



**BOARD OF COUNTY COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
AUGUST 24, 2017**

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 15. (454-460) MORATORIUM FOR EQUESTRIAN WASTE, ANIMAL WASTE OR BIO-SOLIDS IN THE GLADES TIER – FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION

MOTION: to postpone to October 26, 2017

CONSENT AGENDA

E. ZONING APPLICATIONS - NEW

- 6. (62-74) Z-2017-00823 Dennis P. Koehler and Babbling Brook
(2016-00109)

AMEND Engineering Condition 2 of Exhibit C to read as follows:

- 2. The Property Owner shall provide..... the County Engineer, ~~whichever shall occur first.~~

REGULAR AGENDA

J. ZONING APPLICATIONS - NEW

- 11. (189-321) DOA-2017-00573 Avalon Trails at Villages of Oriole PUD
(1981-00139)

DELETE Engineering Condition 11 and 12 of Exhibit C and renumber accordingly.



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY AUGUST 24, 2017

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

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 24, 2017

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. [ABN-2017-00344](#) Title: a Development Order Abandonment application of West Boca Presbyterian Church Inc by Jon E Schmidt & Associates, Agent. Request: to abandon a Special Exception allowing a Church and Accessory Buildings and Structures.
General Location: Approximately 1/8 mile north of Judge Winikoff Road on the west side of Hammock Street. **(West Boca Presbyterian Church)** (Control 1983-00078)

Pages: 1 - 5

Project Manager: Diego Penalzoa

Size: 6.08 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday, September 28, 2017.

MOTION: To postponement to Thursday, September 28, 2017.

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

- 2. [STR-1986-00013-1](#) Status Report for Resolution R-2008-922. Property Owner: Diocese of Palm Beach County Inc. General Location: Approximately 200 feet west of Military Trail on the south side of Gun Club Road. Current Zoning: Urban Center (UC) (**Belfer Office Park (Control No. 1986-013)**)

Pages: 6 - 10

Project Manager: Bruce Thomson

Size: 6.96 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution to revoking the Class A Conditional Use approved by Resolution R-2008-922.

- 3. [STR-2006-00504-1](#) Status Report for Resolution R-2007-1438. Property Owner: Leroy Evangelistic Association, Inc. General Location: Approximately 377 feet north of Horseshoe Circle North on west side of Haverhill Road. Current Zoning: Residential Single Family (RS) (**Philadelphia Church of Nazarene (Control No. 2006-0504)**)

Pages: 11 - 15

Project Manager: Bruce Thomson

Size: 4.76 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution to revoking the Class A Conditional Use approved by Resolution R-2007-1438.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 4. [ABN/DOA-2015-02519](#) Title: a Development Order Abandonment application of CVS 4785 FL LLC, Taz Inc - Hardial Sibia by Hardial Sibia, Agent. Request: to abandon a Financial Institution.

Title: a Development Order Amendment of CVS 4785 FL LLC, Taz Inc - Hardial Sibia by Hardial Sibia, Agent. Request: to reconfigure the site plan, add square footage, and amend Conditions of Approval (Building and Site Design, Landscape, Signs, Use Limitations).

General Location: On the southeast corner of Coconut Lane and Military Trail. **(Coconut Plaza)** (Control 1999-00036)

Pages: 16 - 46

Conditions of Approval (22 - 33)

Project Manager: Carrie Rechenmacher

Size: 3.99 acres ±

BCC District: 4

(affected area 1.81 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 55 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Financial Institution.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, add square footage, and amend Conditions of Approval (Building and Site Design, Landscape, Signs, Use Limitations) subject to the Conditions of Approval as indicated in Exhibit C.

E. ZONING APPLICATIONS - NEW

5. [ABN/Z-2016-02218](#) Title: a Development Order Abandonment application of Boca Rio Golf Club Inc by Cotleur & Hearing Inc., Agent. Request: to abandon the Special Exception for a Private Recreation Facility, including a Golf Course and Country Club. Title: an Official Zoning Map Amendment of Boca Rio Golf Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Recreation (CRE) Zoning District. General Location: Southwest corner of Palmetto Park Road and Boca Rio Road. (**Boca Rio Golf Club**) (Control 1985-00172)

Pages: 47 - 61

Conditions of Approval (51 - 51)

Project Manager: Meredith Leigh

Size: 203.62 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon the Special Exception to allow a Private Recreation Facility, including a Golf Course and Country Club.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Recreation (CRE) Zoning District subject to Conditions of Approval as indicated in Exhibit C.

6. [Z-2017-00823](#) Title: an Official Zoning Map Amendment application of Belvedere Westgate, Palm Beach County by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ). General Location: Southwest and southeast corners of Chickamauga Avenue and Seminole Boulevard. (**Dennis P. Koehler and Babbling Brook**) (Control 2016-00109)

Pages: 62 - 74

Conditions of Approval (66 - 67)

Project Manager: Lorraine Fuster

Size: 8.42 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 5 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential High (RH) Zoning District to the Public Ownership (PO) Zoning District, with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

7. [DOA-2016-01643](#) Title: a Development Order Amendment application of Ronald Kendall, Ron Kendall by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Phasing and Site Plan; delete square footage; relocate an access point; add an access point; modify Conditions of Approval (Architecture, Engineering) and to modify the Commencement of Development.

General Location: Northwest corner of Benoist Farms Road and Wallis Road, approximately 430 feet north of Southern Boulevard (SR-80). **(Kendall Industrial)** (Control 1975-00060)

Pages: 75 - 109

Conditions of Approval (84 - 91)

Project Manager: Josue Leger

Size: 11.13 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 23 Conditions of Approval as indicated in Exhibit C-1; and 5 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved a Development Order Amendment (with conditions) by a vote of 7-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment (overall site) to reconfigure the Phasing and Site Plan; delete square footage; relocate an access point; add an access point; modify Conditions of Approval (Architecture, Engineering) and to modify the Commencement of Development subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Development Order Amendment (gas and fuel wholesale) to reconfigure the Site Plan subject to Conditions of Approval as indicated in Exhibit C-2.

- 8. [SV/ZV/Z-2016-01412](#) Title: an Official Zoning Map Amendment application of Belvedere Westgate, Mickey Fernandez by Land Research Management Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ).
General Location: North side of Westgate Avenue, east of Seminole Boulevard. **(Mi Pais Express)** (Control 2016-00102)

Pages: 110 - 127

Conditions of Approval (115 - 118)

Project Manager: Diego Penalzoza

Size: 0.40 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 5 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

Zoning Commission Recommendation: Approved a Type II Variance by a vote of 7-0-0.

Zoning Commission Recommendation: Approved a Subdivision Variance (with conditions) by a vote of 7-0-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C-3.

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

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

9. [ZV/ABN/DOA/R-2016-01229](#) Title: Development Order Abandonment application of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to abandon a Special Exception for an Auto Service Station.

Title: a Development Order Amendment of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to reconfigure the Site Plan; delete square footage; modify uses; and, add parking spaces.

Title: a Requested Use. of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to allow Retail Gas and Fuel.

General Location: Northwest corner of Military Trail and Boynton West Road. **(7-Eleven Inc. at Boynton West Shopping Center)** (Control 1972-00051)

Pages: 128 - 165

Conditions of Approval (138 - 141)

Project Manager: Carolina Valera

Size: 17.84 acres ±

BCC District: 5

(affected area 1.24 acres ±)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 11 Conditions of Approval as indicated in Exhibit C-3 and 6 Conditions of Approval as indicated in Exhibit C-4.

Zoning Commission Recommendation: Recommended Approval of a Requested Use. by a vote of 5-2-0.

Zoning Commission Recommendation: Recommended Approval of Development Order Abandonment by a vote of 5-2-0.

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) by a vote of 5-2-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 5-2-0.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; delete square footage; modify uses; and, add parking spaces, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Requested Use for Retail Gas and Fuel, subject to the Conditions of Approval as indicated in Exhibit C-4.

J. ZONING APPLICATIONS - NEW

10. [DOA-2017-00558](#) Title: a Development Order Amendment application of MPC 3 LLC by McCraney Property Co., Agent. Request: to amend a Condition of Approval (Use Limitations).

General Location: On the west side of Cleary Road approximately 1,500 feet south of Belvedere Road. (**MPC III Turnpike Business Park**) (Control 2002-00011)

Pages: 166 - 188

Conditions of Approval (172 - 178)

Project Manager: Diego Penaloza

Size: 33.89 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends the approval of the request subject to 33 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to amend a Condition of Approval (Use Limitations) subject to the Conditions of Approval as indicated in Exhibit C.

11. [DOA-2017-00573](#) Title: a Development Order Amendment application of Marina Lakes Golf LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan to re-designate golf course to residential; add units; modify Conditions of Approval (Architectural Review, Engineering, Landscaping, and Signs); and, to modify the Commencement of Development.

General Location: North of Atlantic Avenue between Hagen Ranch Road and Jog Road. (**Avalon Trails at Villages of Oriole PUD**) (Control 1981-00139)

Pages: 189 - 321

Conditions of Approval (205 - 211)

Project Manager: Meredith Leigh

Size: 448.13 acres ±

BCC District: 5

(affected area 107.55 acres ±)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 36 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan to re-designate golf course to residential; add units; modify Conditions of Approval (Architectural Review, Engineering, Landscaping, and Signs); and, to modify the Commencement of Development subject to the Conditions of Approval as indicated in Exhibit C.

K. ULDC AMENDMENTS

12. [Title: ULDC AMENDMENT ROUND 2017-01 - ADOPTION HEARING](#)

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

- Exhibit A - Art. 1.C.1, Rules of Construction - Rounding of Fractions
- Exhibit B - Mobile Home Owner Disclosure Requirements to Potential Buyers
- Exhibit C - Administrative Approvals-Unmanned Retail Structures
- Exhibit D - Art. 3, Planned Development Districts
- Exhibit E - Art. 3.B.14.F, Property Development Regulations [Related to WCRAO]
- Exhibit F - Lifestyle Commercial Center LCC
- Exhibit G - Art. 4, Use Regulations
- Exhibit H - Art. 4.B, Use Classification [Related to URAO]
- Exhibit I - Retail Gas and Fuel - Standards for Approval
- Exhibit J - Art. 5.B.1.A, Accessory Uses and Structures - General Exceptions
- Exhibit K - Art. 5.B.1.A, Accessory Uses and Structures - Exceptions for Buildings Accessory to Residential
- Exhibit L - Accessory Solar Energy Systems
- Exhibit M - Art. 5.B.1.B, Temporary Structures - Portable Storage Containers and Shipping Containers
- Exhibit N - Requested Use Reference
- Exhibit O - Art. 6 Parking
- Exhibit P - Art. 8.F.5, Illumination [Related to Signage]
- Exhibit Q - Art. 8.G.3.B, Electronic Message Signs
- Exhibit R - Art. 16, Airports and F.S. 333

Pages: 322 - 417

Project Manager: William Cross

Staff Recommendation: Staff recommends a motion to adopt ULDC Amendment Round 2017-01, an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

LDRAB/LDRC: Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendments by multiple votes on March 29, 2017, April 26, 2017 and May 24, 2017. Sitting as the LDRC on May 24, 2017, all proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: June 22, 2017, Request for Permission to Advertise for First Reading on July 27, 2017: Approved (7 - 0). July 27, 2017 - First Reading and Advertise for an Adoption Hearing on August 24, 2017: Approved (5 - 0).

MOTION: 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 C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS & ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS: CHAPTER A, GENERAL; 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, USER GUIDE AND GENERAL PROVISIONS; CHAPTER B, USE CLASSIFICATION; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY USES AND STRUCTURES; 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 C, MGTS TIER COMPLIANCE; ARTICLE 8- SIGNAGE: CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; ARTICLE 16- AIRPORT REGULATIONS: CHAPTER A, GENERAL; CHAPTER B, AIRSPACE HEIGHT REGULATIONS; CHAPTER C, AIRPORT LAND USE REGULATIONS; 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.

13. [Title: ARTICLE 18, FLOOD DAMAGE PREVENTION - ADOPTION HEARING](#)

The proposed ordinance will account for consistency with the Florida Model Flood Damage Prevention Ordinance, as follows:

Exhibit A - Art. 1, General Provisions
Exhibit B - Art. 18, Flood Damage Prevention

Pages: 418 - 447

Project Manager: William Cross

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.

LDRAB/LDRC: Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulation Commission (LDRC) Determination: Recommended approval of the proposed amendments on July 26. All proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: July 27, 2017, Request for Permission to Advertise for Adoption Hearing on August 24, 2017: Approved (5-0).

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE PALM BEACH COUNTY UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-67, AS AMENDED, BY REPEALING ARTICLE 18 AND ADOPTING A NEW ARTICLE 18, PROVIDING FOR FLOOD DAMAGE PREVENTION REGULATIONS, FLOOD HAZARD MAPS, DESIGNATION OF A FLOODPLAIN ADMINISTRATOR, PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; AMENDING ARTICLE 1 TO PROVIDE FOR DEFINITIONS RELATED TO FLOOD DAMAGE PREVENTION REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE.

14. [Title: MEDICAL MARIJUANA DISPENSING FACILITIES](#) - FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING

Pages: 448 - 453

Project Manager: William Cross

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing on September 28, 2017.

LDRAB/LDRC: Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulations Commission (LDRC) Determination: Recommended approval of the proposed amendments on July 26, 2017. All proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: July 27, 2017, Request for Permission to Advertise for First Reading on August 24, 2017: Approved (5-0).

MOTION: To approve on First Reading and Advertise for Adoption Hearing on September 28, 2017: 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: ESTABLISHING REGULATIONS RELATED TO MEDICAL MARIJUANA DISPENSING FACILITIES AND SUNSETTING THE MEDICAL MARIJUANA MORATORIUM, AMENDING ARTICLE 1, GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES; CHAPTER B, PUBLIC HEARING PROCESS; ARTICLE 4, USE REGULATIONS; CHAPTER B, USE CLASSIFICATION; 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: MORATORIUM FOR EQUESTRIAN WASTE, ANIMAL WASTE OR BIO-SOLIDS IN THE GLADES TIER](#) - FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING

Pages: 454 - 460

Project Manager: William Cross

Staff Recommendation: Staff recommends Approval of First Reading and to Advertise for Adoption Hearing on September 28, 2017

LDRAB/LDRC: Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulations Commission (LDRC) Determination: Recommended approval of the proposed amendments on July 26, 2017. All proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: July 27, 2017, Request for Permission to Advertise for First Reading on August 24, 2017: Approved (5-0).

MOTION: To approve on First Reading and Advertise for Adoption Hearing on September 28, 2017: 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: ENACTING A ONE YEAR MORATORIUM UPON THE ACCEPTANCE OF ZONING APPLICATIONS AND ALL APPLICABLE REQUESTS FOR ZONING APPROVALS FOR EQUESTRIAN WASTE MANAGEMENT FACILITIES, OR ANY COMPOSTING USE THAT INCLUDES EQUESTRIAN WASTE, ANIMAL WASTE OR BIO SOLIDS, LOCATED IN THE GLADES TIER OF UNINCORPORATED PALM BEACH COUNTY, EXCLUDING ACCESSORY USES TO BONAFIDE AGRICULTURAL OPERATIONS, AMENDING ARTICLE 4, USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; 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: ARTICLE 4, USE REGULATIONS \[RELATED TO COCKTAIL LOUNGE\]](#) - FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING

Pages: 461 - 464

Project Manager: William Cross

Staff Recommendation: Staff recommends approval of First Reading and to Advertise for Adoption Hearing of ULDC Amendment Art. 4, Use Regulations [Related to Cocktail Lounge] on September 28, 2017,

LDRAB/LDRC: Land Development Regulation Advisory Board (LDRAB) Recommendation and Land Development Regulations Commission (LDRC) Determination: Recommended approval of the proposed amendments on July 26, 2017. All proposed ULDC amendments were found to be consistent with the Comprehensive Plan.

BCC Public Hearings: July 27, 2017, Request for Permission to Advertise for First Reading on August 24, 2017: Approved (5-0).

MOTION: To approve on First Reading and Advertise for Adoption Hearing of ULDC Amendment Art. 4, Use Regulations [Related to Cocktail Lounge] on September 28, 2017: 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 [RELATED TO COCKTAIL LOUNGE]; 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.

17. [Title: INITIATION OF UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2017-02](#)

Solicit feedback from the Board of County Commissioners on the scheduling of ULDC amendments that have been prioritized for inclusion in Round 2017-02.

Pages: 465 - 469

Project Manager: William Cross

Staff Recommendation: Staff recommends a motion to initiate ULDC amendments Round 2017-02.

MOTION: To initiate ULDC amendments Round 2017-02 based on the list of priority items provided by Staff.

18. [PIA-2017-00314](#) Title: Request for Permission to Advertise for First Reading on September 28, 2017. application of UDKS - Joni Brinkman by Urban Design Kilday Studios, Agent. Request: A Phase 2 Privately Initiated Amendment (PIA) Application (PIA-2017-00314), to amend the ULDC to establish regulations for a new Regional Recreation Pod within the Planned Industrial Development District (PIPD) district, and to allow Outdoor Entertainment as a Class A Conditional Use (aka Surf Ranch Florida).
General Location: Non site specific.

Pages: 470 - 479

Project Manager: William Cross

Size: acres \pm

Staff Recommendation: Staff recommends a motion to approve the Request for Permission to Advertise for First Reading on September 28, 2017.

LDRAB/LDRC: The proposed ULDC amendments were presented to the Land Development Regulation Advisory Board (LDRAB) and Land Development Regulation Commission (LDRC) on July 26, 2017. The LDRAB recommended to accept staff's recommendation, motion passed (11-0) and, LDRC determination of consistency with the Comprehensive Plan, motion passed (11 - 0).

MOTION: To approve the Request for Permission to Advertise for First Reading on September 28, 2017, 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: A PRIVATELY INITIATED AMENDMENT (PIA) APPLICATION, TO ESTABLISH REGULATIONS FOR A NEW REGIONAL RECREATION POD WITHIN THE PLANNED INDUSTRIAL PARK DEVELOPMENT (PIPD) DISTRICT, AND TO ALLOW OUTDOOR ENTERTAINMENT AS A CLASS A CONDITIONAL USE (AKA SURF RANCH FLORIDA), AMENDING ARTICLE 3, OVERLAYS AND ZONING DISTRICTS: CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDS); AND, ARTICLE 4, USE REGULATIONS: CHAPTER B, USE CLASSIFICATION. 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. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT

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