



**BOARD OF COUNTY COMMISSION  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
JANUARY 8, 2015**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>PAGE #</u></b>	<b><u>APPLICATION AND CONTROL #S</u></b>	<b><u>APPLICATION NAME</u></b>
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**REGULAR AGENDA**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

<b>3.</b>	<b>(52)</b>	<b>ABN/ZV/PDD/DOA/R-2013-02361 (Control 1988-00029)</b>	<b>Palm Beach Marketplace</b>
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**REPLACE** Engineering – Condition 6 with the following:

6. Prior to the issuance of a Certificate of Occupancy for the hotel, the Property Owner shall meet the requirements of the FDOT's 10/28/2014 Conceptual Approval Letter (or as subsequently amended) and provide certification by a professional engineer that states the attached letter is the latest FDOT letter and that the requirements therein are met. (BLDGPMT/CO: MONITORING – Engineering)

<b>4.</b>	<b>(103)</b>	<b>Z/COZ-2014-00938 (Control 2005-00162)</b>	<b>Amestoy AGR</b>
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**AMEND** Engineering Condition 2 to read:

Prior to December 31, 2015, the... conveyance has been completed. [NOTE: Completed]

**AMEND** Engineering Condition 3 to read:

The property owner shall... prior to December 31, 2015 or within... shall include sufficient Right of Way for 3 southbound left turn lanes, 2 southbound thru lanes and 1 southbound right turn lane, this Right of Way shall include all appropriate storage lengths and tapers at the intersection Boynton Beach Boulevard and Lyons Road, where appropriate as determined by the County Engineer,...  
documents.

<b>6.</b>	<b>(204-205)</b>	<b>ZV/PDD/DOA-2014-00940 (Control 2004-00369)</b>	<b>Valencia Cove AGR PUD</b>
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**ADD** Engineering – Condition 1.c to read as follows:

c. Building permits for more than 1147 dwelling units shall not be issued until either construction commences or a proportionate share payment is made by the developer for an additional (second) east approach left turn lane at the intersection of Atlantic Avenue and Lyons Road. Construction commences is defined as awarding the contract for construction, the acquisition of all right of way and construction easements and the acquisition of all required permits. If the developer chooses to make the proportionate share payment, the required amount will be 17.07% of the cost of the improvement as approved by the County Engineer.

Add Engineering – Condition 1.d to read as follows:

d. Within six months of approval of the Development Order, the developer shall provide a cost estimate for construction of the second east approach left turn lane at the intersection of Atlantic Avenue and Lyons Road. The cost shall be provided by a professional engineer and approved by the County Engineer.

**K. ULDC AMENDMENTS**

**7. (333-337) First Reading and Request to Advertise for Adoption Hearing Unified Land Development Code (ULDC) Amendment Round 2014-02**

Exhibit A, Article 2, Development Review Procedures, Page 333, is amended to add the following:

**ULDC Art. 2.G.3.A.3.a, Appointment (page 72 of 87):**

**Reason for amendments:** [Zoning] [To reflect change in the number of LDRAB members amended in Part 7 of Exhibit A](#)

**Section 3 APPOINTED BODIES**

**A. Land Development Regulation Advisory Board**

**3. Board Membership**

**a. Appointment**

- 1) The LDRAB shall be composed of ~~47~~ 16 members and two at-large alternate members.
- 2) ~~Four~~ Nine of the members shall be appointed by a majority of the BCC upon a recommendation by the organizations listed in Table 2.G.3.A, LDRAB Expertise.

....

Exhibit B, Article 5.C, Design Standards, lines 48 to 49, Part 3, Page 337, is amended as follows:

**ULDC Art. 5.C.1, Architectural Guidelines (page 39 of 100),:**

**Reason for amendments:** [\[FDO/Zoning\] Palm Beach County \(PBC\) Facilities Development and Operations \(FDO\) requested an exception to the timing of submittal for compliance with Art. 5.C.1, Architectural Guidelines for government facilities. The provision of public facilities and services involves long range planning where submittal of architectural elevations may not be feasible at time of preliminary approval by BCC or ZC. Further, the design process undertaken for many government facilities requires exterior architecture and appearance to be the very last step to final design completion, as exterior design is done to preserve interior building form and functions. As a result of these considerations, the proposed amendment would require additional time and expense to deliver government facilities: 1\) so that architectural design can be accomplished before commencing the Zoning approval process or 2\) due to additional/duplication of architectural review. Overall, the intricate relationship between architecture and functionality of government facilities offers little to no tolerance for architectural changes that could affect operations and critical service delivery.](#)

**CHAPTER C DESIGN STANDARDS**

**Section 1 Architectural Guidelines**

**E. Review Process**

**1. Methods**

An applicant ~~or PBC may request review for compliance is required to comply~~ with this Chapter in accordance with ~~any one of the~~ requirements of the following methods: with the exception of government facilities. Government facilities subject to BCC or ZC approval may submit based on the Type 3 or Type 4 method. [Ord. 2005 – 002]



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY JANUARY 8, 2015**

**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. Proof of Publication
- D. Swearing In
- E. Adoption of 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**

**JANUARY 8, 2015**

**CALL TO ORDER**

- A. Roll Call - 9:30 A.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**

**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**

**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**

1. [SCA-2015-00005](#) Title: Dazco Center application of 4730 Hypoluxo LLC by CMS Engineering LLC, Agent. Request: To change the future land use designation from Commercial High Office with underlying 3 units per acre (CH-O/3) to Commercial Low (CL).

General Location: South side of Hypoluxo Rd, approx. 1,300 ft west of Military Trail. (Dazco Center) (Control 2003-00040)

Pages: 1 - 25

Project Manager: Stephanie Gregory

Size: 3.04 acres ±

BCC District: 3

Staff Recommendation: Approval of the proposed amendment from Commercial High Office with an underlying 3 units per acre (CH-O/3) to Commercial Low (CL).

Planning Commission Recommendation: Recommended Approval, with a vote of 14-0.

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

2. [Z-2014-01627](#) Title: an Official Zoning Map Amendment application of 4730 Hypoluxo LLC by CMS Engineering LLC, Agent. Request: to allow a rezoning from the Commercial High Office (CHO) and the Agricultural Residential (AR) Zoning Districts to the Community Commercial (CC) Zoning District.

General Location: South side of Hypoluxo Road, approximately 1300 feet west of Military Trail. (**Dazco Center**) (Control 2003-00040)

Pages: 26 - 39

Conditions of Approval (31 - 31)

Project Manager: Osniel Leon

Size: 3.04 acres ±

BCC District: 3

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and the 6 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval with a vote of 7-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Commercial High Office (CHO) and the Agricultural Residential (AR) Zoning Districts to the Community Commercial (CC) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

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



## I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

3. [ABN/ZV/PDD/DOA/R-2013-02361](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.  
Title: a Development Order Amendment of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to modify the Site Plan; and, add land area, square footage, and uses.  
Title: a Requested Use of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow a Hotel, a General Daycare; and, a Type I Restaurant.  
General Location: South side of Okeechobee Road, starting approximately 400 feet west of the I-95 interchange, and located generally east of Frank Street. **(Palm Beach Marketplace)** (Control 1988-00029)

Pages: 40 - 96

Conditions of Approval (50 - 60)

Project Manager: Carrie Rechenmacher

Size: 10.18 acres ±

BCC District: 2

## DISCLOSURE

Staff Recommendation: Staff Recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C-2; 1 Condition of Approval in Exhibit C-3; 1 Condition of Approval in C-4; 1 Condition of Approval in Exhibit C-5; and, 1 Condition of Approval in Exhibit C-6.

Zoning Commission Recommendation: The ZC approved the Abandonment and Type II Variances; and recommends approval of the Rezoning, Development Order Amendment and Requested Uses with votes of 6-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to a Condition of Approval in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Development Order Amendment to modify the Site Plan; and, add land area, square footage, and uses subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Requested Use to allow a Hotel, subject to the Conditions of Approval in Exhibit C-4.

MOTION: To adopt a resolution approving a Requested Use to allow a General Daycare subject to the Conditions of Approval in Exhibit C-5.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant subject to the Conditions of Approval in Exhibit C-6.

4. [Z-2014-00938](#) Title: an Official Zoning Map Amendment application of Boynton Beach Associates XXII, LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District with a Conditional Overlay Zone (COZ).  
General Location: Northwest corner of Lyons Road and Boynton Beach Boulevard.  
**(Amestoy AGR)** (Control 2005-00162)

Pages: 97 - 119

Conditions of Approval (103 - 104)

Project Manager: Joyce Lawrence

Size: 183.83 acres ±

BCC District: 5

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request with a Conditional Overlay Zone (COZ) subject to 6 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval with a vote of 5-2-1.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

5. **PDD/DOA-2014-00939** Title: an Official Zoning Map Amendment to a Planned Development District. application of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to reconfigure the Master Plan to swap, add, and delete land area (preserve); re-allocate, and release recorded Conservation Easement; and amend Conditions of Approval (Planning).

General Location: South of Boynton Beach Boulevard and east of and adjacent to Lyons Road. **(Canyon Isles AGR PUD)** (Control 2002-00068)

Pages: 120 - 189

Conditions of Approval (131 - 146)

Project Manager: Joyce Lawrence

Size: 511.58 acres ±

BCC District: 5,6

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 68 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended approval with a vote of 5-2-1.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District subject to 1 Condition of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan to swap, add, and delete land area (preserve), re-allocate, and release recorded Conservation Easement; and amend Conditions of Approval (Planning) subject to 68 Conditions of Approval as indicated in Exhibit C-2.

6. [ZV/PDD/DOA-2014-00940](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment of Delray Beach Associates I, LLC by G.L. Homes, Agent. Request: to reconfigure the Master Plan; add land area (Development and Preserve); add a model row; add an access point to release and amend Conservation Easements; add units; amend Conditions of Approval (Planning); and re-allocate land area.

General Location: - South of Boynton Beach Boulevard at the terminus of Acme Dairy Road.

- North of Boynton Beach Boulevard and west of and adjacent to Lyons Road. **(Valencia Cove AGR-PUD)** (Control 2004-00369)

Pages: 190 - 316

Conditions of Approval (202 - 224)

Project Manager: Joyce Lawrence

Size: 1,408.26 acres  $\pm$

BCC District: 5,6

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-2, and 57 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved 5-2-1.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District subject to the Condition of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan; add land area (Development and Preserve); add a model row; add an access point to release and amend Conservation Easements; add units; amend Conditions of Approval (Planning); and re-allocate land area subject to the Conditions of Approval as indicated in Exhibit C-3.

#### J. ZONING APPLICATIONS - NEW

#### K. ULDC AMENDMENTS

7. [TITLE: FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2014-02](#)

Staff Recommendation: Staff recommends a motion to approve on First Reading and advertise for Adoption Hearing on January 29, 2015.

Pages: 317 - 357

**MOTION:** MOTION: To approve on First Reading and advertise for Adoption Hearing on January 29, 2015: 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 I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4- USE REGULATIONS; CHAPTER B, SUPPLEMENTARY USE STANDARDS; CHAPTER C, COMMUNICATION TOWER, COMMERCIAL; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; ARTICLE 7- LANDSCAPING; CHAPTER D, GENERAL STANDARDS; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER A, GENERAL REQUIREMENTS; 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**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. DEPUTY COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**

