



**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
DECEMBER 5, 2013**

<u>AGENDA ITEM #</u>	<u>APPLICATION # CONTROL #</u>	<u>(PAGE #)</u>	<u>APPLICATION NAME</u>
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**REGULAR AGENDA**

**C. PUBLIC OWNERSHIP ZONING DISTRICT – DEVIATIONS**

**AMENDMENTS AND ADDITIONS**

7.	<b>Z-2013-01842</b> (Control No. 2013-00122)	(99-113)	Town of Lake Clark Shores
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DISCLOSURE is required for this item

8.	<b>PCN-2013-02731</b> (Control No. 2013-00122)	(114-125)	Town of Lake Clark Shores
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DISCLOSURE is required for this item

**J. ULDC AMENDMENTS**

11. **Request for Permission to Advertise – Unified Land Development Code (ULDC) Amendment Round 2013-02**

(168)

**AMEND Exhibit C, Article 14 – Environmental Standards - lines 42-43, Part 4 as follows\*:**

**P. Initial Clearing of for an Agricultural Operations Less Than 10 Acres**  
Initial clearing of for an agricultural operation less than 10 acres is exempt, provided that the level of clearing does not exceed the area for crop production.

(171)

**AMEND Exhibit E, Article 2– Development Review Officer - line 43, Part 1 as follows\*:**

....  
8) Minor ~~Mm~~odifications to approved architectural elevations....  
....

(172)

**AMEND Exhibit E, Article 2– Development Review Officer - lines 4, 9 and 11, Part 1 as follows\*:**

~~e.5) Proposed canopies;~~  
....  
~~h.8) Proposed fences; and,~~  
....  
[Re-number accordingly.]  
  
d. The Zoning Director shall maintain PPM Z0-0-29, *subject to periodic updates*,....  
....



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY DECEMBER 5, 2013**

**9:30 A.M. 6<sup>TH</sup> 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**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://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 5, 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**

1. **SV/Z/CA-2012-03112** Title: a Subdivison Variance application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow access to a non-residential property from a 60-foot wide ultimate Right-of-Way for Ranches Road, which is 20 feet less than the required 80 feet in width.

Title: an Official Zoning Map Amendment of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow the rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow a General Day Care Center.

General Location: South of Hypoluxo Road on the northeast side of Jog Road and Ranches Road. (**Learning Place Academy**) (Control 1975-00145)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 1.06 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to January 9, 2014.

**MOTION:** To postpone to January 9, 2014.

**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**

- 2. **DOA-2013-01606** Title: a Development Order Amendment application of Pine Trail Square Llc by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan and to add square footage.

General Location: Southwest corner of Military Trail and Okeechobee Boulevard. **(Pine Trail Shopping Center)** (Control 1978-00273)

Pages: 2 - 26

Conditions of Approval (7 - 13)

Project Manager: Roger Ramdeen

Size: 28.07 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the requests subject to 44 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the Development Order Amendment 8-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C.

**E. ZONING APPLICATIONS - NEW**

- 3. **ZV/DOA/R-2013-01841** Title: a Development Order Amendment application of LW Jog SC Ltd by Perry & Taylor PA, Agent. Request: to modify the Site Plan and add a use.

Title: a Requested Use of LW Jog SC Ltd by Perry & Taylor PA, Agent. Request: to allow a Fitness Center.

General Location: Southeast corner of Lake Worth Road and Jog Road. **(Lake Worth Plaza West)** (Control 1973-00091)

Pages: 27 - 43

Conditions of Approval (31 - 34)

Project Manager: Joyce Lawrence

Size: 27.14 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved the Type II Variance and recommended approval of the Development Order Amendment and Requested Use 8-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to modify the Site Plan and add a use subject to Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Requested Use to allow a Fitness Center.

- 4. **DOA/R-2013-01330** Title: a Development Order Amendment application of Garrison West Palm Retail LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reconfigure the Site Plan and to add square footage and uses.

Title: a Requested Use of Garrison West Palm Retail LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type I Restaurant.

General Location: Northeast corner of Southern Boulevard and Sansburys Way. **(Shoppes at Southern Palms)** (Control 2007-00018)

Pages: 44 - 71

Conditions of Approval (49 - 56)

Project Manager: Roger Ramdeen

Size: 24.35 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 28 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the Development Order Amendment and Requested Use 8-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, and to add square footage and uses subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Requested Use to allow a Type I Restaurant.

5. **EAC-2013-02126** Title: an Expedited Application Consideration application of Town Commons Acquisition LLC by CMS Engineering LLC, Agent. Request: to delete a Condition of Approval (Engineering).  
General Location: Northeast corner of Hypoluxo Road and Lyons Road. **(Town Commons MUPD 2)** (Control 2004-00248)

Pages: 72 - 95

Conditions of Approval (76 - 82)

Project Manager: David McGuire

Size: 16.42 acres ±

BCC District: 3

(affected area 3.10 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 37 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application to modify a Condition of Approval (Engineering) subject to the Conditions of Approval in Exhibit C.

## F. CORRECTIVE RESOLUTIONS

## G. ABANDONMENTS

6. **ABN-2013-02596** Title: a Development Order Abandonment application of Hillsboro Office Building LLC by Dunay Miskel Backman and Blattner LLP, Agent. Request: to abandon Resolution R1984-00515 approving a Special Exception to allow chemical storage tanks.

General Location: Located on the west side of State Road 7 between Judge Winikoff Road to the north and Sandalfoot Boulevard to the south. **(Hillsboro Plaza)** (Control 1983-00171)

Pages: 96 - 98

Project Manager: Inna Stafeychuk

Size: 1.49 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a resolution approving a Development Order Abandonment of Resolution R-1984-00515 for a Special Exception to allow chemical storage tanks.

**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

7. **Z-2013-01842** Title: an Official Zoning Map Amendment application of Lake Clarke Shores Town Of by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Residential Multi-Family (RM) Zoning District to Public Ownership (PO) Zoning District.

General Location: Approximately 700 feet east of the intersection of Seminole Drive and Kewanee Road and 310 feet north of Kewanee Road. **(Town of Lake Clarke Shores Public Works)** (Control 2013-00122)

Pages: 99 - 113

Project Manager: Donna Adelsperger

Size: 1.58 acres  $\pm$

BCC District: 3

Staff Recommendation: Staff recommends approval of the request.

Zoning Commission Recommendation: Recommended approval of the Rezoning 8-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Multi-Family (RM) Zoning District to Public Ownership (PO) Zoning District.



- 8. **PCN-2013-02731** Title: a Deviation for development within the PO Zoning District application of Town of Lake Clarke Shores by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow deviations from Article 6 Parking to allow reduction in Pedestrian Pathway width; Article 7 Landscaping to eliminate protective curbing; to eliminate compatibility buffer on the north, south and west property lines; to reduce the right-of-way buffer width; to eliminate trees and reduce the number of shrub layers in the right-of-way buffer; to reduce the number of onsite trees and shrubs; to eliminate foundation planting; and to reduce landscape island width.

General Location: Approximately 700 feet east of the intersection of Seminole Drive and Kewanee Road and 310 feet north of Kewanee Road. **(Town of Lake Clarke Shores Public Works)** (Control 2013-00122)

Pages: 114 - 125

Project Manager: Daniel Clark, Town Administrator

Size: 1.58 acres ±

BCC District: 3

**MOTION:** To adopt a resolution approving a Public Ownership Deviation to allow deviations from Article 6 Parking to allow reduction in Pedestrian Pathway width; Article 7 Landscaping to eliminate protective curbing; to eliminate compatibility buffer on the north, south and west property lines; to reduce the right-of-way buffer width; to eliminate trees and reduce the number of shrub layers in the right-of-way buffer; to reduce the number of onsite trees and shrubs; to eliminate foundation planting; and to reduce landscape island width.

**D. PREVIOUSLY POSTPONED STATUS REPORTS**

**E. STATUS REPORTS - NEW**

- 9. **CTR-1974-00083-2** Status Report for Resolution R-2011-0568 Property Owner: Covenant Centre Inc General Location: Northwest corner of Roan Lane and Northlake Boulevard Current Zoning: Multi-family Residential (RM) **(Covenant Church)**

Pages: 126 - 131

Size: 3.33 acres ±

BCC District: 1

DISCLOSURE

**MOTION:** To adopt a resolution approving the revocation of a Class A Conditional Use to allow a Charter School granted under Resolution R-2011-0568.

**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**

10. **W-2013-02239** Title: a Type II Waiver application of Tax Collector of Palm Beach County - Anne Gannon by Urban Design Kilday Studios, Agent. Request: to allow a reduction in the required setback for outdoor uses adjacent to residential; to exceed the individual building length; to not provide a Pedestrian Pass Thru; to allow a reduction in the size of the minimum open space; to allow useable open space along the primary frontage, and to eliminate benches and trash receptacles along Landar Drive.

General Location: Northwest corner of Landar Drive and Military Trail. **(Central Palm Beach Service Center)** (Control 1977-00190)

Pages: 132 - 158

Conditions of Approval (138 - 139)

Project Manager: Donna Adelsperger

Size: 3.29 acres  $\pm$

BCC District: 2

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the request subject to 10 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the Type II Waivers 8-0.

**MOTION:** To adopt a resolution approving a Type II Waiver to allow a reduction in the required setback for outdoor uses adjacent to residential; to exceed the individual building length; to not provide a Pedestrian Pass Thru; to allow a reduction in the size of the minimum open space; to allow useable open space along the primary frontage; and to eliminate the required benches and trash receptacles along Landar Drive subject to the Conditions of Approval as indicated in Exhibit C.

**J. ULDC AMENDMENTS**

11. **TITLE: REQUEST FOR PERMISSION TO ADVERTISE**  
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2013-02

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on January 9, 2014.

Pages: 159 - 179

**MOTION:** MOTION: To approve on preliminary reading and advertise for First Reading on January 9, 2014: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER C, RULES OF CONSTRUCTION; CHAPTER G, EMINENT DOMAIN; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER A, GENERAL; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDD'S); ARTICLE 4- USE REGULATIONS; CHAPTER C, COMMUNICATION TOWER, COMMERCIAL; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; ARTICLE 14- ENVIROMENTAL STANDARDS; CHAPTER C, VEGETATION PRESERVATION AND PROTECTION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE

**K. COMPREHENSIVE PLAN TEXT AMENDMENTS**

- 12. [Private Application for Text Amendment Initiation](#). Additional Commercial Low (CL) uses in the Agricultural Reserve.

Title: A private application of Doug Feurring et al Properties, Inc. by Land Design South, Bob Bentz, Agent. Request: to modify Ag Reserve Commercial provisions in order to allow properties under 10-acres located in the Agricultural Reserve Tier that meet the location requirements for Commercial Low (CL) uses in FLUE Policy 1.5-k, to be developed with commercial uses.

Project Manager: Isaac Hoyos, Principal Planner Agricultural Reserve

Staff Recommendation: The proposed amendment circumvents BCC directions for the preservation of agriculture in the Ag Reserve, which limit commercial development to two locations in the form of an AGR-TMD with preservation of 60% of the land. The proposed amendment represents a departure from the key tenets for the preservation of agriculture in the Ag Reserve. Therefore, staff is recommending To Not Initiate the proposed text amendment.

Pages: 180 - 187

**MOTION:** To not initiate the proposed text amendment.

**L. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. DEPUTY COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**