



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JANUARY 27, 2011

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**

JANUARY 27, 2011

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-2010-01975** Title: Development Order Amendment application of Palm Beach County by Palm Beach County, Agent. Request: to allow an external access point

General Location: Southeast corner of Alternate A1A and Indiantown Road (**Jonathan's Landing PUD**) (Control 1974-00195)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 631.05 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday, February 24, 2011.

Zoning Commission Recommendation: Approved Postponement 6-0

MOTION: To postpone to Thursday, February 24, 2011.

2. **Z/DOA/CA-2010-01729** Title: an Official Zoning Map Amendment application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Single family Residential (RS) Zoning District

Title: A Development Order Amendment of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Place of Worship and to add and delete land area

Title: A Class A Conditional Use of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care, General

General Location: Approximately 0.33 miles south of Gun Club Road on the east side of Haverhill Road (**Iglesia Cristo Mi Redentor**) (Control 2003-00009)

Pages:

Project Manager: Joyce Lawrence

Size: 6.98 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, February 24, 2011.

Zoning Commission Recommendation: Approved Postponement 5-1

MOTION: To postpone to Thursday, February 24, 2011.

3. **ZV/DOA-2010-01728** Title: a Development Order Amendment application of Mizner Trail Golf Club Ltd, Siemens Group Inc. by Urban Design Kilday Studios, Agent. Request: to modify and redesignate uses, and add POD's, units, and access points on the Master Plan.

General Location: Generally located south of Camino Real; east of Powerline Road; west of Military Trail; and, north of SW 18th Street. More specifically, north and east sides of Canary Palm Drive; the east and west side of Camino Del Mar; and northwest and southwest of Palm D'Oro Drive (**Boca Del Mar PUD**) (Control 1984-00152)

Pages: 2 - 2

Project Manager: Wendy Hernandez

Size: 1,945.96 acres \pm

BCC District: 4

(affected area 129.88 acres \pm)

Staff Recommendation: Staff recommends a postponement to Thursday March 31, 2011.

Zoning Commission Recommendation: Approved Postponement 6-0

MOTION: To postpone to Thursday March 31, 2011.

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

- 4. **CTR-2004-00454-1** Status Report for Condition Zoning-Signs 4 (ZS-4) of Resolution R-2005-1803 (Control No. 2004-454) Property Owner: Lowe' Home Centers Inc. and Harland Properties General Location: 1/4 mile west of Military Trail on the north side of Okeechobee Boulevard Current Zoning: MUPD (**Lowe's Home Center West Palm Beach**)

Pages: 3 - 4

Size: 21.66 acres ±

BCC District: 2

MOTION: To direct the Code Enforcement Division to cite the property owner for failure to comply with Condition Zoning-Signs 4 of Resolution R-2005-1803.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

- 5. **Z-2010-02225** Title: an Official Zoning Map Amendment application of Palm Beach County, South Florida Water Management District by Palm Beach County, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District.

General Location: South side of Indiantown Road approximately 1 mile west of I-95 and approximately 1 mile east of Jupiter Farms Roads. (**Riverbend Park Rezoning**) (Control 2009-02372)

Pages: 5 - 18

Conditions of Approval (17 - 17)

Project Manager: Donna Adelsperger

Size: 512.07 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 3 Voluntary Commitments as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 5-0

MOTION: To recommend approval on first reading of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Public Ownership (PO) Zoning District subject to the Voluntary Commitments as indicated in Exhibit C and to schedule a second hearing on February 24, 2011.

6. **Z-2010-01985** Title: an Official Zoning Map Amendment application of Donald Carver, Investments Moody, James Moody by Cotleur & Hearing Inc., Agent. Request: to allow for a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District
General Location: Northeast corner of Center Street and Woodside Trail. **(Moody-Carver)** (Control 2010-00272)

Pages: 19 - 50

Conditions of Approval (32 - 33)

Project Manager: Donna Adelsperger

Size: 2.60 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 7 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 6-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow for a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

7. **ZV/PDD/DOA-2010-01991** Title: a Development Order Amendment application of Wal-Mart Stores East LP by Ruden McClosky, Agent. Request: to reconfigure the site plan and add square footage
General Location: Northwest corner of Hypoluxo Road and Military Trail **(Walmart Plaza)** (Control 1980-00173)

Pages: 51 - 91

Conditions of Approval (73 - 79)

Project Manager: Carol Glasser

Size: 15.95 acres ±

BCC District: 3

(affected area 14.07 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 42 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 6-0

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-2.

8. **EAC-2010-02234** Title: an Expedited Application Consideration application of MCT Properties Inc by Land Design South Inc., Agent. Request: to modify Conditions of Approval (Building and Site Design)

General Location: Southwest corner of Kimberly Drive and Hampton Drive (**Hamptons Square**) (Control 1978-00005)

Pages: 92 - 112

Conditions of Approval (104 - 108)

Project Manager: Joyce Lawrence

Size: 4.20 acres \pm

BCC District: 5

(affected area 0.64 acres \pm)

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 a Development Order Amendment to modify a Condition of Approval (Building and Site Design) subject to 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. 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**

- J. ULDC AMENDMENTS**

- 9. TITLE: ADOPTION HEARING**
[UNIFIED LAND DEVELOPMENT CODE \(ULDC\) - AMENDMENT ROUND 2010-02](#)

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, Ord. 2003-067, as amended.

Pages: 113 - 162

MOTION: MOTION: TO ADOPT 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: REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INTERPRETATION OF CAPTIONS; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

10. RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

TITLE: ADOPTION HEARING

[UNIFIED LAND DEVELOPMENT CODE \(ULDC\) - AMENDMENTS TO ART. 15, HEALTH REGULATIONS](#)

Pages: 163 - 170

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 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: REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INTERPRETATION OF CAPTIONS; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. OTHER ITEMS

11. [AI-2010-001 Administrative Inquiry on Folke Peterson Wildlife Center](#)

Pages: 171 - 184

12. [AI-2011-001 Administrative Inquiry on Beacon Baptist Church](#)

Pages: 185 - 231

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT