



BOARD OF COUNTY COMMISSION
ZONING MEETING

AMENDMENTS TO THE AGENDA
AUGUST 27, 2015

AGENDA

ITEM # PAGE # APPLICATION AND CONTROL #S APPLICATION NAME

REGULAR AGENDA

J. ZONING APPLICATIONS – NEW

2. (35) Z/CA-2014-02402 Florence Fuller Child
(Control 1987-00150) Development Center

DELETE Lighting – Condition 1.

K. ULDC AMENDMENTS

4. (101) ADOPTION HEARING – UNIFIED LAND DEVELOPMENT CODE
(ULDC) AMENDMENT ROUND 2015-01

AMEND Exhibit G, Loading Area Screening, Part 1, lines 9 – 27, as follows:

Table with 1 column: Reason for amendments. Contains 3 items: 1. Delete zoning district to acknowledge that residential FLU designation is sufficient for determining need to mitigate potential incompatibilities of future development; 2. Establish options that clarify the height of the required wall when located in a perimeter buffer for greater flexibility and withdraw proposed Type II Waiver option; and, 3. Clarify that loading area screening wall height supersedes when in conflict with other regulations for wall height.

2. Loading Area Screening

Loading areas, which may include loading spaces, docks and associated maneuvering areas, that are within 100 feet of a parcel with a residential FLU designation, zoning district or use; or visible from a street R-O-W, shall be screened from view by buildings a minimum of 12 feet in height, or a wall in combination with landscape material, as follows:

- a- within 100 feet of a parcel with a residential FLU, zoning district or use; or
b- visible from a street R-O-W.

a. Options by Location

1) In-between Loading Area and Property Line

Unless located within a perimeter landscape buffer, the following shall be required: a 12 foot high wall combined with foundation planting along the exterior side of the wall, in accordance with the facade standards of Table 7.C.3, Minimum Tier Requirements.

2) Perimeter Buffers

If located within a perimeter landscape buffer, minimum required wall or additional landscaping, shall be as follows:

- a) Within a compatibility or incompatibility buffer: 12 foot wall; or
b) Within a R-O-W buffer: six foot wall combined with an eight foot high hedge located on the exterior side of the wall.
c. Minimum wall height required within perimeter buffers may be reduced when used in combination with a berm, provided that the total height does not exceed 12 foot.

b. Architectural Compatibility

shall be screened by an opaque wall barrier of a height necessary to screen vehicles from view, to include a wall a minimum of eight feet in height, that is Walls shall be architecturally compatible with the adjacent structure, unless exempted pursuant to Art. 6.B.1.F.4 below. The wall shall be of a height necessary to screen vehicles from view. Where applicable, screening required in addition to the eight foot wall shall be as follows:

- 1) unless located within a residential incompatibility buffer: a taller wall, installation of the wall on a berm, or opaque landscape material; or,

29 ~~2) if located within an incompatibility or R-O-W buffer: installation of the wall on a berm, or approval~~
30 ~~of a Type II Waiver to either increase the height of the wall above eight feet, or allow for use of~~
31 ~~opaque landscape screening.~~
32 ~~b. foundation~~ Foundation planting shall be provided on the exterior side of the wall, unless located
33 ~~within a perimeter landscape buffer. [Ord. 2008-037]~~
34 ~~c. Conflict with Other Applicable Regulations~~
35 ~~If a conflict exist between Loading Area Screening and other articles in this Code, the provisions~~
36 ~~above shall prevail except where superseded by state or federal law.~~

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39 (101) Delete Part 2 of Exhibit G, Loading Area Screening, lines 44-47.
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Reason for amendments: Previously proposed Type II Waiver option in Part 1 has been deleted.
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42
43 (105) Amend Exhibit I, Planned Unit Development (PUD) Electronic Message Signs, Part 1, lines 3 –
44 14, as follows:
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Reason for amendments: Delete reference to County Fuel Price Posting Ordinance 2014-005, which has been pre-empted by recent State revisions to Florida Administrative Code (F.A.C) provisions regulating gasoline fuel price posting. Reformat accordingly.
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47 ~~2)b. Fuel Prices Price Signage –DRO Approval~~

48 ~~a) Signs that only display words for “cash” or “credit,” fuel grades, and numerals for fuel prices~~
49 ~~may be approved by the DRO, subject to the following: [Ord. 2014-025] [Partially~~
50 ~~relocated to new Table 8.G.3.B, Electronic Message Sign Types and Approval~~
51 ~~Process.]~~

52 Signs that only display words for cash or credit, fuel grades, and numerals for fuel prices may be
53 approved by the DRO, subject to the following: [Ord. 2014-025] [Partially relocated to new
54 Table 8.G.3.B, Electronic Message Sign Types and Approval Process.]

55 ~~a1) Compliance with the County Fuel Price Posting Ordinance (Ord. 2014-005, as may be~~
56 ~~amended); and, [Ord. 2014-025]~~

57 ~~b2) Only displays words for cash or credit, and fuel grades, and numerals for fuel prices; and,~~
58 ~~[Ord. 2014-025]~~

COMMENTS

B. ZONING DIRECTOR

5. (108-112) Initiation of ULDC Amendment Round 2015-02

POSTPONE to Thursday, September 24, 2015.

6. (108-112) Digital Signage and Billboards

POSTPONE to Thursday, September 24, 2015.



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY AUGUST 27, 2015

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. Notice
- D. Proof of Publication
- E. Swearing In
- F. Adoption of 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 27, 2015

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. 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. [ZV/DOA-2015-00762](#) Title: a Development Order Amendment application of FR Del Mar Village LLC by JMorton Planning & Landscape Architecture, Agent. Request: to reconfigure the site plan to reduce square footage; reconfigure the parking lot; and, modify Conditions of Approval (Landscape).

General Location: Northwest of the intersection of Powerline Road and West Palmetto Park Road. (**Del Mar Plaza**) (Control 1989-00117)

Pages: 1 - 24

Conditions of Approval (7 - 10)

Project Manager: Melissa Matos

Size: 13.26 acres ±

BCC District: 4

(affected area 2.00 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 16 Conditions of Approval as indicated in Exhibit C-2.

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

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 7-0-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan to reduce square footage; reconfigure the parking lot; and, modify Conditions of Approval (Landscape) 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. 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

2. [Z/CA-2014-02502](#) Title: an Official Zoning Map Amendment application of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care General.

General Location: On the south side of SW 185th Street, approximately 400 feet west of SR7/US 441. (**Florence Fuller Child Development Center**) (Control 1987-00150)

Pages: 25 - 47

Conditions of Approval (33 - 35)

Project Manager: Carrie Rechenmacher

Size: 5.98 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 16 Conditions of Approval as indicated in Exhibit C-2.

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

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use with a vote of 7-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District 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 Day Care, General subject to Conditions of Approval as indicated in Exhibit C-2.

J. ZONING APPLICATIONS - NEW

3. **DOA-2015-00314** Title: a Development Order Amendment application of Sweet T Fields LLC by Jon E Schmidt & Associates, Agent. Request: to reconfigure site plan, add square footage, and modify a Condition of Approval (Use Limitation) granted under Resolution R-2003-104.

General Location: Southeast corner of Jog Road and Atlantic Avenue. (**Atlantic Square MUPD**) (Control 1981-00109)

Pages: 48 - 79

Conditions of Approval (54 - 65)

Project Manager: Roger Ramdeen

Size: 18.99 acres \pm

BCC District: 5

(affected area 0.27 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 67 Conditions of Approval as indicated in Exhibit C.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan, add square footage, and modify a Condition of Approval (Use Limitation) granted under Resolution R-2003-104 subject to the Conditions of Approval as indicated in Exhibit C.

K. ULDC AMENDMENTS

4. **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 Recommendation: The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on March 25, 2015, April 22, 2015, and May 27, 2015, and the Land Development Regulation Commission (LDRC) on May 27, 2015. All proposed ULDC amendments were found to be consistent with the Plan.

Pages: 80 - 107

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 2 - DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 6 - PARKING; CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 8 - SIGNAGE; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER D, PLATTING; 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

5. [Initiation of 2015-02 Round of ULDC Amendments](#)

Pages: 108 - 112

6. [Digital Signage and Billboards](#)

Provide direction to staff on whether or not to proceed on options for Electronic Message Signs or Billboards.

Option 1: Preserve existing Electronic Message Sign Regulations with no changes.

Option 2: Consider minor revisions for specific types of on-premise signage only.

Option 3: Consider major revisions for on-premise and/or off premise (billboards).

Pages: 108 - 112

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT