



(Page 245) Amend Exhibit N, Recycling Uses – line 23, Part 11 as follows\*:

104. Recycling Drop-Off Bin

....

I. Approval Process

*If there is no DRO certified site plan on file with the Zoning Division, a Special Permit shall be required.* [Relocated from Art. 4.B.1.A.104, Recycling Drop-Off Bin]

- \* Double underlined indicates new text or previously stricken text to remain.
- ~~Double Stricken~~ indicates text to be ~~deleted~~.
- Italized* indicates relocated language.
- .... Indicates language omitted to save space.



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**WEDNESDAY DECEMBER 5, 2012**

**1:30 P.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. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**DIRECTOR COMMENTS**

**COMMISSIONER 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**

**DECEMBER 5, 2012**

**CALL TO ORDER**

- A. Roll Call - 1:30 P.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In - County Attorney
- E. Motion to Adopt Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

1. **ZV/CA-2012-01258** Title: a Type II Variance - Concurrent application of Rocker Real Estate Inc by Land Design South Inc., Agent. Request: to allow 100% easement overlap in a right-of-way buffer and to allow extended hours of operation for a commercial property adjacent to a residential property

Title: a Class A Conditional Use of Rocker Real Estate Inc by Land Design South Inc., Agent. Request: to allow a Type I Restaurant

General Location: Approximately 800 feet east of Congress Avenue on the north side of Northlake Boulevard (**South Gardens Donuts**) (Control 1985-00027)

Pages: 1 - 1

Project Manager: Carol Glasser

Size: 0.60 acres ±

BCC District: 1

Staff Recommendation: To postpone to Thursday January 3, 2013.

**MOTION:** To postpone to Thursday, January 3, 2013.

**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. **W/DOA-2012-01838** Title: a Waiver application of Boca Raton Associates VI LLLP by G.L. Homes, Agent. Request: to allow an increase in the number of cul-de-sacs

Title: a Development Order Amendment of Boca Raton Associates VI LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan, delete units; and, modify Conditions of Approval (Planning)

General Location: Approximately 1.5 miles south of W. Atlantic Avenue on the east side of Lyons Road (**Bridges AGR PUD**) (Control 2004-00250)

Pages: 2 - 38

Conditions of Approval (25 - 32)

Project Manager: Carol Glasser

Size: 722.53 acres ±

BCC District: 5

(affected area 299.07 acres ±)

Staff Recommendation: Staff recommends approval of the Waiver; and, approval of the Development Order Amendment subject to 37 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 8-0

**MOTION:** To adopt a resolution approving a Waiver to allow an increase in the number of cul-de-sacs.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, delete units; and, modify Conditions of Approval (Planning) subject to the Conditions of Approval as indicated in Exhibit C.

3. **ZV/DOA-2012-00985** Title: a Development Order Amendment application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Preliminary Site Plan, to add an access point, and modify a Condition of Approval (Signage)

General Location: Southeast corner of Frank Street and Okeechobee Blvd (**Palm Beach Market Place**) (Control 1988-00029)

Pages: 39 - 63

Conditions of Approval (55 - 59)

Project Manager: Wendy Hernandez

Size: 5.84 acres ±

BCC District: 2

Staff Recommendation: Staff Recommends approval of the request subject to 23 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 8-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Preliminary Site Plan, to add an access point, and modify a Condition of Approval (Signage) subject to the Conditions of Approval as indicated in Exhibit C-2.

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

4. **SCA-2012-00009** Title: Hypoluxo Shoppes, Small Scale Land Use Amendment application of MBSA 3 LLC by Land Design South Inc., Agent. Request: Commercial Low with an underlying Low Residential 3 units per acre (CL-3) to Commercial High (CH)  
General Location: Northeast corner of Hypoluxo Road and High Ridge Road (**Hypoluxo Shoppes**) (Control 2008-00243)

Pages: 64 - 107

Project Manager: Bryce Van Horn

Size: 4.32 acres ±

BCC District: 3

(affected area 4.20 acres ±)

Staff Recommendation: Approval of the proposed amendment from Commercial Low with underlying Low Residential, 3 units per acre (CL/3) to Commercial High (CH)

Planning Commission Recommendation: Approval 6-2

**MOTION:** To adopt an ordinance approving the proposed amendment from Commercial Low with underlying Low Residential, 3 units per acre (CL/3) to Commercial High (CH)



5. **ZV/DOA/R-2012-01256** Title: a Development Order Amendment application of Hypoluxo and I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to reconfigure the Site Plan, reduce square footage and to restart the commencement clock

Title: a Requested Use of Hypoluxo and I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to allow a Convenience Store with Gas Sales and a Type I Restaurant

General Location: Northeast corner of Hypoluxo Road and High Ridge Road (**Hypoluxo Shoppes**) (Control 2008-00243)

Pages: 108 - 142

Conditions of Approval (126 - 133)

Project Manager: Joyce Lawrence

Size: 4.20 acres  $\pm$

BCC District: 3

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the Development Order Amendment subject to 28 Conditions of Approval as indicated in Exhibit C-2 and approval of the Requested Use subject to 5 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved as amended 8-0

**MOTION:** To adopt a resolution approving of a Development Order Amendment to reconfigure the Site Plan, add square footage and to re-start the time of commencement subject to Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving the Requested Uses to allow a Type I Restaurant and a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-3.

#### G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

**H. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

6. **PDD-2012-01257** Title: an Official Zoning Map Amendment to a Planned Development District application of Jules Romfh, Elizabeth Romfh by Land Design South Inc., Atlantic Land Management, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District

General Location: South of Lake Worth Road on the east side of Lyons Road (**Gulfstream PUD**) (Control 2008-00297)

Pages: 143 - 185

Conditions of Approval (163 - 167)

Project Manager: Carol Glasser

Size: 58.25 acres ±

BCC District: 6

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the request subject to 22 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 7-1

**MOTION:** To adopt a resolution approving an Official Zoning Map amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

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

7. **TITLE: REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2012-02**

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 3, 2013.

Pages: 186 - 246

**MOTION:** MOTION: To approve on preliminary reading and advertise for First Reading on January 3, 2013: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AND 03-070 AS AMENDED, AS FOLLOWS: ARTICLE 1- DEFINITIONS AND ACRONYMS; CHAPTER H; LOT OF RECORD; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; 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 D, EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER H, MASS TRANSIT STANDARDS; ARTICLE 6- PARKING; CHAPTER A, PARKING; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; 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 B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; 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: REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS**

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 3, 2013.

Pages: 247 - 252

**MOTION:** MOTION: To approve on preliminary reading and advertise for First Reading on January 3, 2013: 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 03-068, AS AMENDED, AS FOLLOWS: ARTICLE 15- HEALTH REGULATIONS; CHAPTER A, (ENVIRONMENTAL CONTROL RULE I) ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS); CHAPTER B, (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

## **K. COMPREHENSIVE PLAN TEXT AMENDMENTS**

**L. OTHER ITEMS**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. EXECUTIVE DIRECTOR**

**B. COUNTY ATTORNEY**

**C. PLANNING DIRECTOR**

**D. ZONING DIRECTOR**

**9. [Internet Cafe Moratorium](#)**

Pages: 253 - 254

**10. [Postponement of Mural Dissussion](#)**

Pages: 255 - 255

**COMMISSIONER COMMENTS**

**ADJOURNMENT**