



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

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

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CALL TO ORDER

F. Amendments to the Agenda

K. (7-10) ULDC AMENDMENTS

REORDER REGULAR AGENDA

- 5. -~~6.~~ Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2018-01
- 6. -~~7.~~ Title: RECESS AS THE BOARD OF COUNTY COMMISSIONERS
- 7. -~~5.~~ Title: INITIATION OF UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2018-02

POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONMENTS

2.	(3)	DOA -2018-00800 2002-00052	Agradex Lyons Road
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CORRECT REQUEST AND LOCATION:

~~DOA EAC-2018-00800~~ Title: an Expedited Application Consideration a ~~Development Order~~ Amendment application of

General Location: On the east and west sides of Lyons Road, approximately 0.75 miles south of Southern Boulevard. ~~On Lyons Road Approximately 1,900 feet south of Southern Boulevard.~~

REGULAR AGENDA

K. ULDC AMENDMENTS

5.	(72-93)	REQUEST FOR PERMISSION TO ADVERTISE: UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2018-01
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DELETE: Exhibit P, Article 13, Impact Fees

Reason: Exhibit removed from the packet to be a standalone ordinance and presented later in 2018.

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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

MONDAY JUNE 25, 2018

9:30 A.M.

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

CALL TO ORDER

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

OTHER DEPARTMENT ITEMS

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**

JUNE 25, 2018

CALL TO ORDER

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

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

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

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

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

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

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

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

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

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. LEGAL OPINION

C. ENGINEERING ITEM

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [ZV/ABN/DOA-2017-02207](#) Title: a Type II Variance application of Lakeside Center II Edens LLC. by Urban Design Kilday Studios, Agent. Request: to allow reduction of length of Foundation Planting; eliminate small and medium shrubs within a Right of Way (R-O-W) Buffer; eliminate small and medium shrubs within the South Incompatibility Buffer; eliminate small, medium and large shrubs in the Incompatibility Buffer within the Water Management Tracks; eliminate requirement to plant large shrubs on the exterior of the wall along the south Incompatibility Buffer; eliminate required trees within 11 terminal and interior islands; allow 100 percent easement overlap within an Incompatibility Buffer; and, to allow 100 percent increase of allowable easement overlap within western R-O-W Buffers.
Title: a Development Order Abandonment of Lakeside Center II Edens LLC. by Urban Design Kilday Studios, Agent. Request: to abandon Requested Uses for Type I Restaurants within Buildings J and K.
Title: a Development Order Amendment of Lakeside Center II Edens LLC. by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan; modify uses and to delete Conditions of Approval (Architecture and Site Design).
General Location: Southwest corner of Glades Road and Boca Rio Road. (**Lakeside Centre**) (Control 1986-00150)

Pages: 1 - 1

Project Manager: Diego Penaloza

Size: 22.85 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday, July 26, 2018.

Zoning Commission Recommendation: Postponed to Monday, July 9, 2018 by a vote of 8-0-0.

MOTION: To postpone to Thursday, July 26, 2018.

2. [DOA-2018-00800](#) Title: a Development Order Amendment application of Childrens Place at Home Safe Inc. by Urban Design Kilday Studios, Agent. Request: to modify a Condition of Approval (Property and Real Estate Management).
General Location: On Lyons Road Approximately 1,900 feet south of Southern Boulevard (**Agradex Lyons Road**) (Control 2002-00052)

Pages: 2 - 2

Project Manager: Lorraine Fuster

Size: 157.55 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, August 23, 2018.

MOTION: To postpone to Thursday, August 23, 2018.

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

G. ABANDONMENTS

- 3. [ABN-2018-00108](#) Title: a Development Order Abandonment application of Autism Project of Palm Beach County Inc. by Cotleur & Hearing Inc., Agent. Request: to abandon the Special Exception for an Interim Sewage Treatment Plant.

General Location: 0.7 miles north of Island Way and on the east side of Limestone Creek Road. **(Autism Project of Palm Beach County)** (Control 1975-00168)

Pages: 3 - 5

Project Manager: Nancy Frontany

Size: 0.92 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon the Special Exception for an Interim Sewage Treatment Plant.

H. OTHER ITEMS

4. [RUOT-2018-00904](#) Title: Release of Unity of Title an application of Vista Business Park 17A, LLC and Vista Business Park 17B, LLC by Andrew Jacobson, Agent. Request: Release of Unity of Title for Parcels 17A and 17B.

General Location: 6965, 6901-6931 Vista Parkway N. (**Vista Business Park 17A LLC and Vista Business Park 17B LLC**) (Control 1984-00130)

Pages: 6 - 12

Project Manager: Janine Rodriguez

Size: 12.80 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

MOTION: To approve the Release of Unity of Title for Parcels 17A and 17B.

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 ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

K. ULDC AMENDMENTS

5. Title: [INITIATION OF UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2018-02](#)

Solicit feedback for the Board of County Commissioners on the scheduling of ULDC Amendments that have been prioritized for inclusion in Round 2018-02.

Pages: 13 - 17

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends a motion to initiate ULDC Amendment Round 2018-02.

MOTION: To initiate ULDC Amendment Round 2018-02 based on the list of priority items provided by staff.

6. Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2018-01

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

Ordinance Title

- Exhibit A - Definition of Addition
- Exhibit B - Modifications by DRO
- Exhibit C - Art. 2 and Art. 3 Minor Amendments
- Exhibit D - Art. 3.A.3.E.2, Planned Development Districts (PDD)
- Exhibit E - Art. 4.B, Use Regulations
- Exhibit F - Art. 4.B.1.C.4, Single Family and Cottage Homes
- Exhibit G - Art.4.B.2, Electric Vehicle Charging Station
- Exhibit H - Landscape Service & Contractor Storage Yard
- Exhibit I - Equestrian Waste Management Facility
- Exhibit J - Art. 5, Supplementary Standards
- Exhibit K - Art. 5.E.5, Hours of Operation
- Exhibit L - Art. 7.C, Landscape Buffers and Interior Landscape Requirement
- Exhibit M - Art. 9, Archaeological and Historic Preservation
- Exhibit N - Art. 11, Subdivision, Platting and Required Improvements
- Exhibit O - Art. 12, Traffic Performance Standards
- Exhibit P - Art. 13, Impact Fees
- Exhibit Q - Art. 14, Environmental Standards

Pages: 18 - 95

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends a motion to approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2018-01 on July 26, 2018.

Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendments by multiple votes on February 28, 2018, March 28, 2018, April 25, 2018, and May 23, 2018. Sitting as the LDRC on May 23, 2018, all proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

MOTION: To approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2018-01 on July 26, 2018: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067 AND 2003-070, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2- APPLICATION PROCESSES AND PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; ARTICLE 3- OVERLAYS & ZONING DISTRICTS: CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4- USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS AND RECREATION - RULES AND RECREATION STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; ARTICLE 6- PARKING: CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING: CHAPTER C, MGTS TIER COMPLIANCE; ARTICLE 9- ARCHAEOLOGICAL AND HISTORIC PRESERVATION: CHAPTER A, ARCHAEOLOGICAL AND RESOURCE PROTECTION; ARTICLE 11- SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS: CHAPTER A, GENERAL REQUIREMENTS; CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 12- TRAFFIC PERFORMANCE STANDARDS: CHAPTER Q, PROPORTIONATE FAIR-SHARE PROGRAM; ARTICLE 13- IMPACT FEES: CHAPTER B, COUNTY DISTRICT, REGIONAL, AND BEACH PARKS IMPACT FEE; CHAPTER C, FIRE-RESCUE IMPACT FEE; CHAPTER D, LIBRARY IMPACT FEE; CHAPTER E, LAW ENFORCEMENT IMPACT FEE; CHAPTER F, PUBLIC BUILDINGS IMPACT FEE; CHAPTER G, SCHOOL IMPACT FEE; CHAPTER H, ROAD IMPACT FEES; ARTICLE 14- ENVIRONMENTAL STANDARDS: CHAPTER C, VEGETATION PRESERVATION AND PROTECTION; 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.

7. Title: [RECESS AS THE BOARD OF COUNTY COMMISSIONERS](#)

AND

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS

The proposed ordinance will account for minor revisions, scrivener's errors, omitted text, and specific amendments in Art. 15, Health Regulations, of the Unified Land Development Code (The ULDC).

Ordinance Title

Exhibit A - Article 15, Health Regulations

Pages: 96 - 99

Project Manager: Monica Cantor

Staff Recommendation: Staff recommends a motion to approve Request for Permission to Advertise for First Reading of ULDC Art. 15, Health Regulations on July 26, 2018.

The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) and the Land Development Regulation Commission (LDRC) on May 23, 2018. All proposed ULDC amendments were found to be consistent with the Plan.

MOTION: To approve the Request for Permission to Advertise for First Reading of ULDC Art. 15, Health Regulations on July 26, 2018: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SITTING AS THE ENVIRONMENTAL CONTROL BOARD, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-068, AS AMENDED, AS FOLLOWS: ARTICLE 15 - HEALTH REGULATIONS; CHAPTER A, (ENVIRONMENTAL CONTROL RULE 1) ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS); 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.

RECESS AS THE ENVIRONMENTAL CONTROL BOARD

AND

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT

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