

8. (231-318) ZV/TDD/R-2011-1203 Reflection Bay
(Control 2011-245)

Amend Site Design Condition 3 to read as follows:

3. Prior to final approval by the Development Review Officer (DRO), the applicant shall revise the site plan to provide for an ~~eight (8)~~ six (6) foot high decorative fence along the entire western property line. Height of the fence shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of measuring height shall be finalized subject to the approval by the Landscape Section to ensure screening is achieved for the adjacent property

10. (346-348) Unified Land Development Code (ULDC) Moratorium Ordinance
For Internet Café

Add Exhibit A pages 349-354 (attached to end of agenda item)



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JANUARY 26, 2012

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 26, 2012

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. **SCA-2011-00001** Title: Stunkel Medical Office application of As Hagen Ranch Llc by Cotleur & Hearing Inc., Agent. Request: From Low Residential 3 units per acre (LR-3) to Commercial Low Office (CLO)

General Location: Southwest corner of Lantana Road & Hagen Ranch Road **(Stunkel Medical Office)** (Control 1986-00027)

Pages: 1 - 41

Project Manager: Bryce Van Horn

Size: 2.30 acres ±

BCC District: 3

(affected area 2.09 acres ±)

Staff Recommendation: Denial of the proposed amendment from Low Residential, 3 unit per acre (LR-3) to Commercial Low Office (CL-O).

Planning Commission Recommendation: Denial 11-1.

MOTION: POSTPONEMENT Requested by Staff to February 23, 2012 - Land Use Amendment hearing must be opened for public comment and then the BCC may take action to postpone the application.

B. REMANDS

- 2. **Z/CA-2011-00404** Title: an Official Zoning Map Amendment application of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District.

Title: a Class A Conditional Use of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to allow Medical or Dental Office.

General Location: Southwest corner of Lantana Road and Hagen Ranch Road. **(Stunkel Medical Office)** (Control 1999-00033)

Pages: 42 - 88

Conditions of Approval (64 - 72)

Project Manager: Carrie Rechenmacher

Size: 2.30 acres ±

BCC District: 3

(affected area 2.09 acres ±)

Staff Recommendation: Staff recommends remand of the request to the February 02, 2012 Zoning Commission.

MOTION: To remand the request to the February 02, 2012 Zoning Commission.

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

- 3. **CTR-2008-00222-1** Status Report for Resolution 2009-0899 (Control No. 2008-222). Property Owner: Palm Beach Hindu Mandir. General Location: Approximately 1200 feet east of Seminole Pratt Whitney Road on the south side of Okeechobee Blvd Current Zoning: AR (**King of Kings**)

Pages: 89 - 93

Size: 1.00 acres ±

BCC District: 6

MOTION: To direct the Code Enforcement Division to cite the property owners for failure comply with Condition Numbers ENG.2, ENG.4.a, and ENG.4.b of Resolution 2009-0899.

- 4. **STR-2007-00428-1** Status Report for Resolution R-2008-1393 (Control No. 2007-428). Property Owner: TD Holdings Unlimited, LLC. General Location: Southwest corner of Military Trail and Wenhart Road. Current Zoning: CC (**Military Medical**)

Pages: 94 - 97

Size: 1.52 acres ±

BCC District: 3

MOTION: To approve a three year time extension, from August 28, 2011 to August 28, 2014, to commence development.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

- 5. **EAC-2011-02628** Title: an Expedited Application Consideration application of Chai Holdings LLC by Land Research Management Inc., Agent. Request: to modify a Condition of Approval (Use Limitation)

General Location: Southwest corner of Drexel Road and Okeechobee Boulevard (**Drexel Plaza**) (Control 1976-00121)

Pages: 98 - 118

Conditions of Approval (111 - 114)

Project Manager: Donna Adelsperger

Size: 12.03 acres ±

BCC District: 2

(affected area 1.00 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 24 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving an Expedited Application to delete a Condition of Approval (Use Limitation) subject to the Conditions of Approval as indicated in Exhibit C.

- 6. **EAC-2011-02631** Title: an Expedited Application Consideration application of Palm Beach Jewish Community Campus Corp by Urban Design Kilday Studios, Agent. Request: to modify the Preliminary Site and Master Plans to add square footage, and delete a Condition of Approval (Lighting 5)

General Location: Northwest corner of the intersection of Community Drive and Military Trail (**JCC, Meyer Academy and Oxbridge Academy**) (Control 1985-00171)

Pages: 119 - 156

Conditions of Approval (136 - 146)

Project Manager: Donna Adelsperger

Size: 40.72 acres ±

BCC District: 2

(affected area 21.00 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 60 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving an Expedited Application to modify the Preliminary Site and Master Plans, to add square footage, and delete a Condition of Approval (Lighting) 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. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

7. [ABN/DOA-2011-00632](#) Title: a Development Order Abandonment application of Fairways LLC by Urban Design Kilday Studios, Agent. Request: to abandon Resolution R-1993-333

Title: a Development Order Amendment of Fairways LLC by Urban Design Kilday Studios, Agent. Request: to delete land area and conditions of approval relating to the golf course use.

General Location: Southwest corner of Century Boulevard and Haverhill Road (South Hampton PUD (AKA Century Village)) (Control 1973-00215)

Pages: 157 - 230

Conditions of Approval (224 - 226)

Project Manager: Autumn Sorrow

Size: 23.66 acres ±

BCC District: 2

DISCLOSURE

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

Zoning Commission Recommendation: Approved, 6-1

MOTION: To adopt a resolution approving of a Development Order Abandonment to abandon Resolution R-1993-333

MOTION: To adopt a resolution approving of a Development Order Amendment to delete land area and Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C.

- 8. **ZV/TDD/R-2011-01203** Title: an Official Zoning Map Amendment application of Fairways Llc by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential High (RH) Zoning District to the Traditional Neighborhood Development (TND) Zoning District

Title: a Requested Use of Fairways Llc by Urban Design Kilday Studios, Agent.
Request: to allow a Type III, Congregate Living Facility

General Location: Southwest corner of Century Boulevard and Haverhill Road
(Reflection Bay) (Control 2011-00245)

Pages: 231 - 318

Conditions of Approval (270 - 275)

Project Manager: Autumn Sorrow

Size: 57.54 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 31 Conditions of Approval as indicated in Exhibit C-2, and 4 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved, 6-1

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Traditional Neighborhood Development (TND) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt resolution approving a Requested Use to allow a Type III, Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-3.

I. ZONING APPLICATIONS - NEW

J. ULDC AMENDMENTS

- 9. **TITLE: ADOPTION HEARING- UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2011-02**

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, Ordinance 2003-067 and 2003-070, as amended.

Pages: 319 - 345

MOTION: MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE PALM BEACH COUNTY FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067 AND 03-070 AS AMENDED, AS FOLLOWS: ARTICLE 1- DEFINITIONS AND ACRONYMS; 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 D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS; ARTICLE 4- USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; ARTICLE 9- ARCHAEOLOGICAL AND HISTORIC PRESERVATION; CHAPTER B, HISTORIC PRESERVATION PROCEDURES; ARTICLE 11- SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS; CHAPTER A, GENERAL REQUIREMENTS; ARTICLE 13- IMPACT FEES; CHAPTER A, GENERAL; ARTICLE 14- ENVIRONMENTAL STANDARDS; CHAPTER B, WELLFIELD PROTECTION; APPENDIX 4, ORGANIC PRIORITY POLLUTANTS; APPENDIX 5, MINIMUM STANDARDS FOR SEWER PIPE FITTINGS; 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.

10. UNIFIED LAND DEVELOPMENT CODE (ULDC) MORATORIUM ORDINANCE FOR INTERNET CAFE

Staff Recommendation: Staff recommends a motion to approve on Preliminary Reading and to advertise for First Reading on February 23, 2012 at 9:30 a.m.

Pages: 346 - 354

MOTION: To approve on Preliminary Reading and to advertise for First Reading on February 23, 2012 at 9:30 a.m. AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ENACTING A ONE YEAR MORATORIUM UPON THE ACCEPTANCE OF ZONING APPLICATIONS AND ALL APPLICABLE REQUESTS FOR ZONING APPROVAL FOR INTERNET CAFÉS, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- DEFINITIONS AND ACRONYMS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS; CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS; ARTICLE 4- USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 6- PARKING; CHAPTER A, PARKING; 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

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

11. ULDC Amendments from the Public (no attachment)

Pages:

COMMISSIONER COMMENTS

ADJOURNMENT