



**BOARD OF COUNTY COMMISSION  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
FEBRUARY 23, 2017**

Agenda

<u>Item #</u>	<u>PAGE #</u>	<u>Application and Control #s</u>	<u>Application Name</u>
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**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

1.	(1)	ZV/PDD/W-2015-01457 (2002-90045)	INDIAN TRAILS GROVE
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ADD Motion to postpone to Thursday, June 22, 2017.

**CONSENT AGENDA**

**E. ZONING APPLICATIONS – NEW**

4.	(27-51)	CA-2016-01821 (1998-00091)	COMPASS SELF STORAGE – MILITARY TRAIL
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ADD Engineering Conditions 5 and 6 to read as follows:

5. Prior to Final Development Review Officer (DRO) approval, the Site Plan shall be revised to indicate the northern driveway as an egress (right out) only. (DRO: ENG - Engineering)

6. Prior to Final Development Review Officer (DRO) approval, the traffic study shall be revised to show driveway turning movement volumes to match the revised entrance configuration (see condition number 5 above). (DRO: ENG - Engineering)

**REGULAR AGENDA**

**K. ULDC AMENDMENTS**

7.		UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS - USE REGULATIONS PROJECT: ADOPTION HEARING
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(225)	Reasons for Amendments Summary [Related to Landscape Service (Lines 4-5)]
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**Landscape Service**

<b>HISTORY:</b> The Landscape Service use definition and Supplementary Use Standards were first referenced as part of the 1992 ULDC (Ord.1992-020). The definition and Supplementary Use Standards were amended by Ord. 1993-004, 1997-064, 1998-011, 1999-037, 2001-062, 2003-067, 2007-013, and 2011-001.
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<b>Reason for amendments:</b> [Zoning]
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<u>1. Retain original provisions for Landscape Service as currently contained in Supplement 20 of the ULDC. Staff is recommending additional time to work with</u>
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	<u>industry, primarily in the AGR Tier, to ascertain how to best accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.</u>
<del>1.</del>	<del>Delete provision allowing for use in the Agricultural Residential (AR) Zoning district, which is generally incompatible with surrounding residential uses, and expand to allow as an Accessory Use to a Nursery, similar to existing provisions in the similar AGR district.</del>
<del>2.</del>	<del>Delete exception for landscape buffer when adjacent to Farm Worker Quarters. A Landscape Service is a Commercial use requiring appropriate buffering where adjacent to residential uses.</del>
<del>3.</del>	<del>Relocate and consolidate standards for where Landscape Service is permitted as an Accessory Use in conjunction with revisions in the Use Matrix to address inconsistencies.</del>
<del>4.</del>	<del>Establish minimum acreage requirement for Accessory Landscape Service in the AR district in the Urban Service Area (USA), to coincide with acreage subject to DRO approval, thus ensuring Accessory Use is properly site planned for ease of future Code Enforcement, if necessary.</del>

<b>Reason for amendments to Landscape Service in the Use Matrix: [Zoning]</b>	
<del>52.</del>	Delete use from the AGR district. Existing Supplementary Use Standards establish that the use is only permitted where accessory to a Nursery, subject to additional standards.
<del>6.</del>	<del>Delete provision allowing for use in the Agricultural Residential (AR) Zoning district, which is generally incompatible with surrounding residential uses, and expand to allow as an Accessory Use to a Nursery, similar to existing provisions in the similar AGR district.</del>

Delete references to “Requested Use” as the terminology has been consolidated under Conditional Use.

**(297) Exhibit A, Art. 1.I.2.F, Terms defined herein or referenced Article shall have the following meaning [Related to Definitions] (Line 59)**

Establish definition for Food Processing to clarify what activities or operations shall be considered for that term when used in association with an Equestrian Waste Facility.

**40. Food Processing** – For the purposes of Art. 4.B.5.C.4, Equestrian Waste Management Facility, shall mean any facility or use involved in food processing, including but not limited to Agricultural Packing Plant, Sugar Mill or Refinery, or Manufacturing and Processing.

**[Renumber Accordingly]**

Delete definition of Outdoor Shooting Range as it will be defined in Article 4, Use Regulations.

**(303) Exhibit A, Art. 1.I.2.S.40 Shooting Range, Outdoor [Related to Definitions] (Line 25)**

~~**40. Shooting Range, Outdoor** – An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training, excluding private gun ranges where preempted by state law. [Ord. 2014-025]~~

**(309) Exhibit B, Art. 2.B.2.E, Requested Use, [Related to Development Review Procedures – Public Hearing Process] (Line 23)**

Clarify that the term “Requested Use” corresponds to Conditional Use as the terminology has been consolidated under Conditional Use.

**E. Requested Use**

**1. Authorized Requested Uses**

~~Only those uses that are authorized as requested uses in Table 3.E.1.B, PDD Use Matrix, may be approved as requested uses. The designation of a use as a requested use in a planned development does not constitute an authorization of such use or an assurance that such use will be approved under this Code.~~

All prior approvals for a Requested Use shall correspond to a Conditional Use.  
[Renumber Accordingly]

- (318) Exhibit C, Art. 3.B.6, LOSTO, Lake Okeechobee Scenic Trail Overlay (Lines 7-8)

Update reference to reflect changes done in Art. 4, Use Regulations.

Uses ~~permitted as of right~~ Permitted by Right in the underlying district are ~~permitted as of right~~ Permitted by Right in the LOSTO. In addition, the following uses shall be permitted subject to Article 4.B, Use Classification Supplementary Use Standards:

- (330) Exhibit C, Art. 3.E.1.B, FAR, Density and Use Standards (Lines 16-18)

Clarify that the term “Requested Use” corresponds to Conditional Use as the terminology has been consolidated under Conditional Use.

#### 4. Use Regulations

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- a. ~~Requested Uses – Location~~ Conditional Use  
~~Requested Conditional Use~~ *Uses shall be shown on the master plan or site plan approved by the BCC and shall remain in the location shown.* All prior approvals for a Requested Use shall correspond to a Conditional Use.

- (341) Exhibit C, Art. 3.F.1.F.1, Conditional Uses [Related to Traditional Development Districts (TDDs)] (Line 12-14)

Clarify that the term “Requested Use” corresponds to Conditional Use as the terminology has been consolidated under Conditional Use.

#### 1. Conditional Uses

*The location, or alternative locations for each ~~requested Conditional Use~~ must be approved by the BCC, and the ~~requested Conditional Use~~ must be located in only one of the locations approved the BCC.* All prior approvals for a Requested Use shall correspond to a Conditional Use. [Ord. 2005 – 002] [Ord. 2005-041] [Relocated from below]

- (345) Exhibit D, Art. 4.A.1, Overview [Related to User Guide and General Provisions] (Lines 11-12)

Clarify that the User Guide document containing the procedures necessary for the correct application of Art. 4, Use Regulations will be published and maintained by the Zoning Director.

### Section 1 Overview

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allowed in the various zoning districts. ~~Specific procedures are outlined in Appendix A – Art. 4 User Guide, and available on-line at PBC PZB Web Page at (place holder for web page address).~~ The Zoning Director shall maintain and publish a User Guide to assist the public with applicability of Article 4, Use Regulations.



Retain original provisions for Landscape Service as currently contained in Supplement 20 of the ULDC. Staff is recommending additional time to work with industry, primarily in the AGR Tier, to ascertain how to best accommodate Landscape Service operations that are integrated with farming operations for the nursery industry, and other considerations.

## **20. Landscape Service**

### **~~a. Definition~~**

~~An establishment engaged in installation or maintenance of landscaping.~~

### **~~b. Typical Uses~~**

~~Landscape Service may include but is not limited to lawn mowing, trimming of trees, shrubs or hedges, fertilizer application, leaf blowing, and landscape design or installation.~~

### **~~c. Accessory Use – AR and AGR Districts~~**

~~May be allowed as an accessory use to a Retail or Wholesale Nursery, subject to the following:~~

#### **~~1) Owner or Operator~~**

~~Shall be under the same ownership as the owner or operator of the Nursery.~~

#### **~~2) Frontage and Access~~**

~~Shall be located on a parcel with frontage on an Arterial or Collector Street. Access from a Residential Street shall be prohibited.~~

#### **~~3) Minimum Acreage~~**

~~Minimum acreage shall be as follows:~~

~~a) AR District in the RSA, and AGR District: Three acres;~~

~~b) AR District in the USA: Five acres.~~

### **~~d. Storage – Yard Waste~~**

~~The storage of vegetative debris shall be prohibited, except as follows: [Ord. 2011-001]~~

#### **~~1) Accessory Use~~**

~~The storage of yard waste shall be limited to vegetative debris generated by landscape maintenance performed by the owner or operator of the Landscape Service. The storage of yard waste from other sources shall be prohibited, unless permitted otherwise by this Code.~~

#### **~~2) Access~~**

~~Access from a Residential Street shall be prohibited.~~

#### **~~3) Setbacks~~**

~~Loading and service areas shall be located a minimum of 50 feet from all property lines and 100 feet from a parcel of land with a residential FLU designation or use. [Ord. 2011-001]~~

#### **~~4) Standards~~**

~~a) Only one yard waste storage area may be allowed on site; [Ord. 2011-001]~~

~~b) Shall not exceed 30 by 40 feet; [Ord. 2011-001]~~

~~c) Yard waste shall be screened on three sides by a wall with a maximum height of 12 feet. The open end of the wall shall not face parcel of land with a residential FLU designation or use; [Ord. 2011-001]~~

~~d) Yard waste piles shall not exceed the height of the wall; and, [Ord. 2011-001]~~

~~e) Surface of the storage area shall be paved with concrete and have positive drainage. [Ord. 2011-001]~~

### **~~e. Home Occupation~~**

~~A Landscape Service use, not including yard waste, landscape installation services, or other similar uses requiring heavy equipment, may be allowed as a Home Occupation, subject to the requirements of Art. 4.B.1.E.10, Home Occupation, and the following: [Ord. 2007-013] [Ord. 2011-001]~~

#### **~~1) Buffers~~**

~~The use shall be exempt from incompatibility buffer requirements. [Ord. 2007-013]~~

#### **~~2) AR District in RSA~~**

~~A landscape service may be allowed subject to Special Permit approval and the limitations of Art. 4.B.1.E.10, Home Occupation, except that parcels three acres or more in size may also be eligible for the following: [Ord. 2007-013]~~

##### **~~a) Additional Employees~~**

~~A maximum of three persons living outside of the home may be employed under the home occupation, provided employee vehicles shall not be parked on unimproved surfaces nor in the front or side yard unless within the business owners driveway or enclosed storage area. [Ord. 2007-013]~~

~~**b) Outdoor Storage**~~

~~1) The use shall also be exempt from the outside storage limitations of Art. 4.B.1.E.10.j, Outside Storage, provided that outside storage is limited to equipment such as lawnmowers, edgers, weed eaters, and small trailers. Storage shall not include heavy equipment, such as bobcats, loaders, dump trucks, or heavy equipment trailers; and [Ord. 2007-013]~~

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

~~**c) Ownership**~~

~~Any additional permitted equipment shall be owned or leased by the Home Occupation license holder.~~

An establishment engaged in the provision of landscape maintenance or installation services, such as lawn mowing, tree, shrub or hedge trimming, leaf blowing, landscape design, and landscape installation.

**a. AR District in RSA**

A landscape service as a principal use shall be located on a collector or arterial street on a minimum of three acres. [Ord. 2007-013]

**b. AGR District**

Shall be permitted subject to DRO approval as an accessory use only in conjunction with a retail or wholesale nursery, excluding those that meet the limitations of a home occupation. [Ord. 2007-013]

**c. Landscape Buffer**

An incompatibility buffer as required by Article 7.F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS, may be waived if the use is adjacent to farm worker quarters or mobile home accessory to a bona fide agriculture use.

**d. Storage**

Outdoor storage of debris shall be prohibited.

**e. Accessory Use**

May be allowed as an accessory use to a retail or wholesale nursery on a minimum of three acres.

**f. Yard Waste Storage**

Landscape service with storage of yard waste shall front on a collector or arterial street, and shall comply with the following requirements: [Ord. 2011-001]

**1) Setbacks**

Loading and service areas shall be located a minimum of 50 feet from all property lines and 100 feet from adjacent property with residential use or FLU designation. [Ord. 2011-001]

**2) Standards**

a) Only one yard waste storage area shall be permitted on site; [Ord. 2011-001]

b) Shall not exceed 30 by 40 feet; [Ord. 2011-001]

c) Yard waste shall be screened on three sides by a wall with a maximum height of 12 feet. The open end of the wall shall not face any property with residential use or FLU designation; [Ord. 2011-001]

d) Yard waste piles shall not exceed the height of the wall; [Ord. 2011-001]

e) Surface of the storage area shall be paved with concrete and have positive drainage; and, [Ord. 2011-001]

f) Yard waste that is not generated by the landscape service shall be prohibited on site. [Ord. 2011-001]

**g. Home Occupation**

A landscape service, not including yard waste or landscape installation services, may be approved as a home occupation subject to the requirements of Article 4.B.1.A.70, Home Occupation and this section, subject to the following exemptions or requirements: [Ord. 2007-013] [Ord. 2011-001]

**1) Buffers**

The use shall be exempt from incompatibility buffer requirements. [Ord. 2007-013]

**2) AR District in RSA**

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

a) A maximum of three persons living outside of the home may be employed under the home occupation. [Ord. 2007-013]

b) The use shall also be exempt from the outside storage limitations of Article 4.B.1.A.70.i, Outside Storage, provided that outside storage is limited to equipment such as lawnmowers, edgers, weed eaters, and small trailers. Storage shall not include heavy equipment associated with landscape installation services, such as bobcats, loaders, dump trucks, or heavy equipment trailers; and [Ord. 2007-013]

c) Storage areas shall be screened from view from any R-O-W or residential parcel through the use of existing or newly planted native vegetation provided the material provides an opaque screen within one year of the issuance of the business tax receipt. No additional vegetation shall be required where equipment is screened from view behind permitted fences or other structures. [Ord. 2007-013]

**(378) Exhibit D, Commercial Uses, Art. 4.B.2.C.32.f.3).b), MUPD [Related to Type 1 Restaurant] (Lines 57-58)**

Scrivener's error. New exception copied from similar language developed for Retail Gas and Fuel Sales, and required calibration when copied under Type 1 Restaurant.

**b) MUPD**

Type 1 Restaurant located within an MUPD may be exempt from the Location Criteria of 1) Intersection Criteria, and 2) Separation Criteria, where in compliance with the following:

(1) Required Perimeter Landscape Buffers, where located between all ~~Retail Gas and Fuel Sales~~ use Type 1 Restaurant areas, including ingress/egress, and any R-O-W or parcel of land with a residential FLU designation or use, unless obstructed from view by other existing structures; and,

**(383) Exhibit D, Commercial Uses, Art. 4.B.2.C.39.f, Accessory Uses – Industrial Districts [Related to Heavy Vehicle or Equipment Sales and Rental] (Lines 19-20 and 23)**

Introduce titles related to accessory uses for ease of use, and clarify existing provisions allowing for limited Heavy Vehicle Sales and Rental accessory to Heavy Repair and Maintenance facilities.

**f. Accessory Uses ~~–Industrial Districts~~**

**1) Accessory Retail Sales**

Retail sale of parts may be provided as an accessory use.

**2) Accessory to Heavy Repair and Maintenance**

Limited Heavy ~~Where permitted in Industrial districts, limited Light~~ Vehicle Sales and Rental, may be permitted as an accessory use to Heavy Repair and Maintenance facilities, subject to DRO approval, and the following:

a) Limited to ~~vehicle sales of~~ the display or advertising of a maximum of five vehicles per lot.

**(385) Exhibit D, Commercial Uses, Art. 4.B.2.C.40.g, Accessory Uses – Industrial Districts [Related to Light Vehicle or Equipment Sales and Rental] (Line 10)**

Introduce titles related to accessory uses for ease of use, and expand upon related existing Vehicle Sales and Rental provisions to allow limited Light Vehicle Sales and Rental accessory to Heavy Repair and Maintenance facilities.

**g. Accessory Uses ~~–Marinas~~**

**1) Marinas**

....

**2) Accessory to Heavy Repair and Maintenance**

Limited Light Vehicle Sales and Rental, may be permitted as an accessory use to Heavy Repair and Maintenance facilities, subject to DRO approval, and the following:

- a) Limited to the display or advertising of a maximum of five vehicles per lot.
- b) All storage spaces shall be located indoors, or setback a minimum of 100 feet from the front and side street property lines, or in a location which is screened from view from any public street by a combination of buildings or walls, or opaque fences or landscaping.
- c) Vehicles on display shall be located within 100 feet of a repair bay.

**(390) Exhibit D, Recreation Uses, Art. 4.B.3C.3, Indoor Entertainment (Line 53-54)**

Keep banquet and reception facilities in the list of Indoor Entertainment typical uses.

Indoor Entertainment may include, but not be limited to: bowling alleys, bingo parlors, pool halls, billiard parlors, banquet and reception facilities, and video game arcades.

**c. Approval Process Building Area - CC, CG, MUPD, MXPD and PIPD Zoning Districts**

**(407) Exhibit D, Industrial Uses, Art. 4.B.5.C.4, Equestrian Waste Management Facility (Line 28)**

Incorporate separation distance adopted in the Comprehensive Plan.

**d. Separation Distance**

An Equestrian Waste Management Facility shall be separated a minimum of 1,000 feet from a food processing or packing plant.

**[Renumber Accordingly]**

**(429) Exhibit D, Utility Uses, Art. 4.B.7.C.3.b), Landscaping [Related to Electric Distribution Substation] (Line 42, 46-49, and 61-63)**

Clarify that Florida Statutes pertaining to Electric Distribution Substations are primarily intended to apply where local jurisdictions do not have sufficient buffering requirements in place, but do not otherwise pre-empt local landscaping requirements.

**b. Landscaping**

The use shall comply with the following additional requirements unless variance relief is obtained from landscaping regulations:

**1) Landscape Buffering – General**

Pursuant to F.S. 163.3208, as may be amended from time to time, required perimeter buffers or landscape material located under overhead lines to the substation equipment shall not exceed a mature height of 14 feet. **[Ord. 2007-013]**

~~**2) Landscape Buffering in Non-Residential Areas**~~

~~When located in or adjacent to parcel of land with a non-residential FLU designation or use, the Electric Distribution Substation shall comply with the landscape buffer criteria in Art. 7, Landscaping.~~

**3) Landscape Buffering in Residential Areas**

Pursuant to F.S. 163.3208 as may be amended from time to time, where located in or adjacent to a parcel of land with residential FLU designation or use, landscape buffering shall be upgraded as follows: **[Ord. 2007-013]**

- a) An eight-foot high wall or fence and native vegetation shall be installed around the substation where equipment or structures are setback less than 50 feet from the property line. **[Ord. 2007-013]**
- b) An open green space shall be maintained between required security fencing, equipment or structures, by installing native landscaping, including trees and shrub material, around the substation where equipment or structures are setback between 50 and 100 feet from the property line. **[Ord. 2007-013]**

e) ~~Landscape installation shall be based on applicable design principles in Art. 7.B.3.B.1, Design Principles and utilize the PBC's Zoning Division's Preferred Species List.~~

(445) **Exhibit D, Commercial Communication Towers, Art. 4.B.9.B, General Standards (Line 7)**

Facilitate identification of tower types by introducing typical examples of Communication Towers.

**Table 4.B.9.B – Typical Examples of Commercial Communication Towers**

<u>Camouflage</u>	<u>Stealth</u>	<u>Monopole</u>	<u>Self Support / Lattice</u>		<u>Guyed</u>
					
[Ord. ]					

(497) **Exhibit E, Table 5.B.1.A.1, General [Related to Accessory Uses and Structures] (Line 15, 19-20, 22 and 26)**

Delete proposed language that intended clarify location of accessory structures in front and side street yards due to concerns it inadvertently restricts the reasonable timing for construction of both principal and accessory structures (e.g. construction of a new SFD and a pool would reasonably be anticipated to occur concurrently).

**b. Location**

- 1) All accessory uses, ~~buildings~~ and structures except for approved off-site parking, shall be located on the same lot as the principal use. ~~No-accessory~~ Accessory structure shall be located in the ~~front or side street side or rear yard~~ only.
- 2) ~~Accessory uses or structures shall not be constructed or occupied on any lot prior to the completion of the principal use or structure to which it is accessory.~~

(508) **Exhibit E, Table 5.G.1.D - Review Process [Related to Workforce Housing Program Incentives, Density Bonus] (Line 2)**

Requested Use and Class A Conditional Use were terms used for BCC public hearing process. With the deletion of Requested Use to only refer to Conditional Use, this amendment deletes mistakenly proposed Class B Conditional Use which corresponds to the Zoning Commission approval and keeps the original intent of BCC review process for Density Bonus.

**Table 5.G.1.DE - Review Process**

Density Bonus	DRO Approval	Class A Conditional Use	<del>Requested Use</del> <del>Class B</del> <u>Conditional Use</u>
Standard District > 30% - 50%	X		

Standard District > 50% - 100%		X	
PDD or TDD > 30% - 100%		<del>X</del>	✖
[Ord. 2006-055]			

(512) Exhibit F, Art. 6, Parking (Line 1)

Introduce off-street parking and loading requirements for the new use Equestrian Waste Facility, based on the existing requirements for the similar Recycling Plant use.

**Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements**

Use Type: Industrial	Parking	Loading (1)
....		
<a href="#">Equestrian Waste Facility</a>	<a href="#">1 space per 200 sq. ft. of office space; plus 1 space per employee</a>	<a href="#">E</a>
....		



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**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**THURSDAY FEBRUARY 23, 2017**

**9:30 A.M. 6<sup>TH</sup> FLOOR**

**JANE M. THOMPSON MEMORIAL CHAMBERS**

**CALL TO ORDER**

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*



**AGENDA  
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**FEBRUARY 23, 2017**

**CALL TO ORDER**

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Mayor, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

- 1. [ZV/PDD/W-2015-01457](#) Title: a Type II Variance application of Palm Beach West Associates I LLLP by Urban Design Kilday Studios, Agent. Request: to eliminate a Type II Incompatibility Buffer.

Title: an Official Zoning Map Amendment to a Planned Development District of Palm Beach West Associates I LLLP by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Production (AP) and Agriculture Residential (AR) Zoning Districts to the Western Communities Residential Planned Unit Development (WCR PUD) Zoning District.

Title: a Type II Waiver of Palm Beach West Associates I LLLP by Urban Design Kilday Studios, Agent. Request: to allow 50% of the local streets within the overall PUD to terminate in a cul-de-sac.

General Location: South of Hamlin Boulevard on the west side of 180th Avenue North and west of 180th Avenue North on the south side of 60th Street North. **(Indian Trails Grove)** (Control 2002-90045)

Pages: 1 - 1

Project Manager: Roger Ramdeen

Size: 4,871.57 acres ±

BCC District: 1,6

Staff Recommendation: Staff recommends a postponement to Thursday, April 27, 2017.

Zoning Commission Recommendation: Postponed to April 6, 2017 by a vote of 7-0-0.

**MOTION:** To postpone to Thursday, April 27, 2017.

**B. REMANDS**

**C. WITHDRAWALS**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

**B. DISCLOSURES FOR THE CONSENT ITEMS**

**C. STATUS REPORTS - NEW**

**D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**E. ZONING APPLICATIONS - NEW**

- 2. [Z-2016-01639](#) Title: an Official Zoning Map Amendment application of Broward Rentals Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Light Industrial (IL) Zoning District.

General Location: Approximately 1,170 feet east of State Road 7 on the south side of Atlantic Avenue. (**Broward Rentals Rezoning**) (Control 2016-00130)

Pages: 2 - 14

Conditions of Approval (6 - 6)

Project Manager: Meredith Leigh

Size: 10.53 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval subject to a Conditional Overlay Zone (COZ) 4 Conditions of Approval indicated in Exhibit C.

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

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

- 3. **Z-2016-01807** Title: an Official Zoning Map Amendment application of Vanaja Sureddi, Venkates Sureddi by Land Research Management Inc., Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Single-Family (RS) Zoning District.

General Location: East side of Palmwood Road, approximately 0.7 mile north of Donald Ross Road. **(Sureddi Rezoning)** (Control 2004-00013)

Pages: 15 - 26

Conditions of Approval (18 - 18)

Project Manager: Carrie Rechenmacher

Size: 0.47 acres ±

BCC District: 1

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 by a vote of 7-0-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Single-Family (RS) Zoning District subject to Conditions of Approval as indicated in Exhibit C.

- 4. **CA-2016-01821** Title: a Class A Conditional Use application of Amsdell Storage Ventures XXX LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., GPD Group, Agent. Request: to allow Self-Service Storage.

General Location: Approximately 0.25 miles south of Forest Hill Boulevard on the west side of Military Trail. **(Compass Self Storage - Military Trail)** (Control 1998-00091)

Pages: 27 - 51

Conditions of Approval (33 - 35)

Project Manager: Donna Adelsperger

Size: 6.65 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 18 Conditions of Approval as indicated in Exhibit C.

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

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow Self-Service Storage subject to the Conditions of Approval as indicated in Exhibit C.

**F. CORRECTIVE RESOLUTIONS**

**G. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA**

**C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS**

**D. PREVIOUSLY POSTPONED STATUS REPORTS**

**E. STATUS REPORTS - NEW**

**F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

**G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

**H. LARGE SCALE LAND USE PLAN AMENDMENT TRANSMITTAL**

5. [LGA-2017-00012](#) Title: Horizon Compost, Large Scale Land Use Amendment application of Horizon 880 Llc by Wantman Group Inc., Agent. Request: To change a future land use designation from Agricultural Production (AP) to Agricultural Production with an underlying Special Agriculture (AP/SA).

General Location: North side of County Road 880. **(Horizon Composting)** (Control 2007-00333)

Pages: 52 - 79

Conditions of Approval (62 - 62)

Project Manager: Lisa Amara

Size: 31.60 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval with Conditions and to transmit amendment.

Planning Commission Recommendation: Planning Commission recommended approval by a vote of 10-0.

**MOTION:** To transmit the Horizon Composting amendment.

**I. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

6. [ZV/ABN/DOA/R-2015-01924](#) Title: a Development Order Abandonment application of Calvary Chapel of Jupiter Inc by Cotleur & Hearing Inc., Agent. Request: to abandon a Water and Wastewater Treatment Facility.

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

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

Pages: 80 - 193

Conditions of Approval (96 - 122)

Project Manager: Carlos Torres

Size: 34.43 acres ±

BCC District: 1

(affected area 6.82 acres ±)

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the requests subject to 9 Conditions of Approval as indicated in Exhibit C-1; and 115 Conditions of Approval as indicated in Exhibit C-2.

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

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

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

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon a Water and Wastewater Treatment Facility.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; relocate and add square footage; and, modify and delete Conditions of Approval (All Petition, Architectural Review, Engineering, Landscape, Parking, Signs, Site Design, Use Limitations, and Health) subject to the Conditions of Approval as indicated in Exhibit C-2.

**J. ZONING APPLICATIONS - NEW****K. ULDC AMENDMENTS**

7. [Title: UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENTS - USE REGULATIONS PROJECT: ADOPTION HEARING](#)

Cover Sheet

Ordinance Title

Exhibit A - Article 1, General Provisions

Exhibit B - Article 2, Development Review Process

Exhibit C - Article 3, Overlays and Zoning Districts

Exhibit D - Article 4, Use Regulations

Exhibit E - Article 5, Supplementary Standards

Exhibit F - Article 6, Parking

Exhibit G - Article 7, Landscaping

Exhibit H - Article 8, Signage

Exhibit I - Article 9, Archaeological and Historical Preservation

Exhibit J - Article 10, Enforcement

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

Exhibit L - Article 12, Traffic Performance Standards

Pages: 194 - 523

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends approval of the motion to Adopt.

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

BCC Public Hearings: January 5, 2017, Request for Permission to Advertise for First Reading on January 26, 2017, approved (7-0). January 26, 2017 First Reading and Request for Permission to Advertise for Adoption Hearing on February 23, 2017, approved (6-0).

See Agenda Item Cover Sheet for additional details.

**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 B, INTERPRETATION OF CODE; CHAPTER C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2-DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER E, PRIOR APPROVALS; CHAPTER G, EMINENT DOMAIN; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); ARTICLE 4- USE REGULATIONS: CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER C, COMMUNICATION TOWER, COMMERCIAL; CHAPTER D, EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; CHAPTER H, MASS-TRANSIT STANDARDS; ARTICLE 6- PARKING: CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING: CHAPTER A, GENERAL; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; ARTICLE 8- SIGNAGE: CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; ARTICLE 9- ARCHAEOLOGICAL AND HISTORICAL PRESERVATION: CHAPTER A, ARCHAEOLOGICAL RESOURCES PROTECTION; ARTICLE 10- ENFORCEMENT: CHAPTER C, GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD; CHAPTER E, REMEDIES; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS: CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 12- TRAFFIC PERFORMANCE STANDARDS: CHAPTER J, TRANSPORTATION CONCURRENCY MANAGEMENT AREAS (TCMA); CHAPTER L, TRANSPORTATION CONCURRENCY EXEMPTION FOR PROJECTS THAT PROMOTE PUBLIC TRANSPORTATION; CHAPTER Q, PROPORTIONATE FAIR-SHARE PROGRAM; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

8. Title: RECESS AS THE BOARD OF COUNTY COMMISSIONERS

AND CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

[UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENTS - USE REGULATIONS PROJECT, ARTICLE 15, HEALTH REGULATIONS: ADOPTION HEARING.](#)

The proposed amendments in Exhibit A - Article 15, Health Regulations, are related to the Use Regulations Project.

Pages: 524 - 528

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends approval of the motion to Adopt.

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

Environmental Control Board Public Hearing: January 5, 2017: Request for Permission to Advertise for First Reading on January 26, 2017: Approved, (7-0). January 26, 2017: First Reading and Advertise for Adoption Hearing on February 23, 2017: Approved, (6-0).

**MOTION:** TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, SITTING AS THE ENVIRONMENTAL CONTROL BOARD, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-068, AS AMENDED, AS FOLLOWS: ARTICLE 15- HEALTH REGULATIONS: CHAPTER B, (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS; CHAPTER C, GENERAL THRESHOLD VIEW; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

9. **Title:** UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS - MEDICAL MARIJUANA TREATMENT CENTER AND MEDICAL MARIJUANA DISPENSING ORGANIZATION MORATORIUM: ADOPTION HEARING

Cover Sheet  
Ordinance Title  
Exhibit A - Medical Marijuana

Pages: 529 - 535  
Project Manager: Scott Rodriguez

Staff Recommendation: Staff recommends approval of the motion to Adopt.

BCC Public Hearings: January 5, 2017, Request for Permission to Advertise for First Reading on January 26, 2017, approved (7-0). January 26, 2017 First Reading and Request for Permission to Advertise for Adoption Hearing on February 23, 2017, approved (6-0).

**MOTION:** TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ENACTING A ONE YEAR MORATORIUM UPON THE ACCEPTANCE OF ZONING APPLICATIONS AND ALL APPLICABLE REQUESTS FOR ZONING APPROVALS FOR MEDICAL MARIJUANA TREATMENT CENTERS AND MEDICAL MARIJUANA DISPENSING ORGANIZATIONS WITHIN PALM BEACH COUNTY, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 4 - USE REGULATIONS; CHAPTER B, USE CLASSIFICATION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

10. [PIA-2015-01473](#) Title: a Privately Initiated Amendment - Site Specific application of Palm Beach West Associates I LLP by Urban Design Kilday Studios, Agent. Request: UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ESTABLISH THE WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO), TO ALLOW FOR THE INDIAN TRAILS GROVE PLANNED UNIT DEVELOPMENT (PUD): FIRST READING AND TO REQUEST FOR PERMISSION TO ADVERTISE FOR ADOPTION HEARING ON MARCH 23, 2017.

This Phase 2 Privately Initiated Application (PIA-2015-1473) to amend the Unified Land Development Code (ULDC) has been submitted by GL Homes concurrent with related privately initiated text and map series amendments to the Comprehensive Plan. These amendments include establishing the Western Communities Residential (WCR) future land use (FLU) designation and related Policies, which will be implemented as the WCR Planned Unit Development (PUD). These new provisions allow for Rezoning applications within the Overlay, including the project known as the Indian Trails Grove (ITG) PUD.

General Location: Located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard ( ) (Control 2002-90045)

Pages: 536 - 545

Project Manager: William Cross

Size: 4,907.15 acres ±

BCC District: 1,6

#### DISCLOSURE

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

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

BCC Public Hearings: January 5, 2017, Request for Permission to Advertise for First Reading on January 26, 2017; January 26, 2017 Motion to Postpone to February 23, 2017, Approved 6-0.

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

11. [PIA-2016-01210](#) Title: a Privately Initiated Amendment (PIA) - Not Site Specific application of FPL Fibernet LLC - Bruce Barber by Gunster Yoakley & Stewart PA, Agent. Request: To delete existing regulations pertaining to the placement of Commercial Communication equipment on FPL transmission poles, and replace with new and expanded regulations for both FPL transmission poles and substations.

General Location: ( ) (Control )

Pages: 546 - 598

Project Manager: William Cross

Size: acres ±

## DISCLOSURE

Staff Recommendation: Staff recommends approval of the Request for Permission to Advertise for First Reading on March 23, 2017.

LDRAB/LDRC: The proposed ULDC amendments were presented to the LDRAB/LDRC on January 25, 2017. The LDRAB recommended to accept staff's recommendation, including separation, motion passed (9-0); and, LDRC determination of consistency with the Comprehensive Plan, motion passed (9-0).

**MOTION:** To approve the Request for Permission to Advertise for First Reading on March 23, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, TO DELETE EXISTING REGULATIONS PERTAINING TO THE PLACEMENT OF COMMERCIAL COMMUNICATION EQUIPMENT ON FPL TRANSMISSION POLES, AND REPLACE WITH NEW AND EXPANDED REGULATIONS FOR BOTH FPL TRANSMISSION POLES AND SUBSTATIONS, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES, CHAPTER D; ARTICLE 4 - USE REGULATIONS; CHAPTER C, COMMUNICATION TOWER, COMMERCIAL; 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.

## L. COMPREHENSIVE PLAN TEXT AMENDMENTS

**M. OTHER ITEMS**

12. [PCN-2017-00306](#) Title: application of G L Homes Of Palm Beach Assocs Ltd by Palm Beach County, Agent. Request: Administrative Inquiry 2017-01 - Pursuant to the County's Unified Land Development Code, the developer, GL Homes, is required to provide a 0.51 acre public civic site. The developer has proposed a cash payment in lieu of providing the civic site as allowed under PREM Condition #4 in Resolution R-2016-1236. Recently the Gulfstream Polo PUD was granted approval by the Board for a cash-out based on appraisals valuing Civic Site land and the developers per acre purchase price along Lake Worth Road for approximately \$250,000/acre. In the interest of time GL Homes has requested PREM use the same per acre value to cash out the 0.51-acre Sussman civic site. The total cash-out price is \$127,500.

General Location: The Sussman AGR-PUD is located on the east side of State Road 7 just south of Atlantic Boulevard in western Delray Beach. **(Sussman AGR-PUD)** (Control 2000-00032)

Pages: 599 - 602

Project Manager: Ross C. Hering

Size: 791.88 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends approval of the Sussman AGR-PUD 0.51-acre civic site cash-out in the amount of \$127,500 and recommends the funds be allocated to the General Government Civic account (3800-800-3018-2540) for future appropriation toward public facilities in the general area.

**MOTION:** To approve the Sussman AGR-PUD 0.51-acre civic site cash-out in the amount of \$127,500 and that the funds be allocated to the General Government Civic account (3800-800-3018-2540) for future appropriation toward public facilities in the general area.

**END OF REGULAR AGENDA****COMMENTS****A. COUNTY ATTORNEY****B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

13. [PCN-2017-00290](#) Title: application of Cheney 109 LLC. Request: Termination and Release of Declaration of Restrictive Covenant.

General Location: Southeast and southwest corners of Jog Road and Southern Boulevard. (**Pointe of Woods PUD**) (Control 2008-00290)

Pages: 603 - 605

Project Manager: Patricia Behn

Size: 36.23 acres ±

BCC District: 2

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the request for Termination and Release of Declaration of Restrictive Covenant.

**MOTION:** To approve Termination and Release of Declaration of Restrictive Covenant.

**D. EXECUTIVE DIRECTOR**

**E. ASSISTANT COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**