



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AMENDMENTS TO THE AGENDA
March 31, 2010**

**AGENDA ITEM #
PAGE #**

APPLICATION/CHANGE

POSTPONED TO APRIL 22, 2010

7.	(113-129)	Z-2009-4543 (2009-2434)	Tidal Wave South
8.	(130-145)	Z-2009-4544 (2009-2435)	Tidal Wave North
9.	(146-167)	Z-2009-4545 (2007-236)	Tidal Wave Central
10.	(168-171)	STR-2001-00056-3 (Control 2001-056)	Carpenters Union
13.	(179-204)	SCA-2010-00002 (Control 1997-075)	Gardens Park CLF
14.	(205-231)	PDD/R-2009-3923 (Control 1997-075)	Gardens Park Assisted Living
15.	(232-255)	ABN/DOA-2009-3922 (Control 2005-452)	Wyndsong Ranch PUD
16.	(256-290)	DOA/R-2009-0995 (Control 1998-078)	Valencia Square MUPD

MOVED TO REGULAR AGENDA

6.	(90-112)	ABN/Z/CA-2009-4537 (Control 1998-052)	Holland Northlake Dayschool
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AMENDMENTS

5.	(55-89)	DOA-2009-4541 (Control 1983-018)	Bayhill Estates
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Delete Palm Tran Condition 1

Amend Utilities Condition 1 to read as follow

~~Is hereby deleted. [Reason: Property will be served by the City of West Palm Beach.]~~
Is hereby amended to read:

Prior to issuance of a building permit within the Plat of Bayhill Estates PUD, as recorded in Plat Book 110 Pages 16 through 30, Palm Beach County, Florida, the Property Owner shall provide County a confirmation of potable water and wastewater service commitment from a Utility. The Property is currently within the Palm Beach County Water Utilities Department (PBCWUD) service area. Potable water/wastewater service to the Property by other than PBCWUD shall require the consent of the County. (BLDG PERMIT: BLDG – PBCWUD)

**17. (291-343) ZV.W/DOA-2008-1900 Delray Marketplace
(Control 2004-616)**

Amend Engineering Conditions 10, 12, 16 and 17 to read as follow:

10. ~~Prior to January 15, 2010, t~~The property owner shall:
- ~~Reimburse Palm Beach County \$175,000... prior to April 30, 2010...~~
 - ~~Make a payment to Palm Beach County Engineering Department for an estimated amount of \$75,000 for the design of Lyons Road as a 2-lane median divided section from Atlantic Avenue to the north project driveway, including separate left turn, right turn and through lanes on the north approach at Atlantic Avenue and Lyons Road. The developer shall be responsible for any and all costs in excess of this estimated amount. (DATE:MONITORING-Eng) to cover all costs to extend the TCE for Parcels 903 and 904, the construction easements or portion of easements required for the construction of Lyons Road, for an amount of time sufficient to cover the length of construction, if the property owner has not completed that portion of Lyons Road prior to the expiration of the TCEs under Condition 17.a., within thirty (30) days written notice from the County Engineer. (ONGOING: MONITORING – Eng)~~
 - ~~Make a payment to Palm Beach County Engineering Department for an estimated amount of \$1,200,000 for all construction costs, including administration, testing and construction management, associated with the construction of Lyons Road as a 2-lane median divided section from Atlantic Avenue to the north project driveway, including separate left turn, right turn and through lanes on the north approach at Atlantic Avenue and Lyons Road. The developer shall be responsible for any and all costs in excess of this estimated amount. (DATE:MONITORING-Eng)~~
 - ~~If any of the actual costs for design or construction exceed those amounts in 10.b. or 10.c., the developer shall pay Palm Beach County Engineering Department for that excess amount within sixty (60) days notice from the County Engineer. (ONGOING: ENGINEERING-Eng)~~
12. Prior to ~~September 30, 2010~~ January 15, 2010, the property owner shall make available to Palm Beach County Land Development for bidding purposes:
- ~~Current c~~Construction...
 - ~~All permits from all regulating agencies required to construct the improvements above transferred to Palm Beach County and copies provided to Land Development. (DATE: MONITORING-Eng)~~
16. Condition number 9.b... payments or construction required in Condition number ~~40~~ 17 ...
17. The property owner shall either:
- Commence construction of Lyons Road as a 2-lane median divided section built to PBC Thoroughfare Road standards from Atlantic Avenue to the north project driveway, including separate left turn, right turn and through lanes and tapers on the north approach at Atlantic Avenue and Lyons Road, prior to bid opening for both the County's portion of Lyons Road and Atlantic Avenue. The construction for Lyons Road shall tie into road conditions at the Atlantic Avenue north right of way line at the time of Lyons Road construction. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right of way. During construction, the property owner shall provide access to Palm Beach County contractors for construction of the County's portion of Lyons Road as well as maintain access to adjacent farms, as necessary. (ONGOING: MONITORING – Eng)
 - Or, if Lyons Road construction has not commenced prior to bid opening for both the County's portion of Lyons Road and Atlantic Avenue, the property owner shall make a payment to Palm Beach County Engineering Department for an amount of the bid amount plus 10%, for all construction costs, including administration, testing and construction

- management, associated with the construction of Lyons Road as a 2-lane median divided section built to PBC Thoroughfare Road standards from Atlantic Avenue to the north project driveway, including separate left turn, right turn and through lanes and tapers on the north approach at Atlantic Avenue and Lyons Road , within thirty (30) days written notice from the County Engineer. The bid amount shall be based on bid received by Palm Beach County for this work. The developer shall be responsible for any and all costs in excess of this amount. If any of the actual costs exceed this amount, the developer shall pay Palm Beach County Engineering Department for that excess amount within sixty (60) days written notice from the County Engineer. If the payment amount is in excess of the actual costs, Palm Beach County shall refund the excess amount to the property owner. (ONGOING:MONITORING-Eng)
- c. At time of payment as required in 17.b, all permits from all regulating agencies required to construct the improvements above shall be transferred to Palm Beach County and copies provided to Land Development. (ONGOING:MONITORING-Eng)
 - d. If property owner elects to construct Lyons Road, construction of Lyons Road shall be completed prior to issuance of the first Certificate of Occupancy for the site or within 6 months from commencement of Lyons Road construction, whichever shall occur first. (CO/ONGOING: MONITORING- Eng)



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

WEDNESDAY MARCH 31, 2010

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**

MARCH 31, 2010

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. **ZV/DOA-2009-02681** Title: a Development Order Amendment application of Christopher Doyle by Gary M. Brandenburg and Associates, Agent. Request: to reconfigure site plan

General Location: Southwest corner of PGA Blvd and Ellison Wilson Road (**Hatties Landing**) (Control 1984-00159)

Pages: 1 - 1

Project Manager: Carrie Rechenmacher

Size: 3.73 acres ±

BCC District: 1

Staff Recommendation: To postpone the application to Thursday, April 22, 2010

Zoning Commission Recommendation: Approval, as amended: 7-0

MOTION: To postpone the application to Thursday, April 22, 2010.

2. **DOA/EAC-2009-03925** Title: a Development Order Amendment application of Packer Family Ltd Partnership by Johnston Group Land Development Consultants Inc., Agent. Request: to allow modification Conditions of Approval (Automobile Truck and Sale).

General Location: Approximately 0.25 miles East of Palm Beach Lakes Blvd., on the South side of Okeechobee Road. (**PLFP Okeechobee Parcel**) (Control 1997-00110)

Pages: 2 - 2

Project Manager: David McGuire

Size: 0.61 acres ±

BCC District: 2

Staff Recommendation: To recommend postponement of the application to April 22, 2010.

MOTION: To postpone the application to Thursday, April 22, 2010.

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

- 3. **STR-1988-00094-1** Status Report for Resolutions R-2006-1187 and R-2006-1188 (Control # 1988-094) Property Owner: Amoco Oil and P.F.A. Sara LLC General Location: Southwest corner of Congress Avenue and 6th Avenue South Current Zoning: Multiple Use Planned Development District (MUPD) (**BP Car Wash & Gas Station**)

Pages: 3 - 7

Size: 1.53 acres ±

BCC District: 3

MOTION: To adopt two resolutions one to rezone property legally described in Exhibit A of Resolution 2006-1187 from MUPD to General Commercial (CG) and one to approve a Conditional Use A to allow a Convenience Store with Gas Sales and an accessory automatic car wash.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

4. **DOA/W-2009-04276** Title: a Development Order Amendment application of Boca Raton Associates VI LLLP, Palm Beach County, Pontano Family Farms LLC, South Florida Water Management District by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan, designate a model row, increase the number of dwelling units by 48 to 602, modify and delete Conditions of Approval (Planning, Planned Unit Development) and, restart the development clock

Title: a Waiver from Dimensional Criteria of Boca Raton Associates VI LLLP, Palm Beach County, Pontano Family Farms LLC, South Florida Water Management District by Urban Design Kilday Studios, Agent. Request: to allow 50 percent of the local streets to terminate in a cul-de-sac.

General Location: East side of Lyons Road between Atlantic Avenue and Clint Moore Road (**Dubois AGR PUD**) (Control 2004-00250)

Pages: 8 - 54

Conditions of Approval (32 - 43)

Project Manager: Carol Glasser

Size: 722.64 acres ±

BCC District: 5

(affected area 280.91 acres ±)

Staff Recommendation: Staff recommends approval of the Development Order Amendment subject to 36 Conditions of Approval as indicated in Exhibit C-1 and approval of the Waiver subject to 2 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approval 7-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, designate a model row, increase the number of dwelling units by 48 to 602, modify and delete Conditions of Approval (Planning, Planned Unit Development) and, restart the development clock subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Waiver to allow 50 percent of the local streets to terminate in a cul-de-sac subject to the Conditions of Approval as indicated in Exhibit C-2.

5. **DOA-2009-04541** Title: a Development Order Amendment application of CRVI Bayhill LLC by Perry & Taylor PA, Agent. Request: to delete Conditions of Approval (Engineering and Planning).

General Location: South side of Northlake Boulevard approximately 5 miles west of the Beeline Hwy. (**Bayhill Estates**) (Control 1983-00018)

Pages: 55 - 89

Conditions of Approval (70 - 77)

Project Manager: Carol Glasser

Size: 372.97 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 34 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 7-0

MOTION: To adopt a resolution approving a Development Order Amendment to delete Conditions of Approval (Planning, Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

6. **ABN/Z/CA-2009-04537** Title: a Development Order Abandonment application of Holland Northlake by Urban Design Kilday Studios, Agent. Request: to allow a Legislative Abandonment of Resolution No. R-98-1796 for a private school.

Title: an Official Zoning Map Amendment of Holland Northlake by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential Estates (RE) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use of Holland Northlake by Urban Design Kilday Studios, Agent. Request: to allow a Daycare, General.

General Location: South side of Northlake Blvd., approximately 600 feet West of Military Trail. (**Holland Northlake Dayschool**) (Control 1998-00052)

Pages: 90 - 112

Conditions of Approval (105 - 107)

Project Manager: Ora Owensby

Size: 2.13 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval, as amended: 7-0

MOTION: To adopt a resolution approving the request to allow a Legislative Abandonment of Resolution No. R-98-1796 for a private school.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Estates (RE) Zoning District to the Residential Transitional (RT) Zoning District.

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

7. **Z-2009-04543** Title: an Official Zoning Map Amendment application of Tidal Wave Development Corp by Urban Design Kilday Studios, Agent. Request: To allow for a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ).
General Location: North side of Southern Boulevard, approximately .25 miles west of Tall Pines Road (**Tidal Wave South**) (Control 2009-02434)

Pages: 113 - 129

Conditions of Approval (123 - 125)

Project Manager: Andrea Harper

Size: 4.81 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 12 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval, as amended: 7-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow for a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

8. **Z-2009-04544** Title: an Official Zoning Map Amendment application of Tidal Wave Management Corp Inc by Urban Design Kilday Studios, Agent. Request: To allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ).
General Location: Southwest corner of Tall Pines Road and the LWDD L-4 Canal (**Tidal Wave North**) (Control 2009-02435)

Pages: 130 - 145

Conditions of Approval (140 - 141)

Project Manager: Andrea Harper

Size: 18.55 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request to 12 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 7-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

9. **Z-2009-04545** Title: an Official Zoning Map Amendment application of Tidal Wave Development Corp by Urban Design Kilday Studios, Agent. Request: To allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ).

General Location: Northwest corner of Tall Pines Road and Wallis Road (**Tidal Wave Central**) (Control 2007-00236)

Pages: 146 - 167

Conditions of Approval (159 - 162)

Project Manager: Andrea Harper

Size: 18.22 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 14 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval, 7-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

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

10. **STR-2001-00056-3** Status Report for Resolution R-2002-0835 (Control Number 2001-056) Property Owner: S & M Services III LLC General Location: east side of Congress Avenue between Belvedere Road and Westgate Avenue Current Zoning: General Commercial (CG) with a Conditional Overlay Zone (COZ) **(Carpenters Union)**

Pages: 168 - 171

Size: 2.46 acres ±

BCC District: 2

DISCLOSURE

MOTION: To approve a three-year time extension from May 23, 2009 to May 23, 2012 to commence development.

11. **STR-2000-00055-3** Status Report for Resolution R-2000-1566 (Control Number 2000-055) Property Owner: Pricare Properties LC General Location: 3,200 feet south of Northlake Boulevard, west side of Military Trail Current Zoning: General Commercial (CC) **(Square Lake Office Building)**

Pages: 172 - 175

Size: 1.19 acres ±

BCC District: 1

DISCLOSURE

MOTION: To approve a three-year time extension from December 28, 2009 to December 28, 2012 to commence development.

12. **STR-2000-00069-4** Status Report for Resolution R-2001-0005 (Control Number 2000-069) Property Owner: David Mackland General Location: 300 feet west of Military Trail, south side of Elmhurst Road Current Zoning: Community Commercial (CC) (**Oriental Market**)

Pages: 176 - 178

Size: 0.21 acres ±

BCC District: 6

DISCLOSURE

MOTION: To approve a three-year time extension from January 10, 2010 to January 10, 2013 to commence development.

F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

13. **SCA-2010-00002** Title: Small Scale Land Use Amendment application of C Pearson by Cotleur & Hearing Inc., Agent. Request: From Low residential 3 units per acre (LR-3) to Institutional with an underlying High Residential 8 units per acre (INST/HR-8)

General Location: East side of Hagen Ranch Road, approx. 1.5 miles south of Boynton Beach Blvd (**Gardens Park CLF**) (Control 1997-00075)

Pages: 179 - 204

Conditions of Approval (187 - 187)

Project Manager: Sussan Gash

Size: 6.78 acres ±

BCC District: 5

Staff Recommendation: Approval of the proposed amendment from LR-3 to INST/HR-8 with conditions limiting the subject property to develop as a CLF with a maximum capacity of 135 beds

MOTION: To adopt an ordinance approving the proposed amendment from LR-3 to INST/HR-8 with conditions.

14. **PDD/R-2009-03923** Title: an Official Zoning Map Amendment to a Planned Development District application of C Pearson by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District

Title: a Requested Use of C Pearson by Cotleur & Hearing Inc., Agent. Request: to allow a Congregate Living Facility, Type III

General Location: On the east side of Hagen Ranch Road approximately 1.5 miles South of Boynton Beach Boulevard (**Gardens Park Assisted Living**) (Control 1997-00075)

Pages: 205 - 231

Conditions of Approval (223 - 226)

Project Manager: Joyce Lawrence

Size: 7.50 acres \pm

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 10 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approval, as amended: 7-0

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 Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution approving a Requested Use to allow a Congregate Living Facility, Type III, subject to the Conditions of Approval as indicated in Exhibit C-2.

15. **ABN/DOA-2009-03922** Title: a Development Order Abandonment application of C Bruce Pearson by Cotleur & Hearing Inc., Agent. Request: to abandon Resolutions R-2006-0523 which granted the Transfer Development Rights (TDR) and R-2006-0742, the corrective resolution

Title: a Development Order Amendment of C Bruce Pearson by Cotleur & Hearing Inc., Agent. Request: to allow reconfiguration of the preliminary master plan, deletion of land area, reduction of units, and modify conditions of approval

General Location: East side of Hagen Ranch Road approximately 1.5 miles south of Boynton Beach Boulevard (**Wyndsong Ranch PUD**) (Control 2005-00452)

Pages: 232 - 255

Conditions of Approval (246 - 251)

Project Manager: Joyce Lawrence

Size: 8.94 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 20 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 7-0

MOTION: To adopt a resolution approving a Development Order Abandonment of Resolutions R-2006-0523 which granted the Transfer Development Rights (TDR) and R-2006-0742, the corrective resolution.

MOTION: To adopt a resolution approving a Development Order Amendment to allow the reconfiguration of the preliminary master plan, deletion of land area, reduction of units, and modify conditions of approval subject to Conditions of Approval as indicated in Exhibit C.

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

16. **DOA/R-2009-00995** Title: a Development Order Amendment application of Woolbright Jog LLC by Land Design South Inc., Agent. Request: to modify the site plan

Title: a Requested Use of Woolbright Jog LLC by Land Design South Inc., Agent.
Request: to allow a Day Care, General

General Location: Northwest corner of Woolbright Road and Jog Road (**Valencia Square MUPD**) (Control 1998-00078)

Pages: 256 - 290

Conditions of Approval (272 - 285)

Project Manager: Joyce Lawrence

Size: 23.85 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 67 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approval, as amended: 5-2

MOTION: To adopt a Resolution approving a Development Order Amendment to reconfigure the site plan subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution approving a Requested Use to allow a Day Care, General subject to Conditions of Approval as indicated in Exhibit C-2.

17. **ZV/W/DOA-2008-01900** Title: a Waiver from Traditional Development District parking structures in the Agricultural Reserve Tier application of KRG Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to allow surface parking in excess of 1 space per 250 square feet of non-residential floor area.

Title: a Development Order Amendment of KRG Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan, reduce the number of dwelling units and commercial square footage, restart the commencement clock, and modify and delete Conditions of Approval (Building and Site Design, Planning).

General Location: Northwest corner of West Atlantic Avenue and future Lyons Road. (**Delray Marketplace**) (Control 2004-00616)

Pages: 291 - 343

Conditions of Approval (318 - 335)

Project Manager: Carol Glasser

Size: 88.33 acres \pm

BCC District: 5

(affected area 32.82 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the Waiver subject to 5 Conditions of Approval as indicated in Exhibit C-2; and, approval of the Development Order Amendment subject to 78 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approval: 7-0

MOTION: To adopt a resolution approving a Waiver from Traditional Development District parking structures in the Agricultural Reserve Tier subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, reduce the number of dwelling units and commercial square footage, restart the commencement clock, and modify and delete Conditions of Approval (Building and Site Design, Planning) subject to the Conditions of Approval as indicated in Exhibit C-3.

I. ZONING APPLICATIONS - NEW

J. ULDC AMENDMENTS

18. **SECOND READING:** UNIFIED LAND DEVELOPMENT CODE (ULDC) - PAIN MANAGEMENT CLINIC MORATORIUM.

Staff Recommendation: Staff recommends a motion to adopt an ordinance of the Board of County Commissioners of Palm Beach County, Florida, enacting a one year moratorium upon the acceptance of zoning applications and all applicable requests for zoning approval for pain management clinics, by amending the Unified Land Development Code, Ordinance 03-067, as amended.

Pages: 344 - 350

MOTION: To adopt AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ENACTING A ONE YEAR MORATORIUM UPON THE ACCEPTANCE OF ZONING APPLICATIONS AND ALL APPLICABLE REQUESTS FOR ZONING APPROVAL FOR PAIN MANAGEMENT CLINICS, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; 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; ARTICLE 6- PARKING; CHAPTER A, PARKING; 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

COMMISSIONER COMMENTS

ADJOURNMENT