County Administrator: Robert Weisman



Department of Planning, Zoning and Building 2300 North Jog Road West Palm Beach, Florida 33411 Phone: (561) 233-5200

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BOARD OF COUNTY COMMISSIONERS ZONING MEETING

AMENDMENTS TO THE AGENDA JANUARY 24, 2013

AGENDA ITEM # (PAGE #) **APPLICATION/CHANGE**

POSTPONEMENTS/REMANDS/WITHDRAWLS

CONSENT AGENDA

REGULAR AGENDA

AMENDMENTS AND ADDITIONS

3. (59-61) PDD-2012-1257

GULFSTREAM PUD

Amend ALL PETITIONS 1a as follows:

1.

a. preservation of the $\pm \frac{1}{2}$ -1.82-acre wetland and the addition of a 25-foot wide wetland Landscape buffer as indicated in Figure 4.A, Preliminary Master Plan dated November 6, 2012 along the north perimeter of the Wetland Area; and,...

Add new Landscape General Condition 2 to read as follows:

2. At time of submittal for Final Approval by the Development Review Officer, the Property Owner shall submit an Alternative Landscape Plan (ALP) for review and approval. The purpose of the ALP is to allow the incompatibility buffer to be relocated adjacent to the north perimeter of the Wetland Area for the preservation of the Wetland Area. (DRO: LANDSCAPE - Zoning)

Amend ENGINEERING - Condition 8 of Exhibit C to read as follows:

8. The property owner shall provide for alternative access to be utilized if access from 45th Street South is no longer available for the adjacent parcels with Parcel Control Numbers 00424327050280261, 00424327050280262, 00424327050280272 and 00424327050280273. Alternative access shall be provided to parcel with Parcel Control Number 00424327050280262, only if the authorities having jurisdiction permit a wetland impact for the access. This These alternative accesses shall accommodate a single family home or an equestrian use on each parcel and minimize conflict with the existing offsite wetland and be shown on the Final Master Plan prior to DRO approval. (ONGOING/DRO: ENGINEERING - Eng)

Replace ERM 1 with the following:

The wetland area located along the southern property line shall be preserved consistent with South Florida Water Management District (SFWMD) and U.S. Army Corp of Engineers (ACOE) permit requirements. (DRO:ERM-ERM)

County Administrator

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BOARD OF COUNTY COMMISSIONERS ZONING MEETING

THURSDAY JANUARY 24, 2013 9:30 A.M. 6TH FLOOR JANE M. THOMPSON MEMORIAL CHAMBERS

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- **Proof of Publication** C.
- Swearing In D.
- 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

JANUARY 24, 2013

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

1. SV/Z/CA-2011-03176 <u>Title:</u> an Official Zoning Map Amendment application of Iglesia De Cristo Misionera by Land Research Management Inc., Agent. <u>Request:</u> to allow a rezoning from the Multi-family Residential (RM) Zoning District to the Single-family Residential (RS) Zoning District

<u>Title:</u> a Class A Conditional Use of Iglesia De Cristo Misionera by Land Research Management Inc., Agent. <u>Request:</u> to allow a Place of Worship

<u>General Location:</u> East of Military Trail, north of 10th Ave North along the south side of Diamond Road. (Iglesia De Cristo Misionera) (Control 2010-00073)

Pages: 1 - 26

Conditions of Approval (8 - 10)
Project Manager: David McGuire

Size: 2.07 acres + BCC District: 3

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 5 Conditions of Approval as indicated in Exhibit C-1 and 11 Condition of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multi-family Residential (RM) Zoning District to the Single-family Residential (RS) Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Place of Worship subject to Conditions of Approval as indicated in Exhibit C-2.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

H. OTHER ITEMS

2. First Amendment To Conservation Easement

Pages: 27 - 38

MOTION: To approve the First Amendment To Conservation Easement To

Reallocate Preservation Area Acreage.

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
- G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION
- H. PREVIOUSLY POSTPONED ZONING APPLICATIONS
- 3. PDD-2012-01257 <u>Title:</u> 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. <u>Request:</u> to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District

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

Pages: 39 - 80

Conditions of Approval (59 - 62) Project Manager: Carol Glasser

Size: 58.25 acres <u>+</u> BCC District: 6

DISCLOSURE

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 23 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.

4. EAC/TDR-2012-00974 <u>Title:</u> an Expedited Application Consideration Request application of Town Commons Acquisition LLC by CMS Engineering LLC, Agent. <u>Request:</u> to reconfigure the Master and Site Plans, to modify the Conditions of Approval (Transfer of Development Rights) and to abandon the Master Declaration of Restrictive Covenants for Workforce Housing

<u>Title:</u> a Transfer of Development Rights of Town Commons Acquisition LLC by CMS Engineering LLC, Agent. <u>Request:</u> to allow Transfer Development Rights (TDRs)

<u>General Location:</u> Approximately 685 feet north of Hypoluxo road on the east side of Lyons Road (**Town Commons PUD**) (Control 2004-00247)

Pages: 81 - 105

Conditions of Approval (86 - 96) Project Manager: David McGuire

Size: 21.43 acres ± BCC District: 3

DISCLOSURE

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 46 Conditions of Approval as indicated in Exhibit C-1 and 7 in C-2.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master and Site Plans, to modify Conditions of Approval (Transfer of Development Rights) and to abandon the Master Declaration of Restrictive Covenants for Workforce Housing subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a modification to the Conditions of Approval for Transfer Development Rights (TDRs) subject to the Conditions of Approval as indicated in Exhibit C-2.

5. ABN/DOA-2011-00632 <u>Title:</u> a Development Order Abandonment application of Fairways LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to abandon Resolution R-1993-333

<u>Title:</u> a Development Order Amendment of Fairways LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to delete land area and conditions of approval relating to the golf course use.

<u>General Location:</u> Southwest corner of Century Boulevard and Haverhill Road (South Hampton PUD (aka Century Village)) (Control 1973-00215)

Pages: 106 - 182

Conditions of Approval (174 - 176) Project Manager: Autumn Sorrow

Size: 23.66 acres + BCC District: 2

DISCLOSURE

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 13 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved, 6-1

MOTION: To adopt a resolution approving of a Development Order Abandonment to abandon Resolution R-1993-333

MOTION: To adopt a resolution approving of a Development Order Amendment to delete land area and Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C.

6. ZV/TDD/R-2011-01203 <u>Title:</u> an Official Zoning Map Amendment application of Fairways Llc by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a rezoning from the Residential High (RH) Zoning District to the Traditional Neighborhood Development (TND) Zoning District

<u>Title:</u> a Requested Use of Fairways Llc by Urban Design Kilday Studios, Agent. Request: to allow a Type III, Congregate Living Facility

<u>General Location:</u> Southwest corner of Century Boulevard and Haverhill Road (**Reflection Bay**) (Control 2011-00245)

Pages: 183 - 274

Conditions of Approval (223 - 229) Project Manager: Autumn Sorrow

Size: 57.54 acres ± BCC District: 2

DISCLOSURE

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 34 Conditions of Approval as indicated in Exhibit C-2, and 4 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved, 6-1

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Traditional Neighborhood Development (TND) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt resolution approving a Requested Use to allow a Type III, Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-3.

I. ZONING APPLICATIONS - NEW

J. ULDC AMENDMENTS

7. TITLE: ADOPTION HEARING - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2012-02

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: 275 - 310

MOTION: MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067 AS AMENDED, ARTICLE 1 - DEFINITIONS AND ACRONYMS; CHAPTER H; AS FOLLOWS: CHAPTER NONCONFORMITIES: RECORD: F. I. ARTICLE 2 - DEVELOPMENT **DEFINITIONS** AND ACRONYMS; **REVIEW** PROCEDURES: CHAPTER D, ADMINISTRATIVE PROCESS: **CHAPTER** MAKING **BODIES**: AND DECISION ARTICLE 3 - OVERLAYS **ZONING CHAPTER** В, **OVERLAYS**: CHAPTER D, **PROPERTY** REGULATIONS DEVELOPMENT (PDRs); CHAPTER **PLANNED** Ε, **CHAPTER DEVELOPMENT DISTRICTS** (PDDs); **TRADITIONAL** F, USE DEVELOPMENT **DISTRICTS** (TDDs); ARTICLE 4 -**REGULATIONS:** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY 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; 11 - SUBDIVISION, PLATTING, AND REQUIRED **IMPROVEMENTS:** ARTICLE CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 14 -**ENVIRONMENTAL** CHAPTER В, WELLFIELD PROTECTION; **APPENDIX** STANDARDS; ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT: SEVERABILITY: A SAVINGS INCLUSION IN THE UNIFIED LAND **DEVELOPMENT** CODE: AND AN EFFECTIVE DATE.

8. RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

TITLE: ADOPTION HEARING - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS

Staff Recommendation: Staff recommends a motion to adopt 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 2003-068, as amended.

Pages: 311 - 314

MOTION: MOTION: TO ADOPT 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.

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

- K. COMPREHENSIVE PLAN TEXT AMENDMENTS
- L. OTHER ITEMS

END OF REGULAR AGENDA

DIRECTOR COMMENTS

- A. EXECUTIVE DIRECTOR
- **B. COUNTY ATTORNEY**
- C. PLANNING DIRECTOR
- 9. Osprey Oaks, Replacement of Restrictive Covenant for Workforce Housing

Pages: 315 - 326

D. ZONING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT