from a Type 3 Incompatibility Buffer along the western property line.

Title: a Class A Conditional Use of Mike Cioffi Lawn Service, Inc., Matheson Tri Gas, Inc. by WGINC, Agent. Request: to allow a Chipping and Mulching Facility.

General Location: On the northeast side of the Bee Line Highway (State Road 710), approximately 2 miles southeast of Indiantown Road. **(Debris Dog)** (Control 2008-00259)

Pages: 1-1

Project Manager: Lorraine Fuster

Size: 10.00 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Tuesday, January 8, 2019.

Zoning Commission Recommendation: Postponed to December 6, 2018 by a vote of 7-0-0.

MOTION: To postpone to Tuesday, January 8, 2019.

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. [CA-2018-00740](#) Title: a Class A Conditional Use application of All Star Kids Early Learning Center 2 LLC by Miller Land Planning, Agent. Request: to allow a Day Care General.

General Location: Northwest corner of Seminole Pratt Whitney Road and 69th Street North. **(All Star Kids 2)** (Control 2017-00210)

Pages: 2 - 21

Conditions of Approval (7 - 9)

Project Manager: Lorraine Fuster

Size: 2.63 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Day Care General subject to the Conditions of Approval as indicated in Exhibit C.

3. [SV/ZV/Z/DOA/CA-2017-01258](#) Title: an Official Zoning Map Amendment application of West Jupiter Community Group, Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Development Order Amendment of West Jupiter Community Group, Inc. by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan; to add land area, building square footage, and an access point; and, to delete Conditions of Approval (Landscaping).

General Location: North side of Church Street approximately 690 feet west of Limestone Creek Road. **(West Jupiter Community Center)** (Control 1995-00003)

Pages: 22 - 46

Conditions of Approval (29 - 35)

Project Manager: Lorraine Fuster

Size: 3.06 acres ±

BCC District: 1

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

Zoning Commission Recommendation: Approved a Subdivision Variance (with conditions) by a vote of 8-0-0.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-0.

MOTION: To adopt a resolution approving an Official Zoning Map amendment to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District, subject to the Condition of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; to add land area, building square footage, and an access point; and, to delete Conditions of Approval (Landscaping), subject to the Conditions of Approval as indicated in Exhibit C-4.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

H. OTHER ITEMS

4. **Title and Motion:** Staff recommends motion to approve and authorize the Mayor to execute: Termination of Conservation Easements for a 0.40 acre and 0.41 acre upland preserve dedication on the West Jupiter Community Group, Inc. (West Jupiter Community Group) parcel located at 7187 Church Street, Jupiter.

General location: North side of Church Street approximately 690 feet west of Limestone Creek Road, Jupiter

Pages: 47 - 60

Project Manager: Bonnie Finneran,
Environmental Director, Resources Protection
Department of Environmental Resources Management

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

5. [LGA-2018-00003](#) Title: West Central Transportation Facility, Large Scale Land Use Amendment application of School Board Of Palm Beach County FI - Michael C Owens by School District of Palm Beach County, Agent. Request: To change a future land use designation from Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities (INST) with underlying Medium Residential, 5 units per acre (MR-5) General Location: North side of Belvedere Road and west of Skees Road. **(West Central Transportation Facility)** (Control 2017-00075)

Pages: 61 - 97

Project Manager: Elliot O'Roark

Size: 25.41 acres ±

BCC District: 2

Staff Recommendation: To recommend approval of the proposed amendment from Medium Residential, with an underlying 5 units per acre (MR-5) to Institutional with an underlying 5 units per acre (INST/5) on the 25.39 acre parcel.

Planning Commission Recommendation: Planning Commission: Recommended denial, 6-3 vote on January 12, 2018 BCC Transmittal: Transmit, 6-1 vote with Comm. Burdick dissenting on January 31, 2018 State Review: No review comments

MOTION: To adopt an ordinance for the amendment from Medium Residential, with an underlying 5 units per acre (MR-5) to Institutional with an underlying 5 units per acre (INST/5)

6. [Z-2017-02224](#) Title: an Official Zoning Map Amendment application of School Board of Palm Beach County FL by School District of Palm Beach County, Agent. Request: to allow a rezoning from the Medium Residential (RM) Zoning District to the Public Ownership (PO) Zoning District.

General Location: Northwest corner of Belvedere Road and Skees Road. **(West Central Transportation Facility)** (Control 2017-00075)

Pages: 98 - 116

Conditions of Approval (104 - 105)

Project Manager: Donna Adelsperger

Size: 25.41 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 7 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment subject to a Conditional Overlay Zone (COZ) by a vote of 8-0-0.

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

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

7. [SCA-2018-00019](#) Title: Haverhill Residential, Small Scale Land Use Amendment application of Enrique Rodriguez, Boyd Haverhill Llc by WGINC, Agent. Request: To change a future land use designation from Medium Residential, 5 units per acre MR-5) and High Residential, 8 units per acre (HR-8) to High Residential, 12 units per acre (HR-12)

General Location: East side of Haverhill Road, north of Okeechobee Boulevard **(Haverhill Residential)** (Control 1988-00135)

Pages: 117 - 164

Conditions of Approval (124)

Project Manager: Francis Forman

BCC District: 7

Size: 9.13 acres ±

(affected area 8.90 acres ±)

Planning Commission Recommendation: Planning Commission: Recommended Approval with Conditions, 9 to 0 vote on Oct. 12, 2018

MOTION: To adopt an ordinance with conditions for the proposed amendment from Medium Residential, 5 units per acre (MR-5) on 8.90 acres and High Residential, 8 units per acre (HR-8) on 0.23 acres to High Residential, 12 units per acre (HR-12), on 9.13 acres total

8. [ZV/ABN/PDD/CA/W-2018-00591](#) Title: a Development Order Abandonment application of AHC of West Palm Beach, LLC by WGINC, Agent. Request: to abandon a Special Exception to allow a Planned Unit Development, consisting entirely of a Congregate Living Facility Type 3 [which extinguishes the Special Exception for an Adult Congregate Living Facility, Petition No. 1973-00009(A)], as amended by Resolution R-1994-1074.

Title: an Official Zoning Map Amendment of AHC of West Palm Beach, LLC by WGINC, Agent. Request: to allow a rezoning from the Multifamily Residential (RM) and the Multifamily Residential High Density (RH) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

Title: a Class A Conditional Use of AHC of West Palm Beach, LLC by WGINC, Agent. Request: to allow a Workforce Housing Program density bonus greater than 30 percent; and, to allow Transfer of Development Rights.

Title: a Type 2 Waiver of AHC of West Palm Beach, LLC by WGINC, Agent. Request: to eliminate the Private Civic Pod in a Countywide Community Revitalization Team area.

General Location: East side of Haverhill Road, approximately 0.40 miles north of Okeechobee Boulevard. **(Haverhill Residential)** (Control 1988-00135)

Pages: 165 - 229

Conditions of Approval (178 - 185)

Project Manager: Meredith Leigh

Size: 15.33 acres ±

BCC District: 7

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 28 Conditions of Approval as indicated in Exhibit C-2; 4 Conditions of Approval as indicated in Exhibit C-3; 6 Conditions of Approval as indicated in Exhibit C-4; and, 4 Condition of Approval as indicated in Exhibit C-5.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 7-0-1.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Special Exception to allow a Planned Unit Development, consisting entirely of a Congregate Living Facility Type 3 [which extinguishes the Special Exception for an Adult Congregate Living Facility, Petition No. 1973-00009(A)], as amended by Resolution R-1994-1074.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential (RM) and the Multifamily Residential High Density (RH) Zoning Districts to the Planned Unit Development (PUD) 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 Workforce Housing Program density bonus greater than 30 percent 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 Transfer of Development Rights subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution approving a Type 2 Waiver to eliminate the Private Civic Pod in a Countywide Community Revitalization Team area subject to the Conditions of Approval as indicated in Exhibit C-5.

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION**I. PREVIOUSLY POSTPONED ZONING APPLICATIONS****J. ZONING APPLICATIONS - NEW**

9. [Z/CB/W-2018-00219](#) Title: an Official Zoning Map Amendment application of Florida Power and Light Company by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone.
Title: Type 2 Waiver of Florida Power and Light Company by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a reduction of the Required Dimensional Criteria for Setbacks and Separation.
General Location: East side of Congress Avenue approximately 540 feet north of Clint Moore Road. **(FPL Yamato Substation)** (Control 2003-00054)

Pages: 230 - 266

Conditions of Approval (237 - 239)

Project Manager: Carlos Torres

Size: 4.95 acres \pm

BCC District: 4

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 5 Conditions of Approval as indicated in Exhibit C-1; and, 4 Conditions of Approval as indicated in Exhibit C-3

Zoning Commission Recommendation: Approved a Class B Conditional Use (with conditions) by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval of Type 2 Waiver by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval, as amended of an Official Zoning Map Amendment subject to a Conditional Overlay Zone (COZ) by a vote of 7-0-1.

MOTION: To adopt a resolution approving an Official Zoning Map amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Type 2 Waiver to allow a reduction of the Required Dimensional Criteria for Setbacks and Separation subject to the Conditions of Approval as indicated in Exhibit C-3.

10. [ZV/PDD/CA-2018-00608](#) Title: an Official Zoning Map Amendment application of Haverhill ALF, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Class A Conditional Use of Haverhill ALF, LLC by Schmidt Nichols, Agent. Request: to allow a Type 3 Congregate Living Facility.

General Location: Northwest corner of North Haverhill Road and Community Drive. **(Community Assisted Living)** (Control 2017-00059)

Pages: 267 - 291

Conditions of Approval (275 - 279)

Project Manager: Carlos Torres

Size: 3.97 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff Recommends approvals of the requests subject to 15 Conditions of Approval as indicated in Exhibit C-2; and, 6 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved Type 2 Variance (with conditions as amended) by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-0.

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.

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.

K. ULDC AMENDMENTS

11. [Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2018-02.](#)

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

Ordinance Title

Exhibit A Art. 1 and 12 - Statute Reference and Definition of Project

Exhibit B Art. 1, 3 and 4 - Special Permits

Exhibit C Art. 1,3, 4 and 5, Temp Use Real Estate Sales Model and Management

Exhibit D Art. 2 and 3 - Resubmittal and Modifications by the DRO [Housing Type]

Exhibit E Art.2, and 5, Accessory Uses and Structures - Temp Structures

Exhibit F Art. 2, 3 and 5, Mechanical Equipment and Legal Documents

Exhibit G Art. 3 Public Civic Landscape Buffer

Exhibit H Art. 3, 4 and 7 - Green Market Community Vegetable Garden and Landscaping

Exhibit I Art. 4, Use Regulations, Financial Inst., Vet Clinic, Homeless Res Ctr, Place of Worship and Adult Entertainment

Exhibit J Art. 6, Parking

Exhibit K Art 7, Landscaping

Exhibit L Art. 16, Airport Regulations

Exhibit M PO Deviations

Exhibit N Congregate Living Residential (CLR) and Codification of ORD 2017-036

Exhibit O Residential in MUPD

Pages: 292 - 420

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends a motion to approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2018-02 on January 8, 2019.

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 July 25, 2018, August 22, 2018, September 26, 2018, October 24, 2018, and November 14, 2018. Sitting as the LDRC on September 26, 2018, October 24, 2018, and November 14, 2018 the proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

MOTION: To approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2018-02 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS: CHAPTER A, AUTHORITY; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2 - APPLICATION PROCESSES AND PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3 - OVERLAYS & 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, USER GUIDE AND GENERAL PROVISIONS; CHAPTER B, USE CLASSIFICATION; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER A, GENERAL; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER F, LEGAL DOCUMENTS; CHAPTER G, DENSITY BONUS PROGRAM; ARTICLE 6 - PARKING: CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING: CHAPTER B, APPLICABILITY AND APPROVAL PROCESS; CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS; CHAPTER D, LANDSCAPE STANDARDS; CHAPTER E, EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES; CHAPTER F, INSTALLATION AND MAINTENANCE; CHAPTER G, ENFORCEMENT; ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS: CHAPTER I, COASTAL RESIDENTIAL EXCEPTION; ARTICLE 16 - AIRPORT REGULATIONS: CHAPTER B, AIRPORT PROTECTION ZONING REGULATIONS GOVERNING AIRPORT HAZARDS; CHAPTER C, AIRPORT LAND USE COMPATIBILITY ZONING REGULATIONS; 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.

12. [PIA-2018-02043](#) Title: Phase 1 of a Privately Initiated Code Amendment application of

Urban Design Kilday Studios - Ken Tuma by Gunster Yoakley & Stewart PA, Urban Design Kilday Studios, Agent. Request: to amend specific sections of the Unified Land Development Code (ULDC), for Renewable Energy Solar Facilities, greater than 300 acres, to revise the definition; to allow for an exemption from rezoning to the consistent Zoning District (Rural Residential 1 units per 10 acres (RR-10) FLU with an Agricultural Residential (AR) Zoning); to modify and exempt the requirements for perimeter landscaping; to be exempt from the maximum heights for fences; and, to allow barbed wire.

Pages: 421 - 430

Project Manager: Jan Rodriguez

Size: acres ±

Staff Recommendation: Staff is in support of Option 2.

Options:

- 1.To deny modifications to the Unified Land Development Code.
- 2.To approve the PIA Phase 1 and start PIA Phase 2, on its own schedule.
- 3.To approve the PIA Phase 1, and move the proposed request into the 2019-01 Round ULDC Code Amendments.

LDRAB Recommendation: The Land Development Advisory Board recommends the amendment proceed with the inclusion of their recommendations.

MOTION: To approve the PIA Phase I, and start the PIA Phase 2 on its own schedule.

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

13. [Title: Restrictive Covenant for the Workforce Housing Program Obligation assigned to Fields at Gulfstream Polo PUD.](#)

Pages: 431

Project Manager: Bryan Davis

Staff Recommendation: Staff recommends approval of the request.

MOTION: Motion to approve and authorize Mayor to execute: release and re-record, with prior approval from the County Attorney and Planning Division, the Restrictive Covenant for the Workforce Housing Program Obligation assigned to Fields at Gulfstream Polo PUD Control No. 2005-594.

14. [Title: Amendment of Conservation Easements for Monticello AGR-PUD and update to the County Conservation Easement Forms.](#)

Pages: 432

Project Manager: Bryan Davis

Staff Recommendation: Staff recommends approval of the request.

MOTION: Motion to approve and authorize Mayor to execute: To release and re-record, with prior approval from the County Attorney and Planning Division, the Conservation Easements assigned to Monticello AGR-PUD Control No. 2005-14 and to update the County Conservation Easement forms.

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT

This page left blank intentionally