

including a paved shoulder, utility relocation costs and design costs. (CO: MONITORING – Eng)

b. Construction of the ultimate right turn lane is completed prior to August 1, 2014. (DATE: MONITORING – Eng)

AMEND Landscape - Perimeter Conditions 3 of Exhibit C-1 to read as follows:

3. In addition to code requirements, landscaping and buffering along the north property line shall be upgraded to include:

a. a two (2) foot high continuous berm;

b. a six (6) foot high concrete panel wall to be located at the top of the berm. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure

~~c. wall and berm shall be located along the west four hundred and forty (440) feet of the north property line; and,~~

b. one (1) palm or pine for each for each thirty (30) linear feet for the entire north property line. (BLDG PERMIT: LANDSCAPE - Zoning)

ULDC AMENDMENTS

J7. Adoption Hearing – Unified Land Development Code (ULDC) – Amendment Round 2012-01

(112) Amend Exhibit J, Location Criteria – Type I Restaurant – line 38, Part 2 as follows*:
as well as enhances pedestrian circulation, safety and accessibility while limiting

(113) Amend Exhibit J, Location Criteria – Type I Restaurant – lines 6 – 7, Part 2 as follows*:

restaurant main entrances by a distance of more than 150 feet. The applicant may request an increase to this distance up to by a maximum of ten percent of the

(113) Amend Exhibit J, Location Criteria – Type I Restaurant – lines 11-14, Part 2 as follows*:

c) If located in standard Zoning Districts and required by the Zoning Director, cross-access shall be provided to the all abutting parcels that has have a Commercial FLU designation. If required, the cross-access easement shall be recorded prior to Final Approval of the Site Plan by the DRO. The Zoning Director may elect not to require the cross-access easement based on

(147) Amend Exhibit S, Waivers – lines 54 - 57, Part 40 as follows*:

2) Type I Waiver – Eliminate or Reduce Loading Standards-Administrative Reduction
For uses that contain less than 10,000 square feet of total GFA, the applicant Zoning Director may apply for a Type I Waiver to eliminate the loading space required waive or reduce the loading standards. [Ord. 2007-001]

(149) Amend Exhibit T, Livestock Keeping – lines 7 - 8, Part 1 as follows*:

perimeter fence to divide the property into two or more areas for the purposes of separating or containing rotating livestock.

(149) Amend Exhibit T, Livestock Keeping – line 26, Part 2 as follows*:

Domesticated livestock shall be permitted allowed accessory to a single family residential

(149) Amend Exhibit T, Livestock Keeping – lines 33 – 34, Part 2 as follows*:

b) Temporary/Portable structures that do not require building permits shall comply with the side and rear setback standards indicated in Article 5.B.1.A.1.d.2)b) – AR District and AGE Rural Transect, and may be located in the front or side street yards without meeting setback requirements.

(149) Amend Exhibit T, Livestock Keeping – lines 39 – 41, Part 2 as follows*:

Cross fencing may be permitted for the purpose of separating rotating livestock. It shall not be utilized in a manner that creates a nuisance for adjacent property owners such as containing pens or restrains the animals primarily in the setbacks in a limited area next to the property line.

(149) Amend Exhibit T, Livestock Keeping – lines 45 – 46, Part 2 as follows*:

~~A maximum of six separate on-site sales of livestock shall be permitted during a 12-month period.~~

- (a) Property owners may conduct sales from their property provided they comply with the provisions of Article 4.B.1.A.70 – Home Occupation. The property owner does not have to comply with location requirements. In addition, the prohibition of on-premise sales shall not apply to this section.
- (b) Sales shall be limited to products grown or raised on site and shall not exceed \$15,000 in gross receipts per calendar year.
- (c) Livestock as an accessory use shall be subject to the Nuisance Standards contained in Art. 5.

(149) Amend Exhibit T, Livestock Keeping – lines 49 – 51, Part 2 as follows*:

to comply with the standards above for permanent structures within six (6) months, and for temporary/portable structures that do not require building permits within 30 days, of the effective date of this Ordinance. ~~Those found in non-compliance by Code Enforcement shall be given sixty (60) days to comply with the provisions of this section of the ULDC.~~

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



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY AUGUST 23, 2012

9:30 A.M. 6TH 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/

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

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

AUGUST 23, 2012

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

1. **DOA-2012-00116** Title: a Development Order Amendment application of Ansca Acquisition LLC by CMS Engineering LLC, Agent. Request: to reconfigure the Master and Subdivision Plans and to amend Conditions of Approval (Arch Review, Engineering, Planning, PUD, School Board).
General Location: Northwest corner of Hagen Ranch Road and Atlantic Ave. (Villaggio Isles PUD) (Control 2004-00456)

Pages: 1 - 1

Project Manager: David McGuire

Size: 92.07 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday, September 27, 2012.

MOTION: To postpone to Thursday, September 27, 2012.

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. **CA-2011-01993** Title: a Class A Conditional Use application of Lake Worth Property Enterprises LLC by H & L Planning & Development, Agent. Request: to allow a Convenience Store with Gas Sales
General Location: Northwest corner of Okeechobee Boulevard and Indian Road (**European BP**) (Control 1992-10020)

Pages: 2 - 22

Conditions of Approval (17 - 18)

Project Manager: Joyce Lawrence

Size: 0.43 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the Development Order Abandonment; approval of the Official Zoning Map Amendment; approval of the Development Order Amendment subject to 19 Conditions of Approval as indicated in Exhibit C-1; approval of the Class A Conditional Use subject to 6 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved as amended 9-0

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

3. [CA-2012-00688](#) Title: a Class A Conditional Use application of Garry Bernardo by Frogner Consulting LLC, Agent. Request: to allow a Pawnshop

General Location: East side of Military Trail two blocks North of Southern Blvd. **(American Jewelry and Guns)** (Control 2011-00552)

Pages: 23 - 43

Conditions of Approval (38 - 39)

Project Manager: David McGuire

Size: 0.30 acres \pm

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved as amended 9-0

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

F. CORRECTIVE RESOLUTIONS

4. [ABN/DOA/R/TDR-2011-03177](#) A resolution correcting Resolution R-2012-1055, adopted on July 26, 2012 containing an error in the NOW, THEREFORE CLAUSE and an error in Condition of Approval Transfer of Development Rights 3 in Exhibit C.

BCC District: 3

Pages: 44 - 45

MOTION: To adopt a resolution correcting Resolution R-2012-1055, adopted on July 26, 2012, correcting an error in the NOW, THEREFORE CLAUSE and an error in Condition of Approval Transfer of Development Rights 3 of Exhibit C.

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

- 5. [STR-1999-00090-5](#) Status Report for Resolution R-2000-0572 (Control No. 1999-0090) Property Owner: Congress Plaza (Congress Shopping Center) General Location: Approximately 600 feet south of Okeechobee Blvd, on east side of Congress Avenue Current Zoning: CG (**E & H Self Storage**)

Pages: 46 - 50

Size: 1.46 acres ±

BCC District: 2

DISCLOSURE

MOTION: To adopt a resolution revoking the Self-Service Storage Facility use granted by Resolution R-2000-0572.

F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

6. [ABN/Z/DOA/CA-2012-00696](#) Title: a Development Order Abandonment application of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to abandon Resolution R-2007-1620 for a Class A Conditional Use to allow Townhouses

Title: an Official Zoning Map Amendment of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single Family (RS) Zoning District

Title: a Development Order Amendment of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan, to add land area, add an access point and to delete the Conditional Overlay Zone (COZ) all Conditions of Approval for Resolution R-2007-1619

Title: a Class A Conditional Use of Florida Charter Foundation Inc, Precious Property Management Llc, Capstone Resdev LLC by Urban Design Kilday Studios, Agent. Request: to allow a School, Elementary or Secondary School (Charter)

General Location: 0.75 miles north of Gateway Boulevard on the northeast corner of Knollwood Road and Old Military Trail (**Franklin Academy - Boynton**) (Control 2005-00589)

Pages: 51 - 84

Conditions of Approval (67 - 70)

Project Manager: Joyce Lawrence

Size: 9.93 acres \pm

BCC District: 3

DISCLOSURE

Staff Recommendation: Staff recommends approval of the Development Order Abandonment; approval of the Official Zoning Map Amendment; approval of the Development Order Amendment subject to 19 Conditions of Approval as indicated in Exhibit C-1; approval of the Class A Conditional Use subject to 6 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon Resolution R-2007-1620 for a Class A Conditional Use to allow Townhouses.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single Family (RS) Zoning District.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan to add land area and add an access point subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a School, Elementary or Secondary (Charter School) subject to Conditions of Approval as indicated in Exhibit C-2.

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

7. TITLE: ADOPTION HEARING UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2012-01

Staff Recommendation: Staff recommends a 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.

Pages: 85 - 149

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER C, FLU PLAN AMENDMENTS; CHAPTER D, ADMINISTRATIVE PROCESS, CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; 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; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER A, GENERAL; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; ARTICLE 6- PARKING; CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7- LANDSCAPING; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; ARTICLE 8- SIGNAGE; CHAPTER A, GENERAL; CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; CHAPTER H, OFF-SITE SIGNS; 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.

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

8. [Unified Land Development Code Amendment Round 2012-02](#)

Pages: 150 - 157

COMMISSIONER COMMENTS

ADJOURNMENT