



**BOARD OF COUNTY COMMISSION  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
AUGUST 28, 2014**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>PAGE #</u></b>	<b><u>APPLICATION AND CONTROL #S</u></b>	<b><u>APPLICATION NAME</u></b>
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**REGULAR AGENDA**

**I. OTHER ITEMS**

<b>10.</b>	<b>(178-184)</b>	<b>AI-2014-02 (Control 1997-00075)</b>	<b>Allegro MUPD CLF Buffer</b>
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**DELETE** from the Zoning Agenda.



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY AUGUST 28, 2014**

**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**

**AUGUST 28, 2014**

**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. [ABN/SV/ZV/CB/Z/DOA/CA-2014-00462](#) Title: a Development Order Abandonment for a Class B Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to abandon Resolution ZR-2008-056.

Title: a Subdivision Variance of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow access from a 50 foot access easement.

Title: a Type II Variance of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow frontage and access from a 50-foot easement; allow mountable curbing, increase the percentage of palms, increase in sign height; and to allow signage where there is no frontage.

Title: a Class B Conditional Use of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow Vehicle Sales and Rental.

Title: an Official Zoning Map Amendment of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Urban Center (UC) Zoning District to the Public Ownership (PO) Zoning District.

Title: a Class A Conditional Use of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow General Repair and Maintenance.

General Location: Approximately 0.8 miles north of the intersection of Congress Avenue and Gun Club Road. **(PBIA Parcel G)** (Control 2000-00056)

Pages: 1 - 1

Project Manager: Donna Adelsperger

Size: 14.42 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Tuesday, September 30, 2014.

**MOTION:** To postpone to Tuesday, September 30, 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**

**E. ZONING APPLICATIONS - NEW**

- 2. **Z/CA-2014-00663** Title: an Official Zoning Map Amendment application of Place Properties, LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the General Industrial (IG) Zoning District.

Title: a Class A Conditional Use of Place Properties, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Salvage or Junk Yard.

General Location: Located on the north side of 7th Place North, approximately 1,000 feet east of Pike Road. **(Whiteside Industrial Park)** (Control 1998-00062)

Pages: 2 - 20

Conditions of Approval (8 - 8)

Project Manager: Joyce Lawrence

Size: 9.62 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the request with a vote of 7-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the General Industrial (IG) Zoning District.

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow a Salvage or Junk Yard subject to the Conditions of Approval as indicated in Exhibit C.

3. **EAC-2014-00917** Title: an Expedited Application Consideration application of Marina Clinton Associates Ltd by Miller Land Planning, Agent. Request: to modify and delete a Condition of Approval (Engineering).

General Location: South side of Lantana Road approximately 3300 feet east of Congress Avenue. (**Olympus Village/Marina Bay**) (Control 1976-00165)

Pages: 21 - 36

Conditions of Approval (25 - 27)

Project Manager: Donna Adelsperger

Size: 16.24 acres  $\pm$

BCC District: 3

(affected area 11.98 acres  $\pm$ )

Staff Recommendation: Staff recommends approval of the request subject to 23 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to modify and delete a Condition of Approval (Engineering) 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

## F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

## G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

4. **SCA-2014-00011** Title: Kunnemann Property application of Kunnemann Roy G Tr by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: To change the future land use designation on 0.43 acres from High Residential, 8 units per acre (HR-8) to Commercial High with an underlying 8 units per acre (CH/8).

General Location: North of PGA Blvd along west side of US Hwy 1. (**Kunnemann Property**) (Control 2003-30365)

Pages: 37 - 62

Project Manager: Bryce Van Horn

Size: 1.00 acres  $\pm$

BCC District: 1

(affected area 0.43 acres  $\pm$ )

Staff Recommendation: Approval of the proposed amendment from High Residential, 8 units per acre (HR-8) to Commercial High with an underlying 8 units per acre (CH/8).

Planning Commission Recommendation: Recommended adoption, with a vote of 11-0.

**MOTION:** To adopt an ordinance approving the proposed amendment from High Residential, 8 units per acre (HR-8) to Commercial High with an underlying 8 units per acre (CH/8).

5. **Z-2014-00661** Title: an Official Zoning Map Amendment application of Kunnemann Roy G Tr by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District.

General Location: Approximately 690 feet north of PGA Boulevard on the west side of US Highway One. (**Kunnemann Rezoning**) (Control 2003-30365)

Pages: 63 - 77

Project Manager: Roger Ramdeen

Size: 1.00 acres  $\pm$

BCC District: 1

(affected area 0.43 acres  $\pm$ )

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request.

Zoning Commission Recommendation: Recommended approval of the request with a vote of 7-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District.

## H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

## I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

**J. ZONING APPLICATIONS - NEW**

6. **W-2014-00288** Title: a Type II Waiver application of Hutton Growth Blue Sky LLC by Land Design South Inc., Agent. Request: to allow a reduction in the required side setback for building placement and to allow a single story building.

General Location: Approximately 180 feet south of Lake Worth Road on the west side of Military Trail. (**O Reilly Auto Parts**) (Control 2013-00286)

Pages: 78 - 103

Conditions of Approval (83 - 83)

Project Manager: Melissa Matos

Size: 1.04 acres  $\pm$

BCC District: 2

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the Type II Waiver to reduce the setback from six feet to two feet subject to the Conditions of Approval as indicated in Exhibit C.

Staff recommends denial of the Type II Waiver to allow a one-story building.

Zoning Commission Recommendation: Recommended approval of the requests with votes of 7-0.

**MOTION:** To adopt a resolution approving a Type II Waiver to allow a reduction in the required setback subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution denying a Type II Waiver to allow a single story building.

**K. ULDC AMENDMENTS**

7. **TITLE: ADOPTION HEARING - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2014-01**

Staff Recommendation: Staff recommends a 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.

Pages: 104 - 169

**MOTION:** MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067 AND 2003-070 AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER F; NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER E, MONITORING; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); 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 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; ARTICLE 6- PARKING; CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER E, REVIEW, INSTALLATION AND MAINTENANCE; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; ARTICLE 8- SIGNAGE; CHAPTER A, GENERAL; CHAPTER F, GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER A, GENERAL REQUIREMENTS; CHAPTER B, SUBDIVISION REQUIREMENTS; CHAPTER D, PLATTING; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 12- TRAFFIC PERFORMANCE STANDARDS; CHAPTER B, STANDARD; CHAPTER C, TRAFFIC IMPACT STUDIES; ARTICLE 13- IMPACT FEES; CHAPTER A, GENERAL; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

8. RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

**TITLE:** [ADOPTION HEARING](#) - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS

Staff Recommendation: Staff recommends a 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.

Pages: 170 - 173

**MOTION:** MOTION: TO ADOPT 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 2003-068, AS AMENDED, AS FOLLOWS: ARTICLE 15- HEALTH REGULATIONS; CHAPTER B, (PBC 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.

9. [INITIATION OF ULDC AMENDMENT ROUND 2014-02](#)

Pages: 174 - 177

**L. COMPREHENSIVE PLAN TEXT AMENDMENTS**

**M. OTHER ITEMS**

10. [Administrative Inquiry AI-2014-002](#), Allegro MUPD CLF Buffer to Board of County Commission (BCC)

Staff is seeking BCC direction on how to proceed with the required east and north property line buffer: wall vs. PVC fence.

Pages: 178 - 184

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

11. [Request for Stay of Effect](#) of BCC Zoning Resolution R-2014-0889 - Boca Del Mar PUD

Pages: 185 - 185

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. DEPUTY COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**