



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AMENDMENTS TO THE AGENDA
January 7, 2010**

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

AMENDMENTS

**7. (22-48) CB/CA-2009-1498 Military Trail Jump N Slide
(Control 1999-092)**

Renumber Engineering Conditions 4, 5, 6 to 1,2,3.

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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JANUARY 7, 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**

JANUARY 7, 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. **Z/DOA-2009-00205** Title: an Official Zoning Map Amendment application of Church Of God At Palm Beach Gardens by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Development Order Amendment of Church Of God At Palm Beach Gardens by Cotleur & Hearing Inc., Agent. Request: to reconfigure the site plan.

General Location: Northwest corner of Lone Pine Road and Prosperity Farms Road **(Maranatha Church)** (Control 1973-00160)

Pages: 1 - 1

Project Manager: Carol Glasser

Size: 12.47 acres ±

BCC District: 1

Staff Recommendation: To recommend postponement of the application to January 28, 2010.

MOTION: To postpone the application to January 28, 2010.

2. **ZV/W/DOA-2008-01900** Title: a Waiver from Traditional Development District parking structures in the Agricultural Reserve Tier application of KRG Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to allow surface parking in excess of 1 space per 250 square feet of non-residential floor area.

Title: a Development Order Amendment of KRG Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan, reduce the number of dwelling units and commercial square footage, restart the commencement clock, and modify and delete Conditions of Approval (Building and Site Design, Planning).

General Location: Northwest corner of West Atlantic Avenue and future Lyons Road. **(Delray Marketplace)** (Control 2004-00616)

Pages: 2 - 2

Project Manager: Carol Glasser

Size: 88.33 acres ±

BCC District: 5

(affected area 32.82 acres ±)

Staff Recommendation: To recommend postponement of the application to January 28, 2010.

Zoning Commission Recommendation: Approval: 7-0

MOTION: To postpone the application to January 28, 2010.

3. **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: 3 - 3

Project Manager: David McGuire

Size: 0.61 acres ±

BCC District: 2

Staff Recommendation: To recommend postponement of the application to January 28, 2010.

MOTION: To postpone the application to January 28, 2010.

4. **ABN/COZ-2009-03649** Title: a Development Order Abandonment application of Palm Beach County Dept. of Airports by Urban Design Kilday Studios, Agent. Request: to allow an abandonment of the Special Exception approval for a public airport and related facilities.

Title: a Conditional Overlay Zone of Palm Beach County Dept. of Airports by Urban Design Kilday Studios, Agent. Request: to allow a Conditional Overlay Zone (COZ).

General Location: North of PGA Blvd. on the west side of SR710 (Beeline Hwy.) **(North Palm Beach County General Aviation Airport)** (Control 1990-00006)

Pages: 4 - 4

Project Manager: Carol Glasser

Size: 1,832.31 acres ±

BCC District: 1

Staff Recommendation: To recommend postponement of the application to January 28, 2010.

MOTION: To postpone the application to January 28, 2010.

B. REMANDS

C. WITHDRAWALS

5. [ABN/DOA/EAC-2008-01892](#) Title: a Development Order Abandonment application of Rick and Andrea Fulcher by Land Design South Inc., Agent. Request: to abandon the daycare, general granted under Resolution R-2005-0379

Title: a Development Order Amendment of Rick and Andrea Fulcher by Land Design South Inc., Agent. Request: to amend Preliminary Master Plan

General Location: Approximately .5 miles east of the intersection of Okeechobee Blvd. and Jog Road (**Vista Center Parcel 23 - Subparcel 5**) (Control 1984-00130)

Pages: 5 - 5

Project Manager: Douglas Robinson

Size: 1.14 acres ±

BCC District: 2

Staff Recommendation: None required. Application withdrawn by Agent.

MOTION: None required. Application withdrawn by Agent.

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

- 6. [DOA/EAC-2009-03937](#) Title: a Development Order Amendment application of Palm Beach County by Palm Beach County, Urban Design Kilday Studios, Agent. Request: to delete a Voluntary Commitment (Engineering 1) General Location: Approximately 1,100 feet north of Yamato Road on the west side of SR 7/US 441 (**West Boca Government Complex**) (Control 2006-00174)

Pages: 6 - 21

Conditions of Approval (20 - 21)

Project Manager: Ora Owensby

Size: 21.34 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 5 Voluntary Commitments as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Development Order Amendment to delete a Voluntary Commitment (Engineering 1) subject to the Voluntary Commitments as indicated in Exhibit C.

- 7. **CB/CA-2009-01498** Title: a Class A Conditional Use application of Jeff Smith by Frogner Consulting Inc., Agent. Request: to allow a dispatch office with more than three vehicles

General Location: South of Westgate Avenue, east side of Military Trail (**Military Trail Jump n Slide**) (Control 1980-00228)

Pages: 22 - 48

Conditions of Approval (42 - 43)

Project Manager: David McGuire

Size: 2.57 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request for a Class B Conditional Use subject to 9 Conditions of Approval as indicated in Exhibit C-1 and approval of the request for a Class A Conditional Use subject to 12 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approval: 6-0

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a dispatch office with more than three vehicles subject to the Conditions of Approval as indicated in Exhibit C-2.

- 8. **ZV/DOA-2009-00564** Title: a Development Order Amendment application of Sun Trust Bank by CPH Engineers Inc., Agent. Request: to reconfigure the site plan

General Location: Northwest corner of North Military Trail and Old Clint Moore Road (**Polo Club Shoppes**) (Control 1986-00090)

Pages: 49 - 75

Conditions of Approval (64 - 66)

Project Manager: Joyce Lawrence

Size: 13.65 acres ±

BCC District: 5

(affected area 0.91 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 13 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approval: 6-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan subject to the Conditions of Approval as indicated in Exhibit C-2.

F. CORRECTIVE RESOLUTIONS

- 9. **CORRECTIVE RESOLUTION:** TO CORRECT THE USE APPROVAL OF RESOLUTION R-2009-0167 (CONTROL 1984-020) ETC OFFICE WAREHOUSE

Pages: 76 - 80

MOTION: To adopt a resolution to correct the use approval of Resolution R-2009-0167 from Class A Conditional Use to an Official Zoning Map Amendment.

G. TDR CONTRACT AMENDMENTS

H. TDR CONTRACT, ESCROW AGREEMENT AND DEED

I. 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**

- 10. [FIRST READING](#) AND REQUEST TO ADVERTISE FOR ADOPTION HEARING:
UNIFIED LAND DEVELOPMENT CODE (ULDC) - AMENDMENT ROUND 2009-02**

Staff Recommendation: Staff recommends a motion to approve on First Reading and advertise for Adoption on January 28, 2010 at 9:30 a.m.

Pages: 81 - 191

MOTION: To approve on first reading and advertise for Adoption on January 28, 2010 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 C, RULES OF CONSTRUCTION AND MEASUREMENT; CHAPTER E, PRIOR APPROVALS; CHAPTER F, NONCONFORMITIES; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2 - DEVELOPMENT REVIEW PROCESS; CHAPTER A, GENERAL; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS; ARTICLE 4 - USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5, SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER C, DESIGN STANDARDS; CHAPTER E, PERFORMANCE STANDARDS; CHAPTER F, LEGAL DOCUMENTS; CHAPTER G, DENSITY BONUS PROGRAMS; ARTICLE 6 - PARKING; CHAPTER A, PARKING; ARTICLE 7, LANDSCAPING; CHAPTER C, MGTS TIER COMPLIANCE; ARTICLE 12 - TRAFFIC PERFORMANCE STANDARDS; CHAPTER G, AFFORDABLE HOUSING; 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

- 11. [AI-2009-004 Administrative](#) Inquiry on Canyon Town Center Traditional Marketplace Development (TMD)

Pages: 192 - 199

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT

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