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**BOARD OF COUNTY COMMISSIONERS  
NOVEMBER ZONING MEETING  
AGENDA INDEX**

**DECEMBER 4, 2003**

**THURSDAY  
9:30 AM**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER-**
  - A. Roll Call
  - B. Opening Prayer and Pledge of Allegiance
  - C. Proof of Publication
  - D. Swearing In
  - E. Adoption of Agenda
  
- 2. SECOND READING AND ADOPTION OF THE ULDC (Page 1)**
  
- 3. POSTPONEMENTS AND WITHDRAWALS (Pages 2-3)**
  
- 4. CONSENT AGENDA (Pages 4-9)**
  - o Staff
  - o Board
  - o Public
  
- 5. REGULAR AGENDA (Pages 10-11)**
  
- 6. DIRECTOR COMMENTS (Page 11)**
  
- 7. COMMISSIONER COMMENTS (Page 11)**
  
- 8. ADJOURNMENT (Page 11)**
  
- 9. ATTACHMENTS (Pages 12-13)**

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

**THURSDAY, DECEMBER 4, 2003**

**1. 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

**2. SECOND READING AND ADOPTION OF THE ULDC**

- 1. Staff recommends Motion to Approve on Second Reading and to Adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing the Unified Land Development Code, Ordinance No. 92-20, as amended, except for Articles 10 and 16; adopting a new Unified Land Development Code (See attachment A for complete Title and Ordinance).

**RECESS AS THE BOARD OF COUNTY COMMISSIONERS  
CONVENE AS THE ENVIRONMENTAL CONTROL BOARD**

(under separate cover)

- 2. Staff recommends Motion to Approve on Second Reading and to Adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Environmental Control Board; repealing Article 16 of the Unified Land Development Code, Ordinance No. 92-20, as amended; adopting in its place a new Article 15 - health regulations (See attachment B for complete Title and Ordinance).

**ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD  
RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**

(under separate cover)

### 3. POSTPONEMENTS AND WITHDRAWALS

#### A. POSTPONEMENTS

3. **PDD/TDR2003-013** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of E.B. Developers, Inc., by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of E.B. Developers, Inc., by Land Design South, Agent. Request: To allow the Transfer of Development Rights for 48 units and to designate this petition as the receiving area. General Location: Approx. 1,200 feet north of Lantana Rd. on the east side of Haverhill Rd. (**BELMONT AT HAVERHILL PUD**).

Page 1

Size: 24.86 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to January 8, 2004. (Postponed by Zoning Commission.)

4. **CA2003-038** Title: Resolution approving a Class A Conditional Use petition of Unico Development Corp., by Urban Land Consulting, Agent. Request: To allow an office/warehouse within the WCRA-O. General Location: Approx. 327 feet west of Wabasso Rd. on the south side of Shawnee Dr. (**WESTGATE OFFICE/WAREHOUSE**).

Page 2

Size: 0.56 acres ±

BCC District: 2

MOTION: None required. (By right postponement to January 8, 2004.)

5. **PDD/TDR2003-011** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of E. B. Developers, Inc., by Land Design South, Agent. Request: Rezoning from the Residential Estate (RE) and Agricultural Residential (AR) Zoning Districts to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of E. B. Developers, Inc., by Land Design South, Agent. Request: To allow the Transfer of Development Rights for 62 units and to designate this petition as the receiving area. General Location: NWC of Lantana Rd. and Myers Rd. (**BELMONT AT GREENACRES PUD**).

N/A

Size: 22.67 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to January 8, 2004. (Postponed by Zoning Commission.)

6. **CR 2002-033/E1** Status Report for Resolution R-2003-0101 (Petition 2002-033), the petition of Royall Wall Systems, Inc. Property owner: Royall Wall Systems, Inc. General Location: Approx. 700 feet east of Pike Rd. on the south side of 7th Place North. Current zoning: General Industrial with a Conditional Overlay Zone (**ROYALL WALL SYSTEMS**).

Pages 3-6

Size: 13.99 acres ±

BCC District: 6

MOTION: To postpone status report thirty (30) days to January 8, 2004.

## B. WITHDRAWALS

7. **DOA1977-013P** Title: Resolution approving a Development Order Amendment petition of Wendy's of N.E. Florida, Inc., by Corporate Property Services, Inc., Agent. Request: To reconfigure site plan, add square footage, and allow a restaurant, fast food (requested use). General Location: NWC of Kimberly Blvd. and SR 7/US 441 (**WENDY'S @ BOCA GREENS PUD**).

Page 7

Size: 19.64 acres ±

BCC District: 5

MOTION: None required.

8. **SR 1993-021B** Status Report for Resolution R-2001-2069 (Petition 1993-021B), the petition of Village Center Assoc., LC. Property owner: Village Center Assoc. LC. General Location: NEC of Jog Rd. and Floral Lakes Dr. Current zoning: Multiple Use Planned Development (**VILLAGE CENTER MUPD**).

Pages 8-11

Size: 9.3475 acres ±

BCC District: 5

MOTION: To 1) approve a time extension until September 21, 2005, for Resolution 2001-2069, and 2) revoke concurrency reservation number 93-10-14-007-C.

– END OF POSTPONEMENTS AND WITHDRAWALS –

4. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITION - CONSENT

- 9. **PDD2002-011** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lawrence Gideon Johnson, by Gentile Holloway O'Mahoney & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: SEC of Belvedere Rd. and Florida's Turnpike (**JOHNSON PROPERTY MUPD**).

Pages 12-32

Size: 54.63 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 6-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

C. ZONING PETITIONS – CONSENT

- 10. **DOA1996-015B** Title: Resolution approving a Development Order Amendment petition of Northstar Holding at B&A, LLC, and Centerline Holding at B&A, LLC, by Kilday and Associates, Agent. Request: To delete land area from an existing tower site, and to reconfigure property boundaries. General Location: Approx. 1,200 feet east of Lyons Rd. on the north side of Boynton Beach Blvd. (**WEST BOYNTON FARM TOWER (WP-35)**).

Pages 33-46

Size: 5 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 6-0.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to delete land area, and to reconfigure property boundaries.

11. **PDD2003-035** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Northstar Holding at B&A, LLC, and Centerline Holding at B&A, LLC, by Kilday and Associates, Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) District. General Location of the development area: Approx. 700 feet north of Boynton Beach Blvd. on the east side of Lyons Rd. (**COUNTRYSIDE MEADOWS PUD**).

Pages 47-92

Size: 250 acres ±

BCC Districts: 3 and 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Agricultural Reserve Residential Planned Unit Development District.

12. **CA2003-082** Title: Resolution approving a Class A Conditional Use petition of Mohamed Rammal, by Kilday and Associates, Agent. Request: To allow a convenience store with gas sales. General Location: NWC of Camino Real and Powerline Rd. (**CEDARS OIL BOCA**).

Pages 93-116

Size: 1.0 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 6-0.

MOTION: To adopt a resolution approving the request to allow a convenience store with gas sales.

13. **DOA1984-130J** Title: Resolution approving a Development Order Amendment petition of Palm Beach Commerce Center Assoc., by Juran Consulting, Inc., Agent. Request: To redesignate land use, delete square footage, add units, and to add two access points. Request: Substantial Deviation Determination. General Location: NEC of Jog Rd. and Okeechobee Blvd. (**VISTA CENTER PARCELS 4,5 & 6**).

Pages 117-159

Size: 46.0 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 7-0.

MOTION: To approve a finding that the request is not a Substantial Deviation.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to redesignate land use, delete square footage, add units, and to add two access points.

14. **Z/COZ2003-048** Title: Resolution approving an Official Zoning Map Amendment petition of Debra Swinford, by Mark Rickards, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approx. 1,000 feet west of Boutwell Rd. on the south side of 4th Ave. N. (**SWINFORD REZONING**).

Pages 160-175

Size: 1.14 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 6-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Residential High Density Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

#### D. PREVIOUSLY POSTPONED STATUS REPORTS

15. **SR 1986-13.8** Status Report for Resolutions R-86-573-26 and R-86-573-27 (Petition 1986-013), the petition of Forrest C. Mobley, TR. Property owner: GCR Associates Ltd. Partnership. General Location: Approx. 200 feet west of Military Tr. on the south side of Gun Club Rd. Current zoning: Specialized Commercial with a Special Exception to allow a Planned Office Business Park (**BELFER OFFICE PARK**).

Pages 176-178

Size: 6.9 acres ±

BCC District: 2

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-86-573-27, and approve a time extension until April 22, 2005, for Resolutions R-86-573-26 and 86-573-27.

16. **SR 1987-0241.2** Status Report for Resolution R-2001-0812 (Petition 1987-0241), the petition of Robert J. Amsdell, TR. Property owner: RJA Trustee. General Location: Approx. 0.25 mile west of Jog Rd. on the south side of Lantana Rd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development. (**LANTANA ROAD PCD**).

Pages 179-182

Size: 18.28 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2005, for Resolution R 2001-0812.

17. **SR 1997-017.2** Status Report for Resolutions R-1997-769 and R-1997-770 (Petition 1997-017), the petition of Mecca Farms, Inc. Property owner: Lantana Farm Associates, Inc. General Location: Approx. 0.7 mile north of Northlake Blvd. on the east side of Seminole Pratt Whitney Rd. Current zoning: Special Agriculture with a Class A Conditional Use for Type III Excavation (**GROVE EXCAVATION**).

Pages 183-186

Size: 225 acres ±

BCC District: 1

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-1997-770, and approve a time extension until March 31, 2005, for Resolutions R-1997-769 and R-1997-770

18. **SR 2000-038** Status report for Resolution 2000-1225 (Petition 2000-038) the petition of Sarah Zolten. Property owner: Depot Center LLC. General Location: SWC of Lake Worth Rd. and Military Trail. Current zoning: General Commercial with a Class A Conditional Use to allow a dog daycare facility (**CANINE TO FIVE**).

Pages 187-189

Size: 5.85 acres ±

BCC District: 2

MOTION: To adopt a resolution to revoke Resolution No. 2000-1225, Class A Conditional Use to allow a dog daycare facility.

**E. STATUS REPORTS – CONSENT**

19. **SR 1986-114B.3** Status Report for Resolution R-97-148 (Petition 1986-114B), the petition of Summit Christian School. Property owner: Summit Christian School of Palm Beach County. General Location: SEC of Haverhill Rd. and Summit Blvd. Current zoning: Multiple Family Residential (Medium Density) (**SUMMIT CHRISTIAN SCHOOL**).

Pages 190-193

Size: 18.16 acres ±

BCC District: 6

MOTION: To 1) approve a time extension until August 10, 2005, for Resolution 97-148, and 2) revoke concurrency reservation number 93-03-03-001-C.

20. **SR 1994-092.3** Status Report for Resolution R1995-0431 (Petition 1994-092), the petition of Lutheran Church of the Holy Cross. Property owner: Lutheran Church of the Holy Cross. General Location: Approx. 0.1 mile north of Forest Hill Blvd. on the west side of Kirk Rd. Current zoning: Multiple Family Residential (Medium Density) with a Class A Conditional Use allowing a Congregate Living Facility (CLF) Type 3 (83 beds) and Day Care Center, General (**HOLY CROSS**).

Pages 194-196

Size: 6.12 acres ±

BCC District: 2

MOTION: To approve a time extension until October 10, 2005, for Resolution R-995-0431.

- 21. **SR 1994-098.7** Status Report for Resolution R-95-1124 (Petition 1994-098), the petition of Francalby Corporation, Inc. Property owner: Francalby Corp., Inc. General Location: Approx. 200 feet east of High Ridge Rd. on the north side of Hypoluxo Rd. Current zoning: Community Commercial (**HYPOLUXO CENTER**).

Pages 197-200

Size: 2.7 acres ±

BCC District: 3

MOTION: To 1) approve a time extension until September 10, 2003, for Resolution 95-1124, and 2) revoke concurrency reservation number 94-12-21-002-C for 37,630 s.f.

**F. ASSIGNMENT OF TRANSFER OF DEVELOPMENT RIGHTS CONTRACT, ESCROW AND DEED**

- 22. **DRC2002-062** – Request: To approve the assignment of a Transfer of Development Rights Contract and Escrow Agreement between Coastal One Management, Inc. and Symphony Builders at Lucerne Lakes, LLC. (**PINES AT LUCERNE POINTE**)

(under separate cover)

BCC District: 2

MOTION: To approve the assignment of Transfer of Development Rights Contract and Escrow Agreement between Coastal One Management, Inc. and Symphony Builders at Lucerne Lakes, LLC.

- 23. **DRC 2002-062** Execute a deed conveying 2 Development Rights units to Symphony Builders at Lucerne Lakes, LLC, as authorized by Palm Beach County, Zoning Division, Development Review Committee, which approved the purchase of 2 Development Rights from the County's TDR Bank at a cost of \$10,399.00 per unit and the designation of the Pines at Lucerne Point as a TDR Receiving Area for those units. (**PINES AT LUCERNE POINTE**)

(under separate cover)

BCC District: 2

MOTION: To execute a deed conveying 2 Development Rights units to Symphony Builders at Lucerne Lakes, LLC., as authorized by Palm Beach County, Zoning Division, Development Review Committee.

**G. ADMINISTRATIVE INQUIRY**

- 24. **AI-2003-02** Petition 2002-015 – Tivoli PUD Civic Site Cash-Out

Pages 201-203

**H. TDR CONTRACTS**

25. **DRC**  
**1984-121** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and S & S Projects for the sale and purchase of 9 Transfer of Development Right (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$13,308.00 per unit as approved by the Palm Beach County, Zoning Division, Development Review Committee. Request: Approve an escrow agreement between Palm Beach County, Coastal Management, Inc. and Sally S. Benson, Esq., (escrow agent) for the sale and purchase of 9 TDR units from the Palm Beach County TDR Bank at a purchase price of \$13,308.00 per unit, as approved by the Palm Beach County, Zoning Division, Development Review Committee. **(PINE KEY ESTATES)**

Pages 204-211

BCC District: 3

MOTION: To approve a contract for the sale and purchase of 9 development rights at a purchase price of \$13,308.00 per unit for a total price of \$119,772.00.

MOTION: To approve an escrow agreement for 9 development rights at a purchase price of \$13,308.00 per unit for a total price of \$119,772.00.

26. **DRC**  
**1984-121** Execute a deed conveying 9 Development Rights units to S & S Projects as authorized by Palm Beach County, Zoning Division, Development Review Committee which approved the purchase of 9 Development Rights from the County's TDR Bank at a cost of \$13,308.00 per unit and the designation of the Pine Key Estates as a TDR Receiving Area for those units. **(PINE KEY ESTATES)**

Pages 212-213

BCC District: 3

MOTION: To execute a deed conveying 9 Development Right units to S & S Projects, as authorized by Palm Beach County, Zoning Division, Development Review Committee.

**I. AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANT (PLANNING DIVISION)**

27. **1996-086(A)** Delray Co-Housing (aka: Synergy Co-Housing). Amended and restated Declaration of Restrictive Covenant for the Voluntary Density Bonus program affordable housing applicable to Emerald Place, a Condominium.

Pages 214-220

MOTION: To adopt the amended and restated Declaration of Restrictive Covenant for recorded Development Agreement (1996-086A) Delray Co-Housing.

MOTION: To approve all items on the Consent Agenda (as amended) and adopt resolutions affirming the applicable actions.

**– END OF CONSENT AGENDA –**

**– START OF REGULAR AGENDA –**

**5. REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING PETITION**

28. **2002-0012 SCA** Brian Tuttle, by Robert Bentz, Land Design South, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential 2 units per acre (LR-2) to Commercial Low-Office (CL-O). General Location: Approx. 330 feet west of Florida's Turnpike on the south side of Lake Worth Rd. (**LAKE WORTH/TURNPIKE WEST a.k.a. MASTROIANNI PROPERTY**)

Pages 221-246

Size: 9.15 acres ±

BCC District: 6

Staff Recommendation: Denial of the requested future land use change from LR-2 to CL-O.

LPA Recommendation: Approval of a future land use change from LR-2 to CL-O, with a condition limiting the uses to office only (5-3 vote).

MOTION: To deny the request for a future land use change from LR-2 to CL-O.

29. **PDD2002-037** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Ronald Mastroianni & David Moscarelli, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approx. 330 feet west of Florida's Turnpike on the south side of Lake Worth Rd. (**MASTROIANNI MUPD**).

Pages 247-270

Size: 9.15 acres ±

BCC District: 6

Staff Recommendation: Denial.

Zoning Commission Recommendation: Approved as amended, 6-1.

MOTION: To adopt a resolution denying the request for a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

**C. PREVIOUSLY POSTPONED ZONING PETITIONS**

- 30. **DOA1981-163E** Title: Resolution approving a Development Order Amendment petition of 485 Properites, LLC and WRC Properties, Inc., by Gunster Yoakley, Attorneys at Law, Agent. Request: To modify/delete conditions of approval and reconfigure site plan. General Location: Approx. 1,200 feet south of Glades Rd. on the east side of Military Trail (**BOCA CENTER**).

Pages 271-299

Size: 28.52 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 5-0.

MOTION: To adopt a resolution approving the request to modify/delete conditions of approval and reconfigure site plan.

**D. ZONING PETITIONS**

- 31. **DOA1977-046C** Title: Resolution approving a Development Order Amendment petition of Florida Land & Timber Corporation, by Land Research Management, Agent. Request: To redesignate land use and to allow a general daycare (requested use) in a previously approved Residential Planned Unit Development. General Location: SWC of Campanelli Blvd. and Haverhill Rd. (**PLANET KIDS AT CYPRESS LAKES PUD**).

Pages 300-322

Size: 1.38 acres ± (affected area)

BCC District: 2

243.14 acres ± (overall area)

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 7-0.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to redesignate land use and to allow a general daycare.

**6. DIRECTOR COMMENTS**

**A. ZONING DIRECTOR**

- 32. Termination of Release

Pages 323-331

**B. PLANNING DIRECTOR**

**7. COMMISSIONER COMMENTS**

**8. ADJOURNMENT**

## 9. ATTACHMENTS

- A.** An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing the Unified Land Development Code, Ordinance No. 92-20, as amended, except for Articles 10 and 16; adopting a new Unified Land Development Code. Article 1 - general provisions; Chapter A - authority; Chapter B - interpretation of the Code; Chapter C - rules of construction & measurement; Chapter D - implementation; Chapter E - prior approvals; Chapter F - nonconformities; Chapter G - eminent domain; Chapter H - lot of record; Article 2 - development review procedures; Chapter A - general; Chapter B - public hearing procedures; Chapter C - future land use atlas plan amendments; Chapter D - administrative processes; Chapter E - monitoring; Chapter F - concurrency (adequate public facility standards); Article 3 - overlays and zoning districts; Chapter A - general; Chapter B - overlays; Chapter C - standard districts; Chapter D - property development regulations; Chapter E - planned development districts; Chapter F - traditional development districts; Article 4 - use regulations; Chapter A - use classification; Chapter B - supplementary use standards; Chapter C - communication tower, commercial; Chapter D - excavation; Article 5 - supplementary standards; Chapter A - general; Chapter B - accessory & temporary uses; Chapter C - design standards; Chapter D - parks and recreation rules and recreation standards; Chapter E - performance standards; Chapter F - legal documents; Chapter G - density bonus programs; Article 6 - parking; Chapter A - parking; Chapter B - loading standards; Chapter C - driveways and access; Article 7 - landscaping; Chapter A - general; Chapter B - types of plans; Chapter C - managed growth tier system tier compliance; Chapter D - general standards; Chapter E - installation, maintenance, pruning and irrigation; Chapter F - perimeter buffer landscape requirements; Chapter G - off-street parking requirements; Chapter H - enforcement; Article 8 - signage; Chapter A - general; Chapter B - exemptions; Chapter C - prohibitions; Chapter D - temporary signs requiring special permit; Chapter E - procedures for signage; Chapter F - general provisions for all sign types; Chapter G - standards for specific sign types; Chapter H - off-site signs; Chapter I - administration and enforcement; Article 9 - archeological and historical preservation; Chapter A - archeological resources protection; Chapter B - historic preservation procedures; Article 10 - code enforcement; Chapter A - general; Chapter B - enforcement by code enforcement special masters; Chapter C - groundwater and natural resources protection board; Chapter D - environmental control hearing board; Chapter E - remedies; Article 11 - subdivision; chapter a - general requirements; Chapter B - subdivision requirements; Chapter C - rural subdivisions; Chapter D - platting; Chapter E - required improvements; Chapter F - variances; Article 12 - traffic performance standards; Chapter A - general; Chapter B - standard; Chapter C - traffic impact studies; Chapter D - modeling of trips; Chapter E - procedure; Chapter F - entitlement; Chapter G - appeals; Chapter H - affordable housing; Chapter I - constrained facilities; Chapter J - coastal residential exception; Chapter K - transportation concurrency management areas; Chapter L - transportation concurrency exceptions areas; Chapter M - transportation concurrency exemption for projects that promote public transportation; Chapter N - five-year road program; Chapter O - method of prioritizing thoroughfare improvements; Chapter P - project aggregation; Article 14 environmental standards; Chapter A - sea turtle protection and sand preservation; Chapter B - wellfield protection; Chapter C - vegetation preservation and protection; Chapter D - prohibited invasive non-native vegetation removal ordinance; Article 16 - airport regulations; Chapter A -

general; Chapter B - airspace height regulations; Chapter C - airport land use regulations; Article 17 - decision making bodies; Chapter A - Board of County Commissioners; Chapter B - general provisions; Chapter C - appointed bodies; Chapter D - staff officials; and Article 18 - definitions; Chapter A - zoning definitions and acronyms; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for captions; and providing for an effective date.

**SUMMARY:** This ordinance will repeal the existing Unified Land Development Code (ULDC) adopted in June 1992 and adopt the proposed ULDC. The proposed ordinance incorporates changes to the land development regulations required by the Comprehensive Plan and Board of County Commission direction to specific code amendments.

The County adopted the Managed Growth Tier System (MGTS) in August 1999 to address the future framework for managing growth in Palm Beach County. The Tier System recognizes the County's diversity by delineating five (5) distinct geographic regions: Urban/Suburban, Exurban, Rural, Agricultural Reserve and Glades. Each Tier has common characteristics such as development patterns, densities/intensities, and public service availability. The MGTS is described in the Future Land Use, Transportation, Conservation, and Utilities Elements of the Comprehensive Plan.

The BCC directed staff to accomplish several goals as part of the MGTS Code Revision Project:

- A) Implement MGTS as required by the Comprehensive Plan;
  - B) Update and streamline the ULDC based on input and comments from interested parties, peer review, industry, and CTF; and
  - C) Develop a user-friendly interactive code Countywide (LB)
- B. An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Environmental Control Board; repealing Article 16 of the Unified Land Development Code, Ordinance No. 92-20, as amended; adopting in its place a new Article 15 - health regulations; Chapter A - onsite sewage treatment and disposal systems (environmental control rule I); Chapter B - drinking water supply systems (environmental control rule II); Chapter C - general threshold review; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for captions; and providing for an effective date. **SUMMARY:** The proposed ordinance accounts for minor changes required by the Florida Administrative Code. This is a separate Agenda from the rest of the ULDC rewrite item since the Board of County Commissioners must sit as the Environmental Control Board pursuant to Special Act establishing the Board and authorizing it to create rules and regulations regarding onsite sewage treatment disposal systems and drinking water supply systems. Countywide (LB)