



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY AUGUST 25, 2016

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. Fire Rescue Collective Bargaining Agreement
- F. Swearing In
- G. Amendments to the Agenda
- H. 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
AUGUST 25, 2016

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. [Fire Rescue Collective Bargaining Agreement](#)

Motion and Title: **Staff recommends motion to approve and ratify:** the Collective Bargaining Agreement between Palm Beach County and the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc., for the period October 1, 2015 through September 30, 2018, with retroactive implementation of adjusted salary payments effective August 16, 2016.

Summary: On April 16, 2013, the Board approved a Collective Bargaining Agreement (CBA) with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. (R2013-0493) for the period October 1, 2012 through September 30, 2015. The County continued to operate under the terms and conditions of the expired agreement as the parties negotiated the terms and conditions of a new bargaining agreement. This new agreement was ratified by the Union membership as reflected in the attached Letter of Union Ratification. The three-year cumulative cost of this agreement is estimated to be \$30.8 million (representing an approximate 14% increase in annual personnel services costs) over the expired CBA, and includes across-the-board salary increases as follows:

FY 2016	August 16, 2016	3%
FY 2017	October 1, 2016	3%
FY 2018	October 1, 2017	3%

Although the CBA states the FY2016 salary increases will be effective on ratification, due to a delay in the ratification process, staff recommends Board approval for the increases to be made retroactive to August 16, 2016. The CBA does not require an increase in the Fire/Rescue MSTU millage rate. Funding for fiscal year 2017 can be accommodated in the recommended FY2017 budget. The major elements of this agreement are included in Attachment 3. [Countywide \(SB\)](#) (Pages 476 - 621)

- F. Swearing In - County Attorney
- G. Amendments to the Agenda
- H. 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

- 1. [Z/CA-2015-02534](#) Title: an Official Zoning Map Amendment application of Law Firm of Shutts and Bowen LLP by Shutts and Bowen LLP, Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District.
Title: a Class A Conditional Use of Law Firm of Shutts and Bowen LLP by Shutts and Bowen LLP, Agent. Request: to allow a Convenience Store with Gas Sales.
General Location: Southeast corner of Okeechobee Boulevard and Seminole Boulevard. (**Cumberland Farms Westgate**) (Control 2012-00374)

Pages: 1 - 31

Conditions of Approval (9 - 12)

Project Manager: Carlos Torres

Size: 2.65 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1, and 15 Conditions of Approval as indicated in Exhibit C-2.

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

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) 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.

2. [ZV/DOA/R-2015-01223](#) Title: Development Order Amendment application of Colors Flying by Land Research Management Inc., Agent. Request: to reconfigure the site plan, amend Conditions of Approval (Engineering, Airports), and add a Requested Use. Title: a Requested Use of Colors Flying by Land Research Management Inc., Agent. Request: to allow an Indoor Entertainment Use. General Location: Southeast corner of Cherry Road and Military Trail. **(Palm Beach Commons)** (Control 1975-00164)

Pages: 32 - 53

Conditions of Approval (38 - 41)

Project Manager: Carrie Rechenmacher

Size: 6.60 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the requests subject to 11 Conditions of Approval as indicated in Exhibit C-2 and 5 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 6-0-0

Zoning Commission Recommendation: Recommended Approval of Development Order Amendment 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 Development Order Amendment to reconfigure the site plan, amend Conditions of Approval (Engineering, Airports), and add a Requested Use subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow an Indoor Entertainment Use subject to the Conditions of Approval as indicated in Exhibit C-3.

3. [Z-2016-00432](#) Title: an Official Zoning Map Amendment application of Pasquale Montesano by Land Research Management Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: Approximately 0.71 miles north of Donald Ross Road on the east side of Palmwood Road. **(Palmwood Rezoning)** (Control 2016-00006)

Pages: 54 - 66

Conditions of Approval (58 - 59)

Project Manager: Diego Penaloza

Size: 0.49 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 5 Conditions of Approval as indicated in Exhibit C.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District with a Conditional Overlay Zone (COZ) subject to Conditions of Approval as indicated in Exhibit C.

4. **Z/CA-2015-01230** Title: an Official Zoning Map Amendment application of SCI Funeral Homes of Florida Inc by Arc Development Global LLC, Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Institutional and Public Facility (IPF) Zoning District.

Title: a Class A Conditional Use of SCI Funeral Homes of Florida Inc by Arc Development Global LLC, Agent. Request: to allow a Cemetery.

General Location: Northlake Boulevard west side of Memorial Road. **(SCI Funeral Services of Florida)** (Control 1981-00205)

Pages: 67 - 91

Conditions of Approval (73 - 75)

Project Manager: Roger Ramdeen

Size: 30.15 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone and 5 Conditions of Approval as indicated in Exhibit C-1, and 12 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 Residential Estate (RE) Zoning District to the Institutional and Public Facility (IPF) Zoning District with a Conditional Overlay Zone, 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 Cemetery subject to the Conditions of Approval as indicated in Exhibit C-2.

5. **Z-2016-00335** Title: an Official Zoning Map Amendment application of Palm Beach County BCC by Planning Zoning & Building, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District.

General Location: North side of Atlantic Avenue, approximately 250 ft east of Lyons Road. **(Dells Suburban Market)** (Control 1980-00039)

Pages: 92 - 100

Conditions of Approval (96 - 96)

Project Manager: Roger Ramdeen

Size: 1.69 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 5-0-1

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

6. **Z-2016-00336** Title: an Official Zoning Map Amendment application of Palm Beach County by Planning Zoning & Building, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District.

General Location: Northeast corner of Lyons Road and Atlantic Avenue. **(Fina Service Station)** (Control 1977-00147)

Pages: 101 - 109

Conditions of Approval (105 - 105)

Project Manager: Roger Ramdeen

Size: 1.50 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 5-0-1

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

7. **Z-2016-00337** Title: an Official Zoning Map Amendment application of Palm Beach County by Planning Zoning & Building, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District.

General Location: Approximately 1,900 ft east of State Road 7 on the south side of Boynton Beach Boulevard. **(PF at West Boynton)** (Control 1978-00098)

Pages: 110 - 118

Conditions of Approval (114 - 114)

Project Manager: Roger Ramdeen

Size: 4.57 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 5-0-1

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

8. [Z-2016-00338](#) Title: an Official Zoning Map Amendment application of Palm Beach County BCC by Planning Zoning & Building, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District.

General Location: South side of Boynton Beach Boulevard, approximately 950 feet east of State Road 7. **(Three Amigos)** (Control 2014-00152)

Pages: 119 - 127

Conditions of Approval (123 - 123)

Project Manager: Roger Ramdeen

Size: 1.00 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 5-0-1

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Community Commercial (CC) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

9. [ZV/DOA-2016-00440](#) Title: a Development Order Amendment application of Florida Power and Light by Urban Design Kilday Studios, Agent. Request: to reconfigure site plan, and delete Conditions of Approval (Alternative Landscape Plan, and Engineering).

General Location: Approximately 0.5 miles south of Gateway Boulevard on the west side of Military Trail. **(Florida Power and Light Company-Boynton Beach Service Center)** (Control 1979-00191)

Pages: 128 - 167

Conditions of Approval (136 - 141)

Project Manager: Donna Adelsperger

Size: 17.12 acres ±

BCC District: 5

(affected area 8.70 acres ±)

Staff Recommendation: Staff recommends approval of the Development Order amendment subject to 14 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment with a vote of 7-0-1

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan, and modify and delete Conditions of Approval (Alternative Landscape Plan, and Engineering) subject to the Conditions of Approval as indicated in Exhibit C-2.

E. ZONING APPLICATIONS - NEW

- 10. [DOA-2016-00087](#) Title: a Development Order Amendment application of Home Depot USA Inc, Halvorsen Inv Inc, JMA Properties Inc, RReef America Reit II Corp J, First Union Natl Bank of FL by Miller Land Planning, Agent. Request: to reconfigure the Site Plan; increase the building height; and add square footage.
General Location: Southeast corner of Glades Road and US-441. **(ABC Store 209B at Festival Shoppes of Boca Raton)** (Control 1990-00024)

Pages: 168 - 203

Conditions of Approval (173 - 182)

Project Manager: Carolina Valera

Size: 36.96 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 75 Conditions of Approval as indicated in Exhibit C.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; increase the building height; and add square footage subject to the Conditions of Approval as indicated in Exhibit C.

11. [ABN/ZV/CA/W-2015-02175](#) Title: a Type II Waiver application of Petroleum Advantage Properties LLC by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow a single story building; allow a building on a corner parcel to not be placed at the build-to-line; increase the front street setback; increase the side streets setback (2); reduce the primary building frontage; reduce the setback for outdoor uses to Non-PRA residential use; allow fuel pumps, canopies and queuing located in the front of building; no transparency on the south facade; allow parking and loading areas to be located in front; allow two freestanding signs, to allow size reduction of the loading zone; and to allow the pedestrian circulation zone to be not adjacent to the planting/amenity zone.
General Location: Southeast corner of Military Trail and 10th Avenue North.
(WaWa-SEC 10th Ave and Military) (Control 2013-00049)

Pages: 204 - 250

Conditions of Approval (214 - 216)

Project Manager: Carlos Torres

Size: 2.06 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the Type II Waivers subject to 17 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved a Development Order Abandonment with a vote of 8-0-0

Zoning Commission Recommendation: Recommended Approval of a Type II Waiver with a vote of 8-0-0

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 6-2-0

MOTION: To adopt a resolution approving Type II Waivers to allow a single story building; allow a building on a corner parcel to not be placed at the build-to-line; increase the front street setback; increase the side streets setback (2); reduce the primary building frontage; reduce the setback for outdoor uses to Non-PRA residential use; allow fuel pumps, canopies and queuing located in the front of building; no transparency on the south facade; allow parking and loading areas to be located in front; allow two freestanding signs, to allow size reduction of the loading zone; and to allow the pedestrian circulation zone to be not adjacent to the planting/amenity zone subject to the Conditions of Approval as indicated in Exhibit C-2.

F. CORRECTIVE RESOLUTIONS

- 12. **CRB-2016-01270** Title: a Corrective Resolution application of Covenant Centre Inc by Coteleur & Hearing Inc., Agent. Request: to repeal Resolutions R-2016-543 and R-2016-550 and adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, add square footage, and amend a Condition of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

General Location: Northwest corner of Roan Lane and Northlake Boulevard. (**Covenant Church**) (Control 1974-00083)

Pages: 251 - 259

Conditions of Approval (253 - 259)

Project Manager: Carrie Rechenmacher

Size: 5.15 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the Corrective Resolution.

MOTION: To adopt a resolution repealing Resolutions R-2016-543 and R-2016-550 and a resolution approving a Development Order Amendment to reconfigure the Site Plan, add square footage, and amend a Condition of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

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

- 13. [PCN-2016-01277](#) Title: application of Palm Beach County by Palm Beach County, Agent. Request: to allow deviations from Article 7.

General Location: Northwest corner of Congress Avenue and Gun Club Road. **(PBSO Evidence and Impound Facility)** (Control 1982-00190)

Pages: 260 - 271

Project Manager: Audrey Wolf, PBC FD & O

Size: 15.83 acres ±

BCC District: 2

DISCLOSURE

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

MOTION: To adopt a resolution approving Public Ownership Deviations to allow deviations from Article 7 Landscaping to allow for elimination of certain foundation plantings, elimination of the shrub planting pattern within a certain portion of perimeter R-O-W buffer fronting Congress Avenue, and elimination of the tree, shrub and hedge requirement within certain perimeter buffer locations along the north and west property lines, subject to the Condition of Approval as indicated in Exhibit C.

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

14. [ZV/ABN/PDD/R-2015-02512](#) Title: a Development Order Abandonment application of Boynton Beach Assoc XVIII LLLP by G.L. Homes, Agent. Request: to abandon Resolutions R-2005-1625 and R-2007-232 that allowed a General Daycare; Single Tenant exceeding 25,000 square feet (sq. ft.), and three Type I Restaurants.

Title: an Official Zoning Map Amendment of Boynton Beach Assoc XVIII LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Traditional Market Place Development (TMD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District and to allow an Alternative Landscape Buffer adjacent to Pod B (Civic Pod).

Title: a Requested Use of Boynton Beach Assoc XVIII LLLP by G.L. Homes, Agent. Request: to allow a General Daycare; a Type I Restaurant; and two Type II Restaurants.

General Location: Southeast corner of Boynton Beach Boulevard and Lyons Road. **(Canyon Town Center MUPD)** (Control 2004-00471)

Pages: 272 - 329

Conditions of Approval (282 - 298)

Project Manager: Roger Ramdeen

Size: 125.82 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 60 Conditions of Approval as indicated in Exhibit C-2 and 10 Conditions of Approval as indicated in Exhibits C-3, C-4, C-5 and C-6.

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 5-0-1

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 5-0-1

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 5-0-1

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment with a vote of 5-0-1

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon Resolutions R-2005-1625 and R-2007-232 that allowed a General Daycare; Single Tenant exceeding 25,000 square feet (sq. ft.), and three Type I Restaurants.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Traditional Market Place Development (TMD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District and to allow an Alternative Landscape Buffer adjacent to Pod B (Civic Pod) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow a General Daycare (Building F) subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant (Building B1) subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution approving a Requested Use to allow a Type II Restaurant (Building A1) subject to the Conditions of Approval as indicated in Exhibit C-5.

MOTION: To adopt a resolution approving a Requested Use to allow a Type II Restaurant (Building A2) subject to the Conditions of Approval as indicated in Exhibit C-6.

J. ZONING APPLICATIONS - NEW

15. **PDD/R-2015-02533** Title: an Official Zoning Map Amendment to a Planned Development District application of 7 t's Enterprises, Inc. by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District and to allow an Alternative Landscape Buffer.

Title: a Requested Use of 7 t's Enterprises, Inc. by Urban Design Kilday Studios, Agent. Request: to allow a Type 3 Congregate Living Facility; a Type I Restaurant; and four Type II Restaurants.

General Location: Northeast corner of Clint Moore Road and State Road 7. (**Thomas Packing Plant MUPD**) (Control 2007-00288)

Pages: 330 - 385

Conditions of Approval (339 - 354)

Project Manager: Yoan Machado

Size: 37.38 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 39 Conditions of Approval as indicated in Exhibit C-1, 18 Conditions of Approval as indicated in Exhibit C-2, 5 Conditions of Approval as indicated in each Exhibit C-3, C-4, C-5, C-6, and 5 Conditions of Approval as indicated in Exhibit C-7.

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 8-0-0

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment to a Planned Development District with a vote of 8-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District and to allow an Alternative Landscape Buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow a Type II Restaurant (Bldg E-2), subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Requested Use to allow a Type II Restaurant (Bldg K), subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution approving a Requested Use to allow a Type II Restaurant (Bldg N), subject to the Conditions of Approval as indicated in Exhibit C-5.

MOTION: To adopt a resolution approving a Requested Use to allow a Type II Restaurant (Bldg O), subject to the Conditions of Approval as indicated in Exhibit C-6.

MOTION: To adopt a resolution approving a Requested Use to allow a Type 3 Congregate Living Facility, subject to the Conditions of Approval as indicated in Exhibit C-7.

16. [DOA/R-2015-02530](#) Title: a Development Order Amendment application of F P Dino Inc by Covelli Design Associates Inc., Agent. Request: to reconfigure the Master Plan and add a Requested Use.

Title: a Requested Use of F P Dino Inc by Covelli Design Associates Inc., Agent.
Request: to allow a Type 3 Congregate Living Facility.

General Location: Southeast corner of Lake Ida Road and Via Flora. **(Delray Villas - Civic Pod)** (Control 1975-00151)

Pages: 386 - 407

Conditions of Approval (391 - 397)

Project Manager: Carlos Torres

Size: 272.16 acres \pm

BCC District: 5

(affected area 5.63 acres \pm)

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 8-0-0

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan and add a Requested Use, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Type 3 Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-2.

K. ULDC AMENDMENTS

17. Title: [Initiation of Unified Land Development Code \(ULDC\) Amendment Round 2016-02.](#)

Pages: 408 - 411

Staff Recommendation: Staff recommends approval of Initiation of ULDC Amendment Round 2016-02.

18. Title: UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-01:
FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING

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 - Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]
- Exhibit B - Art. 1.F.2.C, Residential Development Regulations [AR District]
- Exhibit C - Art. 2.B.2.H.2, EAC [Expedited Application Consideration]
- Exhibit D - Art. 6.A.1.D.14, Design and Construction Standards [Parking]
- Exhibit E - Art. 6, Parking [Loading Space Reduction]
- Exhibit F - Art. 7, Landscaping [Alternative Landscape Plan Update]
- Exhibit G - Article 14, Environmental Standards
- Exhibit H - Design Standards Alternative
- Exhibit I - Zoning District Consistency with Future Land Use Atlas
- Exhibit J - Overlay Updates
- Exhibit K - Parks and Recreation
- Exhibit L - Height Measurement for Fences, Walls and Hedges

Pages: 412 - 466

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on September 22, 2016.

Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendments by multiple votes on March 23, 2016, April 27, 2016, and May 25, 2016; and, sitting as the LDRC on May 25, 2016, found all proposed amendments consistent with the Comprehensive Plan.

MOTION: To approve on First Reading and Advertise for Adoption Hearing on September 22, 2016: 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 E, PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; 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); ARTICLE 4- USE REGULATIONS: CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS & RECREATION ; RULES AND RECREATION STANDARDS; ARTICLE 6- PARKING: CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING: CHAPTER B, TYPES OF PLANS; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 14- ENVIRONMENTAL STANDARDS: APPENDIX 9, NATURAL AREAS; APPENDIX 10; PROHIBITED VEGETATION REMOVAL SCHEDULE; 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.

19. Title: RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-01 - HEALTH REGULATIONS: FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING

REASON FOR AMENDMENT: The proposed ordinance will make the ULDC more consistent with other agency regulations related to water wells.

Pages: 467 - 470

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on September 22, 2016.

Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendment on March 23, 2016; and, sitting as the LDRC on May 25, 2016, found the proposed amendment consistent with the Comprehensive Plan.

MOTION: to approve on First Reading and Advertise for Adoption Hearing on September 22, 2016: 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; 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.

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

20. PCN-2016-00941 Title: application of U S Sugar Corp by Carlton Fields P.A., Agent. Request: Administrative Inquiry (AI) 5-year Monitoring Report for a Type III B Excavation

General Location: North of Highway 98, approximately 18 miles Southeast of Lake Okeechobee. (**Stewart Mining Industries**) (Control 2005-00450)

Pages: 471 - 472

Project Manager: Carrie Rechenmacher

Size: 8,170.90 acres ±

BCC District: 6

DISCLOSURE

MOTION: None required.

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

21. Title: [Presentation by the Zoning Division](#) on the ULDC Timeline to Adopt the Use Regulations Project

Pages: 473 - 475

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT