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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY JUNE 23, 2016**

**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. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the 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**

**JUNE 23, 2016**

**CALL TO ORDER**

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Mayor, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

1. [DOA-2015-01470](#) Title: a Development Order Amendment application of Florida Education Properties Villages of by F.P. Dino Inc., Agent. Request: to reconfigure the site plan, add and delete square footage, increase the number of students for the Private School, decrease the number of children for the Day Care, and amend Conditions of Approval (Engineering).

General Location: Southeast corner of Hypoluxo Road and Lyons Road. (**Villages of Windsor SE Civic**) (Control 1996-00081)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 12.12 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to the July 28, 2016 Board of County Commission Hearing.

Zoning Commission Recommendation: Postponed to July 7, 2016 Zoning Commission Hearing with a vote of 6-0-0

**MOTION:** To postpone to the July 28, 2016 Board of County Commission Hearing.

**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. [ZV/DOAR-2015-02146](#) Title: a Development Order Amendment application of Cherry Road Plaza LLC, AATC Realty LLC by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Site Plan, delete square footage and add two Requested Uses.

Title: a Requested Use of Cherry Road Plaza LLC, AATC Realty LLC by Jon E Schmidt & Associates, Agent. Request: to allow Vehicle Sales and Rental, and General Repair and Maintenance.

General Location: Northeast corner of Cherry Road and Military Trail. **(Cherry Road Plaza MUPD)** (Control 1977-00041)

Pages: 2 - 39

Conditions of Approval (9 - 22)

Project Manager: Carlos Torres

Size: 9.85 acres ±

BCC District: 7

(affected area 3.50 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 62 Conditions of Approval as indicated in Exhibit C-2, 12 Conditions of Approval as indicated in the Exhibit C-3, and 9 Conditions of Approval as indicated in Exhibit C-4.

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 6-0-0

Zoning Commission Recommendation: Recommended Approval for the Development Order Amendment with a vote of 6-0-0

Zoning Commission Recommendation: Recommended Approval for the Requested Use for Vehicle Sales and Rental with a vote of 6-0-0

Zoning Commission Recommendation: Recommended Approval for the Requested Use for Repair and Maintenance with a vote of 6-0-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, delete square footage and add two Requested Uses subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Requested Use to allow General Repair and Maintenance subject to the Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Requested Use to allow Vehicle Sales and Rental subject to the Conditions of Approval as indicated in Exhibit C-4.

**F. CORRECTIVE RESOLUTIONS**

**G. ABANDONMENTS**

**H. OTHER ITEMS**

- 3. [PCN-2016-00887](#) Title: application of by , Agent. Request: Pursuant to the County's Unified Land Development Code, the Developer is required to provide a 4.5 acre public civic site. The Developer has proposed paying cash in lieu of providing the County with a public civic site. Staff reviewed County Governmental needs in this area and has determined that cash is preferred over the acquisition of land in this particular location. The Developer provided two appraisals valuing the 4.5 acre civic site at \$500,000 and \$1,025,000. Given the extremely wide range of these two appraisals, Staff and the Developer have agreed to use a per acre value of \$250,000 which is between the higher of the two appraisals (\$226,500/acre) and the Developer's overall cost (\$287,000/acre) to assemble the PUD. Staff believes this to be fair and equitable to both the Developer and County given that property values in Palm Beach County continue to escalate.

General Location: Fields at Gulfstream Polo PUD (aka Gulfstream Polo Properties PUD) is located on the south side of Lake Worth Road on the west side of the Florida's Turnpike. **(Fields at Gulfstream Polo PUD)** (Control 2005-00594)

Pages: 40 - 42

Project Manager: Ross C. Hering

Size: 227.07 acres ±

BCC District: 6

Staff Recommendation: Staff recommends the BCC approve the Fields at Gulfstream Polo PUD (aka Gulfstream Polo Properties PUD) 4.5 acre civic site cash-out in the amount of \$1,125,000, and the funds be allocated to the General Government Civic account (3800-800-3044-2540) for future appropriation toward public facilities in the general area.

**MOTION:** To approve the Fields at Gulfstream Polo PUD (aka Gulfstream Polo Properties PUD) 4.5 acre civic site cash-out in the amount of \$1,125,000 and the funds be allocated to the General Government Civic account (3800-800-3044-2540) for future appropriation toward public facilities in the general area.

- 4. [Title: Northlake Boulevard Taskforce](#) Fifth Amendment to the Interlocal Agreement

Pages: 43 - 48

Staff Recommendation: Staff recommends approval of the Fifth Amendment to the Interlocal Agreement.

**MOTION:** To approve the Fifth Amendment to amended and restated Interlocal Agreement between the Village of North Palm Beach, City of Palm Beach Gardens, Town of Lake Park, and Palm Beach County.

**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**

**H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION**

## I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5. [CB/CA-2015-00309](#) Title: a Class A Conditional Use application of Sues Herta G Tr by Land Research Management Inc., Agent. Request: to allow a Medical Center.

General Location: North side of Southern Boulevard, east of Seminole Pratt Whitney Road. **(Suess Medical)** (Control 2010-00501)

Pages: 49 - 67

Conditions of Approval (55 - 58)

Project Manager: Roger Ramdeen

Size: 4.96 acres  $\pm$

BCC District: 6

## DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved a Class B Conditional Use (with conditions) with a vote of 8-0-0

Zoning Commission Recommendation: Recommended Approval for a Class A Conditional Use (with conditions) with a vote of 8-0-0

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow a Medical Center subject to the Conditions of Approval as indicated in Exhibit C-2.

6. [DOA-2015-01719](#) Title: a Development Order Amendment application of Boca Lago Country Club, Inc by Wantman Group Inc., Agent. Request: to reconfigure the Master Plan, and modify and delete Conditions of Approval (Planned Unit Development and Planning).

General Location: North of Palmetto Park Road and Lyons Road. **(Boca Lago PUD)** (Control 1973-00036)

Pages: 68 - 139

Conditions of Approval (78 - 90)

Project Manager: Joyce Lawrence

Size: 546.50 acres  $\pm$

BCC District: 5

(affected area 25.43 acres  $\pm$ )

## DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 56 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval for the Development Order Amendment with a vote of 5-1-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, and modify and delete Conditions of Approval (Planned Unit Development and Planning) subject to the Conditions of Approval as indicated in Exhibit C.

**J. ZONING APPLICATIONS - NEW**

7. [Z/CA-2015-02510](#) Title: an Official Zoning Map Amendment application of TLH-42 Ranchette LLC, Milind Chokshi by Wantman Group Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use of TLH-42 Ranchette LLC, Milind Chokshi by Wantman Group Inc., Agent. Request: to allow Zero Lot Line (ZLL) units.

General Location: Approximately 0.25 miles south of Ranchette Road and Summit Boulevard. (**Ranchette Royale**) (Control 2005-00188)

Pages: 140 - 175

Conditions of Approval (147 - 150)

Project Manager: Joyce Lawrence

Size: 10.60 acres ±

BCC District: 2

**DISCLOSURE**

Staff Recommendation: Staff recommends the approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1, and 15 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval for the Class A Conditional Use with a vote of 4-2-0

Zoning Commission Recommendation: Recommended Approval the for Official Zoning Map Amendment with a vote of 5-1-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow Zero Lot Line (ZLL) units subject to Conditions of Approval as indicated in Exhibit C-2.

**K. ULDC AMENDMENTS**

8. Title: [Request for Permission to Advertise](#) - Unified Land Development Code (ULDC) Amendment Round 2016-01

Pages: 176 - 230

Staff Recommendation: Staff recommends approval of the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2016-01 on July 28, 2016.



**MOTION:** To approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2016-01 on July 28, 2016. AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCES 2003-067 and 2003-068, AS AMENDED, AS FOLLOWS: ARTICLE 1 - GENERAL PROVISIONS: CHAPTER E, PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; CHAPTER I; DEFINITIONS & 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 D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS: CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER D, PARKS & RECREATION - RULES AND RECREATION STANDARDS; ARTICLE 6 - PARKING: CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING: CHAPTER B, TYPES OF PLANS; CHAPTER C, MGTS TIER COMPLIANCE; CHAPTER D, GENERAL STANDARDS; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 14 - ENVIRONMENTAL STANDARDS: APPENDIX 9, NATURAL AREAS; APPENDIX 10; PROHIBITED VEGETATION REMOVAL SCHEDULE; 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.

**L. COMPREHENSIVE PLAN TEXT AMENDMENTS**

**M. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

9. [Title: Use Regulations Project Update](#) - Commercial Communication Towers

Pages: 231 - 285

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. ASSISTANT COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**