



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
AUGUST 22, 2019**

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. POSTPONMENTS

15.	(338-352)	FIRST READING OF UNIFIED LAND DEVELOPMENT CODE (ULDC) LANDSCAPE SERVICE	
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MOTION: To postpone the First Reading of the Unified Land Development Code (ULDC) for Landscape Services to October 24, 2019.

CONSENT AGENDA

E. ZONING APPLICATIONS - NEW

7.	(105)	SV/ZV/ABN/CA-2018-01348 (1988-00021)	APEC
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ADD Engineering Conditions 3, 4, 5 and 6, to Exhibit C-3, to read as follows:

3. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

4. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Summitt Boulevard 63 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way

Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering)

5. The Property Owner shall provide to the Florida Department of Transportation (FDOT), a road right of way deed and all associated documents as required by FDOT for the expanded intersection of Congress Avenue 67 feet at the south end of the property and tapering per the most recent Palm Beach County Standards on an alignment approved by the FDOT or County Engineer

All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit. Right of way conveyance shall be along the project's entire frontage and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed, and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPMT: MONITORING - Engineering)

6. Prior to the issuance of the first building permit, the Property Owner shall provide to Florida Department of Transportation (FDOT), by deed, additional right of way for the construction of a right turn lane on Congress Avenue at the project's entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by FDOT. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and corner clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPMT: MONITORING - Engineering)

REGULAR AGENDA

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

11. (230) PDD-2019-00292 Broward Rentals MUPD
(2016-00130)

AMEND Site Design Condition 2 of Exhibit C, to read as follows:

2. The maximum height for the Limited Self Service Storage ~~Facility use, building 4~~, shall not exceed thirty-five (35) feet, ~~as delineated on the Preliminary Site Plan dated July 16, 2019, excluding Height Exceptions pursuant to Art. 3.D.1.E.4.~~ Height shall be measured ~~from finished grade to highest point of the structure. (DRO/ONGOING: ZONING – Zoning)~~ based on the type of roof for the proposed structure as follows:

- a. Flat roof – measure from the finished grade to the highest point of the building, excluding parapet; or
- b. Articulated or pitched roof, or articulated parapet – measure from the finished grade to the mid-point of the roof. (BLDGPM: BUILDING DIVISION -Zoning)

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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY AUGUST 22, 2019

9:30 A.M.

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

CALL TO ORDER

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

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

OTHER DEPARTMENT ITEMS

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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



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

AUGUST 22, 2019

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. [DOA/CB-2018-02126](#) Title: Development Order Amendment application of CWA Union Bldg Inc Local 3112, Vertical Bridge Development, LLC - Dan Marinberg by Schmidt Nichols, Agent. Request: To reconfigure the Site Plan; reduce square footage; eliminate a soft ball field; and, reduce the number of parking spaces.
General Location: East side of First Street, approximately 0.5 miles north of Southern Boulevard. **(Vertical Bridge Stealth Tower)** (Control 1985-00175)

Pages: 1 - 1

Project Manager: Carolina Valera

Size: 4.88 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, September 26, 2019.

Zoning Commission Recommendation: Postponed to September 5, 2019 by a vote of 9-0-0.

MOTION: To postpone to Thursday, September 26, 2019.

B. REMANDS

C. WITHDRAWALS

- 2. [Z/CA-2017-01996](#) Title: an Official Zoning Map Amendment application of Andrew Podray by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) and Multifamily Residential High Density (RH) Zoning Districts, to the Multifamily Residential (RM) Zoning District.
General Location: On the east side of Barwick Road, approximately 0.55 miles north of Lake Ida Road. **(Banyan Cove)** (Control 2014-00078)

Pages: 2 - 2

Project Manager: Meredith Leigh

Size: 6.68 acres ±

BCC District: 4

Application Withdrawn by Applicant on July 9, 2019.

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

- 3. [DOA-2018-01316](#) Title: a Development Order Amendment application of JCL Management, LLC by Halperin Law, Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan for a Convenience Store with Gas Sales and a Type I Restaurant with drive-through; and, to amend Conditions of Approval (Engineering). General Location: Northeast corner of Southern Boulevard & Benoist Farms Road. **(Southern Station)** (Control 1983-00045)

Pages: 3 - 29

Conditions of Approval (8 - 16)

Project Manager: Ryan Vandenburg

Size: 1.93 acres ±

BCC District: 2

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

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan for a Convenience Store with Gas Sales; and, to amend Conditions of Approval (Engineering), subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan for a Type 1 Restaurant with drive-through; and, to amend Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

4. **Z-2018-02095** Title: an Official Zoning Map Amendment application of 10225 Investments, LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multifamily Residential (RM) Zoning District.

General Location: North side of Sandalfoot Boulevard, approximately 950 feet west of South State Road 7. (**Rose Garden**) (Control 2013-00287)

Pages: 30 - 42

Conditions of Approval (34 - 35)

Project Manager: Meredith Leigh

Size: 1.21 acres ±

BCC District: 5

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

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment subject to a Conditional Overlay Zone, by a vote of 9-0-0.

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

5. **Z-2019-00519** Title: an Official Zoning Map Amendment application of Belvedere Westgate CRA, Palm Beach County by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential High Density (RH) Zoning Districts to the General Commercial (CG) Zoning District, with a Conditional Overlay Zone (COZ).

General Location: North and south side of Westgate Avenue between Seminole Boulevard and Suwanee Drive. (**Westgate CRA - Rezoning**) (Control 1994-00094)

Pages: 43 - 55

Conditions of Approval (48 - 48)

Project Manager: Cody Sisk

Size: 2.59 acres ±

BCC District: 7

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

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a Conditional Overlay Zone by a vote of 9-0-0.

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential High Density (RH) Zoning Districts to the General Commercial (CG) Zoning District, with a Conditional Overlay Zone (COZ), and subject to the Conditions of Approval as indicated in Exhibit C.

6. [ZV/W/PDD/CA-2018-01784](#) Title: a Type 2 Waiver application of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to reduce the frontage required for a Planned Development District.
Title: an Official Zoning Map Amendment of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
Title: a Class A Conditional Use of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to allow a Workforce Housing Program Density Bonus greater than 30 percent.
General Location: South side of Hypoluxo Road, approximately 0.20 miles east of South Military Trail. **(Icon Residential Community)** (Control 2006-00014)

Pages: 56 - 95

Conditions of Approval (63 - 67)

Project Manager: Brenya Martinez

Size: 5.04 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-2 through C-4.

Zoning Commission Recommendation: Approved a Type 2 Variance by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Type 2 Waiver to reduce the frontage required for a Planned Development District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Workforce Housing Program Density Bonus greater than 30 percent subject to the Conditions of Approval as indicated in Exhibit C-4.

- 7. [SV/ZV/ABN/CA-2018-01348](#) Title: a Development Order Abandonment application of Dolphin Stations LLC, School Property Dev Glen Ridge LLC by Schmidt Nichols, Agent. Request: to abandon a Special Exception for an Auto Service Station. Title: a Class A Conditional Use of Dolphin Stations LLC, School Property Dev Glen Ridge LLC by Schmidt Nichols, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store and a Type 1 Restaurant with Drive-through. General Location: Northeast corner of Congress Avenue and Summit Boulevard **(APEC)** (Control 1988-00021)

Pages: 96 - 141

Conditions of Approval (103 - 107)

Project Manager: Carolina Valera

Size: 2.79 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-3, and C-4.

Zoning Commission Recommendation: Approved a Subdivision Variance by a vote of 9-0-0.

Zoning Commission Recommendation: Approved a Type 2 Variance by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of two Class A Conditional Uses by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Special Exception for an Auto Service Station.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Type 1 Restaurant with Drive-through subject to the Conditions of Approval as indicated in Exhibit C-4.

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**

8. [CTR-1997-00004-1](#) Status Report for Resolution R-2008-1377. Property Owner: Kerekes Land Trust Properties East, LLC; Pebb Boynton, LLC; and SFD Boynton LLC
General Location: Northeast Corner of Jog Road and Boynton Beach Boulevard
Current Zoning: Multiple Use Planned Development (MUPD). **(Kerekes Plaza MUPD aka Fountains East MUPD (Control No. 1997-004))**

Pages: 142 - 148

Project Manager: Bruce Thomson

Size: 24.57 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the motions.

MOTION: To approve on First Reading and advertise for Adoption Hearing on September 26 at 9:30 AM, a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Single Family Residential (RS) Zoning District for property previously rezoned by Resolution R-2002-1017.

MOTION: To approve on First Reading and advertise for Adoption Hearing on September 26 at 9:30 AM, a resolution approving revocation of uses allowing a general repair and maintenance facility, a convenience store with gas sales and a car wash facility, approved by Resolution R-2002-1017.

MOTION: To approve on First Reading and advertise for Adoption Hearing on September 26 at 9:30 AM, a resolution approving revocation of Requested Uses allowing a General Daycare facility and a Type 1 Restaurant, approved by Resolution R-2008-1378.

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

9. [SCA-2018-00025](#) Title: Cypress Lakes Storage, Small Scale Land Use Amendment application of Ps Florida One Inc by Saul Ewing Arnstein & Lehr LLP, Agent. Request: To change a future land use designation from Commercial Low with an underlying Low Residential, 2 units per acre (CL/2) to Commercial Low with an underlying Industrial (CL/IND)

General Location: West side of US 441/SR7, approximately 1/2 mile north of Lantana Road (**Cypress Lakes Storage**) (Control 2000-00020)

Pages: 149 - 181

Conditions of Approval (154 - 154)

Project Manager: Melissa Michael

Size: 5.81 acres ±

BCC District: 6

(affected area 5.80 acres ±)

Staff Recommendation: Approval of the proposed future land use amendment from Commercial Low with an underlying Low Residential, 2 units per acre (CL/2) to Commercial Low with an underlying Industrial (CL/IND) with conditions

Planning Commission Recommendation: PLC: Recommended approval with an 9 to 0 vote at the May 10, 2019 public hearing.

MOTION: To adopt an ordinance approving the future land use amendment from Commercial Low with an underlying Low Residential, 2 units per acre (CL/2) to Commercial Low with an underlying Industrial (CL/IND) with conditions

10. [ZV/DOA-2018-01003](#) Title: a Development Order Amendment application of PS Florida One, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan to add square footage; and, modify Conditions of Approval (Building and Site Design).

General Location: Northwest corner of Cypress Lakes Preserve Drive and State Road 7. **(Cypress Lake Preserve MUPD)** (Control 2000-00020)

Pages: 182 - 222

Conditions of Approval (188 - 196)

Project Manager: Carolina Valera

Size: 5.81 acres ±

BCC District: 6

(affected area 2.05 acres ±)

DISCLOSURE

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

Zoning Commission Recommendation: Rescinded a Type 2 Variance by a vote of 9-0-0.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) as amended, by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan to add square footage; and, modify Conditions of Approval (Building and Site Design) subject to the Conditions of Approval as indicated in Exhibit C-2.

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

11. [PDD-2019-00292](#) Title: an Official Zoning Map Amendment application of Broward Rentals, Inc., Greg DiMaria by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

General Location: South side of Atlantic Avenue, approximately 0.2 miles east of State Road 7/US 441. (**Broward Rentals MUPD**) (Control 2016-00130)

Pages: 223 - 247

Conditions of Approval (229 - 231)

Project Manager: Carolina Valera

Size: 10.53 acres ±

BCC District: 5

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-1.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

J. ZONING APPLICATIONS - NEW**K. COMPREHENSIVE PLAN TEXT AMENDMENTS**

12. [Title: Workforce Housing Policy Revisions](#)

The Proposed Amendment would revise the Housing Element, the Future Land Use Element and the Transportation Element to implement Board of County Commissioners' policy direction to increase the amount of density bonus available in lower density residential future land use designations. The amendment also updates and corrects related provisions and references.

Pages: 248 - 260

Project Manager: Maria Bello

Staff Recommendation: Staff recommends approval based on the findings and conclusions presented in the Staff Report.

Local Planning Commission: On January 11, 2019 hearing, the PLC recommended Denial of the proposed amendments with a vote of 9-2.

Board of County Commissioners: At the January 29, 2019 hearing the BCC approved Transmittal of the amendment with a vote of 7-0.

MOTION: To adopt an Ordinance for the Workforce Housing Policy Revision amendment.

L. ULDC AMENDMENTS

13. [Title: ADOPTION HEARING - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ARTICLE 5.G-DENSITY BONUS PROGRAMS](#)

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

Ordinance Title

Exhibit A Articles 1, 2, and 5 Workforce Housing Program

Pages: 261 - 292

Project Manager: Maria Bello

Staff Recommendation: Staff recommends adoption of an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

Land Development Regulation Advisory Board (LDRAB) Recommendation: On April 24, 2019, the LDRAB recommended approval of the proposed amendment by a vote of 13-1.

Land Development Regulation Commission (LDRC) Determination: On April 24, 2019, the LDRC found the proposed ULDC amendment to be consistent with the Comprehensive Plan by a vote of 14-0.

BCC Public Hearing: On June 27, 2019, the BCC approved the Request for Permission to Advertise for July 25, 2019 First Reading, with a vote of 7-0. On July 25, 2019, the BCC approved the First Reading and Advertisement for Adoption Hearing for August 22, 2019 with a vote of 7-0.

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER G, DECISION MAKING BODIES; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER G, DENSITY BONUS 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.

14. [Title: ADOPTION HEARING - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2019-01.](#)

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 Art. 1 and 11: General Provisions and Subdivision, Platting, and Required Improvement for Legal Lot

Exhibit B Art. 2: Public Hearing Process - Development Order Abandonment

Exhibit C Art. 2: Reasonable Accommodation - Change of Ownership

Exhibit D Art. 3, 4 and 6: Overlays, Use Regulations for Single Family and Cottage Homes and Parking

Exhibit E Art. 4: Use Regulations relating to Residential Uses and Home Occupation, Nuisances

Exhibit F Art. 4: Adult Entertainment and Findings of Fact

Exhibit G Art. 4: Bona Fide Agriculture and Agritourism Activity

Exhibit H Art. 4 and 6: Use Regulations for Electric Vehicle Charging Station, and Parking

Exhibit I Art. 5: Fuel-Gas or Chemical Storage Tanks

Exhibit J Art. 3 and 5: Outdoor Lighting

Exhibit K Art. 6: Parking [Off-Street and On-Street]

Exhibit L Art. 14: Environmental Standards

Pages: 293 - 337

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends adoption of an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

Land Development Regulation Advisory Board (LDRAB): On February 27, 2019, April 24, 2019, and May 22, 2019, the LDRAB recommended approval of the proposed amendments with multiple votes.

Land Development Regulation Commission (LDRC) Determination: On April 24, 2019 and May 22, 2019, the LDRC found the proposed ULDC amendments to be consistent with the Comprehensive Plan with multiple votes.

BCC Public Hearing: On June 27, 2019, the BCC approved the Request for Permission to Advertise for July 25, 2019, with a vote of 7-0. On July 25, 2019, the BCC approved the First Reading and Advertisement for Adoption Hearing for August 22, 2019 with a vote of 7-0.

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER F, NONCONFORMITIES; CHAPTER H, LOT OF RECORD; ARTICLE 2- APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; ARTICLE 3- OVERLAYS & ZONING DISTRICTS: 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 USES AND STRUCTURES; CHAPTER E, PERFORMANCE STANDARDS; ARTICLE 6- PARKING: CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING: CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS: CHAPTER A, GENERAL REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 14- ENVIRONMENTAL STANDARDS: CHAPTER C, VEGETATION PRESERVATION AND PROTECTION; APPENDIX 8, INVASIVE NON-NATIVE VEGETATION WITHIN PRESERVES; 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.

15. [Title: FIRST READING - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT LANDSCAPE SERVICE](#)

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

Ordinance Title

Exhibit A Landscape Service

Pages: 338 - 352

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends approval of the First Reading and to Advertise for the Adoption Hearing on September 26, 2019.

Land Development Regulation Advisory Board (LDRAB) Recommendation: On May 22, 2019, the LDRAB recommended approval of the proposed amendment by a vote of 10-4-1.

Land Development Regulation Commission (LDRC) Determination: On May 22, 2019, the LDRC found the proposed ULDC amendment to be consistent with the Comprehensive Plan by a vote of 14-0-1.

BCC Public Hearing: On June 27, 2019, the BCC approved the Request for Permission to Advertise for August 22, 2019, with a vote of 7-0.

MOTION: To approve on First Reading and Advertise for Adoption Hearing on September 26, 2019: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 4- USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY USES AND STRUCTURES; ARTICLE 6- PARKING: CHAPTER A PARKING; 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.

16. [Title: INITIATION OF UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2019-02](#)

Solicit feedback from the Board of County Commissioners on the scheduling of ULDC Amendments that have been prioritized for inclusion into Round 2019-02.

Pages: 353 - 355

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends a motion to initiate ULDC Amendments for Round 2019-02.

MOTION: To initiate ULDC Amendment Round 2019-02 based on a list of priority items provided by Staff.

M. OTHER ITEMS

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT