



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY DECEMBER 9, 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**

DECEMBER 9, 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. **DOA-2010-00143** Title: a Development Order Amendment application of Boynton Hagen LLC - Ram Realty Assoc by Land Design South Inc., Agent. Request: to modify the site plan and add square footage.

General Location: Northwest corner of Boynton Beach Boulevard and Hagen Ranch Road. **(Hagen Ranch/Boynton Beach MUPD)** (Control 2006-00520)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 3.70 acres ±

BCC District: 5

(affected area 3.63 acres ±)

Staff Recommendation: To recommend postponement of the application to January 6, 2011.

Zoning Commission Recommendation: Approved 7-0

MOTION: To postpone the application to January 6, 2011.

B. REMANDS

2. **PDD/R-2009-03941** Title: an Official Zoning Map Amendment to a Planned Development District application of Coconut Northlake LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use of Coconut Northlake LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant and a Convenience Store with Gas Sales including an accessory car wash.

General Location: Southwest corner of Coconut Boulevard and Northlake Boulevard. **(Shops at Indian Trails)** (Control 2006-00147)

Pages: 2 - 2

Project Manager: Joyce Lawrence

Size: 30.71 acres ±

BCC District: 6

Staff Recommendation: To remand this application to the January 12, 2011 DRO meeting.

MOTION: To remand this application to the January 12, 2011 DRO meeting.

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-1977-00148-4** Status Report for Resolution R-2007-2136 (Control No. 1977-148) Property Owner: Casa De Restauracion General Location: Southeast corner of Military Trail and Saturn Avenue. Current Zoning: Urban Center PRA **(Polo Market Place)**

Pages: 3 - 6

Size: 2.47 acres ±

BCC District: 2

MOTION: To adopt a resolution revoking a Requested Use for a Place of Worship in the Urban Center PRA Zoning District pursuant to Resolution R-2007-2136 (Control No. 1977-148).

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 4. **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: 7 - 27

Conditions of Approval (20 - 23)

Project Manager: Autumn Sorrow

Size: 0.61 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval subject to 25 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving an Development Order Amendment to modify Conditions of Approval (Automobile and Truck Sales) subject to the Conditions of Approval as indicated in Exhibit C.

- 5. **ZV/ABN/PDD/R-2009-03943** Title: a Development Order Abandonment application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to abandon the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276
Title: an Official Zoning Map Amendment to a Planned Development District of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Light Industrial (IL) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) District.
Title: a Requested Use of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow Gas and Fuel, Wholesale
General Location: Northwest corner of Benoist Farms Road and Wallis Road **(Kendall Industrial)** (Control 1975-00060)

Pages: 28 - 55

Conditions of Approval (44 - 47)

Project Manager: Autumn Sorrow

Size: 10.43 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the rezoning request subject to 19 Conditions of Approval as indicated in Exhibit C-2 and approval of the Request Use.

Zoning Commission Recommendation: Approval: 7-0

MOTION: To adopt a resolution approving a Development Order Abandonment abandoning the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Light Industrial (IL) and Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District Subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow Gas and Fuel, Wholesale.

E. ZONING APPLICATIONS - NEW

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. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

I. ZONING APPLICATIONS - NEW

- 6. [DOA-2010-01426](#) Title: Development Order Amendment application of Toll FI V Limited Partnership by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to redesignate the housing type and to modify and delete conditions of approval (Engineering)

General Location: Southwest corner of Donald Ross Road and Ellison Wilson Road (**Parcel 32 PUD**) (Control 2003-00033)

Pages: 56 - 90

Conditions of Approval (73 - 84)

Project Manager: Joyce Lawrence

Size: 76.29 acres ±

BCC District: 1

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 39 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 7-0

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

J. ULDC AMENDMENTS

7. TITLE: **REQUEST FOR PERMISSION TO ADVERTISE** - UNIFIED LAND DEVELOPMENT CODE (ULDC) - AMENDMENT ROUND 2010-02

Pages: 91 - 150

MOTION: To approve on preliminary reading and advertise for First Reading on January 6, 2011 at 9:30 A.M.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER E, PRIOR APPROVALS; CHAPTER I, DEFINITIONS AND 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 C, STANDARD DISTRICTS; 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, WHICH INCLUDES AN EXTENSION TO THE MORATORIUM UPON ACCEPTANCE OF ZONING APPLICATIONS AND REQUESTS FOR ZONING APPROVAL FOR PAIN MANAGEMENT CLINICS; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER D, PARKS & RECREATION - RULES AND RECREATION STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; ARTICLE 6- PARKING; CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING; CHAPTER C, MGTS TIER COMPLIANCE; ARTICLE 11- SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS; CHAPTER A, GENERAL REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; CHAPTER F, VARIANCES; ARTICLE 12- TRAFFIC PERFORMANCE STANDARDS; CHAPTER H, CONSTRAINED FACILITIES; ARTICLE 14- ENVIRONMENTAL STANDARDS; CHAPTER A, SEA TURTLE PROTECTION AND SAND PRESERVATION; ARTICLE 17- DECISION MAKING BODIES; CHAPTER C, APPOINTED BODIES; 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

8. ADJOURN AS THE BOARD OF COUNTY COMMISSIONERS

RECONVENE AS THE ENVIRONMENTAL CONTROL BOARD

TITLE: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE (ULDC) - AMENDMENTS TO ART. 15, HEALTH REGULATIONS

Pages: 151 - 159

MOTION: To approve on preliminary reading and advertise for First Reading on January 6, 2011 at 9:30 A.M.: 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, (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

9. TITLE: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY FLORIDA, ADOPTING AN INTERLOCAL SERVICE BOUNDARY AGREEMENT WITH THE CITY OF GREENACRES TO COORDINATE FUTURE LAND USE, PUBLIC FACILITIES AND SERVICES IN ADVANCE OF ANNEXATION; AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO SIGN THE INTERLOCAL AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Pages: 160 - 207

MOTION: STAFF RECOMMENDS MOTION TO APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON DECEMBER 21, 2010 AT 9:30 A.M.

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT