



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
May 28, 2020**

AGENDA

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

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

| | | | |
|-----------|------------------------|--|--|
| 2. | (Agenda Page 4) | DEV-2020-00716 (2002-00039) | San Castle Community Center - Mural |
|-----------|------------------------|--|--|

MOVE Item #2 to Consent Agenda.

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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY MAY 28, 2020

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**

MAY 28, 2020

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

F. CORRECTIVE RESOLUTIONS

- 1. **CRB-2020-00696** Title: a Corrective Resolution application of Delray Golf Investors, LLC, Palm Greens at Villa del Ray Condo. Assn., 13FH Palm Beach, LP by Urban Design Kilday Studios, Agent. Request: to correct Conditions of Approval as contained in Resolution R-2019-1825.

General Location: Northeast corner of Lake Ida Road and El Clair Ranch Road, within an area partially bounded by the LWDD E-3 canal to the east (0.5 miles west of Military Trail), El Clair Ranch Road and South Jog Road to the west, and the LWDD L-29 Canal to the north (approximately 0.4 miles north of Flavor Pict Road). **(Delray Trails at Villa del Ray PUD)** (Control 1971-00013)

Pages: 1 - 2

Project Manager: Meredith Leigh

Size: 671.80 acres ±

BCC District: 5

(affected area 118.94 acres ±)

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution to correct Conditions of Approval as contained in Resolution R-2019-1825.

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

- 2. **DEV-2020-00716** Title: Public Ownership Deviation application of Palm Beach County by Palm Beach County, Agent. Request: to allow a reduction in the required separation between a mural and residential property lines.

General Location: Approximately 432-feet west of Overlook Road on the north side of Mentone Road. (**San Castle Community Center - Mural**) (Control 2002-00039)

Pages: 3 - 18

Project Manager: Eric McClellan

Size: 1.01 acres ±

BCC District: 7

DISCLOSURE

MOTION: To approve the Public Ownership Deviation to allow a reduction in the required separation between a mural and residential property lines.

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. ULDC AMENDMENTS**3. Title: ADOPTION HEARING- UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT LANDSCAPE SERVICE AR and AR/AGR ACCESS**

The proposed Ordinance will account for consistency with the Comprehensive Plan and a specific amendment as follows:

Ordinance Title

Exhibit A Articles 2, 4, and 11 Landscape Service

Pages: 19 - 26

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends adoption of 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: On February 26, 2020, the LDRAB recommended approval of the proposed ULDC amendment with a vote of 11-0. At time of publication, the May 27, 2020 LDRAB has not made a recommendation.

Land Development Regulation Commission (LDRC) Determination: On February 26, 2020, the LDRC found the proposed ULDC amendment consistent with the Comprehensive Plan with a vote of 11-0. At time of publication, the May 27, 2020 LDRC has not made a determination.

Board of County Commissioners: At the February 27, 2020 hearing, the BCC approved the Request for Permission to Advertise with a vote of 5-0.

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 2- APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; ARTICLE 4 - USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS: CHAPTER E, REQUIRED IMPROVEMENTS; 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.

4. Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT LANDSCAPE SERVICE AGR-PUD ZONING DISTRICT

The proposed Ordinance will account for consistency with the Comprehensive Plan and a specific amendment as follows:

Ordinance Title

Exhibit A Article 4 Landscape Service

Exhibit B AGR Tier Analysis and Locations for AGR-PUD Preserves

Pages: 27 - 60

Project Manager: Patricia Behn

Staff Recommendation: Staff recommends approval of the Request for Permission to Advertise for First Reading on June 25, 2020.

Land Development Regulation Advisory Board (LDRAB) Recommendation: At time of publication the May 27, 2020 LDRAB has not rendered a recommendation.

Land Development Regulation Commission (LDRC) Determination: At time of publication the May 27, 2020 LDRC has not rendered a determination.

MOTION: To approve the Request for Permission to Advertise for First Reading on June 25, 2020: 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 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.

M. OTHER ITEMS

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

- 5. Title: Three Conservation Easements within the Palm Beach Park of Commerce Planned Industrial Park Development

A release and replacement of three Conservation Easements, - a release and replacement of three conservation easements-"Preserve #6," which is a portion of the conservation easement recorded in Official Records Book 31080, Page 1651, and "Preserves #11 and #13," recorded in Official Records Book 24145, Page 660 within the Palm Beach Park of Commerce Planned Industrial Park (Park) - in order to remove a drainage easement and provide a larger consolidated preserve area within "Preserve #6", remove a railway easement, relocate acreage within "Preserve #11" in order to provide a buffer between development and environmentally sensitive lands, and to reconfigure and acquire higher quality upland vegetation within "Preserve #13."

General Location: Beeline Highway and Park of Commerce Blvd.

Pages: 61 - 121

Project Manager: Keri Smith

Size: 0.004 acre increase

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

6. Title: Recognition of Maryann Kwok, Deputy Zoning Director retirement.

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT