



**BOARD OF COUNTY COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
JULY 24, 2014**

AGENDA

| <u>ITEM #</u> | <u>PAGE #</u> | <u>APPLICATION AND CONTROL #S</u> | <u>APPLICATION NAME</u> |
|----------------------|----------------------|--|--------------------------------|
|----------------------|----------------------|--|--------------------------------|

REGULAR AGENDA

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

| | | | |
|-----------|----------------|--|-----------------------------|
| 3. | (47-78) | DOA/R-2013-03129 (Control 1986-00124) | World Wide Sportsman |
|-----------|----------------|--|-----------------------------|

AMEND Engineering Condition 12.a of Exhibit C to read as follows:

12. The Property Owner shall fund the cost of signal installation if warranted as determined by the County Engineer at Juno Road and US 1. Such determination is made following the guidelines provided in the Manual of Uniform Traffic Control Devices (MUTCD), a federal document adopted by the State of Florida and Palm Beach County policies and procedures. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.
 - a. Building Permits for more than 23,000 sf of retail development shall not be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. Such determination is made using existing annual contract pricing or an individual bid if no such annual contract exists. Amount of the surety will include the cost for design and construction of traffic signal and roadway modifications necessary to accommodate the traffic signal. Design cost is determined using historical data of similar projects. Cost estimate calculated at this stage does not include potential need for right-of-way acquisition or any necessary utility relocates. However, at any point prior to the above threshold for building permit, it is determined by the County Engineer that a signal is warranted, full payment for the signal cost, as determined by the County Engineer, will be required to be made by the Property Owner within 60 days from the receipt of notice for such payment.

| | | | |
|-----------|-----------------|--|-------------------------------|
| 4. | (79-140) | PDD/R/TDR-2013-01847 (Control 1978-00032) | Stonybrook on the Lake |
|-----------|-----------------|--|-------------------------------|

AMEND ALL PETITIONS 1 of Exhibit C to read as follows:

1. The ~~approved Preliminary Site and Master and Site Plans~~ are dated ~~April 10, 2014~~ July 11, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

AMEND ERM 1 of Exhibit C to read as follows:

1. Prior to Issuance of the Vegetation Removal Approval by the Department of Environmental Resources Management (ERM) the applicant shall provide the results of a Phase II Environmental Audit to ERM. (~~DRO: BLDG:~~ ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

DELETE LANDSCAPE CONDITION 5, 9, 10, 11 AND 12 of Exhibit C and re-number accordingly.

AMEND LANDSCAPE CONDITIONS 3, 6, 7 and 8 of Exhibit C to read as follows:

LANDSCAPE - GENERAL

3. A group of three (3) or more palms may not supersede the requirements for a canopy tree in the perimeter buffers along the south, east and west property lines, ~~unless specified herein.~~ (ONGOING: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER-NORTH PROPERTY LINE (LAKE IDA ROAD)

6. In addition to the ULDC requirements, buffering along the north property line shall be upgraded to include the Property Owner shall revise the plans to provide the number of trees as follows:
 - a. one (1) canopy tree for each twenty (20) linear feet of property line. (ONGOING: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER-SOUTH PROPERTY LINE (FROST LANE), SOUTH 164 FEET OF EAST PROPERTY LINE AND SOUTH 490 FEET OF WEST PROPERTY LINE

7. ~~In addition to the ULDC requirements, the Property Owner shall revise the plans to include the following Landscaping and buffering along the south property line, south 164 feet of the east property line and south 490 feet of the west property line shall be upgraded to include:~~
 - a. a minimum width of twenty-five (25) feet ~~foot~~ Right-of-Way (ROW) buffer;
 - b. a three (3) foot high continuous berm;
 - c. a six (6) foot high vinyl coated chain link fence with a six (6) foot high hedge; or a six (6) foot high opaque PVC fence. Fence to be located on top of the berm; and
 - d. one (1) canopy tree for each ~~fifteen (15)~~ twenty (20) feet of the property line;
 - e. one (1) large shrub for each ~~four (4)~~ linear feet of the property line;
 - f. one (1) medium shrub for each four (4) linear feet of the property line; and,
 - g. one (1) small shrub for each two (2) linear feet of the property line.(ONGOING: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER-EAST PROPERTY LINE-NORTHERN 390 FEET

8. In addition to the ULDC requirements, ~~the Property Owner shall revise the plans to include the following landscaping along the east property line shall be upgraded to include:~~
 - a. ~~a minimum ten (10) foot Type I Incompatibility buffer; and,~~
 - ~~b. a~~ a Type I Incompatibility Buffer with a six (6) foot high concrete panel wall along the north 330 feet; and,
 - b. a Compatibility Buffer with a width of fifteen (15) feet along the central 790 feet. (ONGOING: LANDSCAPE - Zoning)

AMEND SITE DESIGN 1 of Exhibit C to read as follows:

SITE DESIGN

1. Prior to Final Approval by the Development Review Officer (DRO), the property owner shall revise the Master Site Plan and the Final Site Plans as follows:
 - a. ~~Relocate the Recreation Area - Tennis Courts to the south side of the lake and relocate Building 7 to the north of Building 5;~~
 - b. ~~Relocate the Neighborhood Park to the east side of the lake, rotate Building 9 and reconfigure the Recreation Area Passive Park;~~
 - c. ~~Rotate the driveway and parking in the southeast corner of the site to create an open space adjacent to the existing single family residence to the east.~~
 - a. The building located at the southwest corner of the subject property, immediate west of the tennis courts, shall be restricted to a 2/3 story configuration. (DRO: ZONING - Zoning)



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JULY 24, 2014

9:30 Am 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

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**

JULY 24, 2014

CALL TO ORDER

- A. Roll Call - 9:30 Am
- 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

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

- 1. **Z/CA-2013-03119** Title: an Official Zoning Map Amendment application of Lantana Shiv Property LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) Zoning District.

Title: a Class A Conditional Use of Lantana Shiv Property LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant.

General Location: Southeast corner of Military Trail and Lantana Road. **(Dunkin Donuts)** (Control 1994-00005)

Pages: 1 - 21

Conditions of Approval (9 - 10)

Project Manager: Carrie Rechenmacher

Size: 0.66 acres ±

BCC District: 3

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

Zoning Commission Recommendation: Approved the request with a vote of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) Zoning District.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant subject to the Conditions of Approval as indicated in Exhibit C.

2. **EAC-2014-00659** Title: an Expedited Application Consideration application of Garrison West Palm Retail LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to modify a Condition of Approval (Engineering).
General Location: Northeast corner of Southern Boulevard and Sansbury's Way. **(Shoppes at Southern Palms)** (Control 2007-00018)

Pages: 22 - 44

Conditions of Approval (27 - 34)

Project Manager: Roger Ramdeen

Size: 24.35 acres ±

BCC District: 2

Staff Recommendation: To recommend approval of the request subject to 38 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving an Expedited Application Consideration to modify 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**

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

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

3. **DOA/R-2013-03129** Title: a Development Order Amendment application of Bass Pro Outdoor World LLC - Jamie Carroll by Shutts and Bowen LLP, Agent. Request: to reconfigure the Site Plan, delete square footage, and to modify and delete Conditions of Approval (Use Limitation, Height, and Unity of Title).
Title: a Requested Use of Bass Pro Outdoor World LLC - Jamie Carroll by Shutts and Bowen LLP, Agent. Request: to allow Vehicle Sales and Rental (boat sales).
General Location: Approximately 0.5 mile north of PGA Boulevard on the east side of U.S. Highway No. 1. (**World Wide Sportsman**) (Control 1986-00124)

Pages: 45 - 78

Conditions of Approval (51 - 58)

Project Manager: Roger Ramdeen

Size: 5.73 acres ±

BCC District: 1

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to the 27 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved the request as amended with a vote of 8-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, delete square footage, and to modify and delete Conditions of Approval (Use Limitation, Height, and Unity of Title) subject to Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Requested Use to allow Vehicle Sales and Rental (boat sales).

4. **PDD/R/TDR-2013-01847** Title: an Official Zoning Map Amendment to a Planned Development District application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agriculture Residential Zoning District (AR) and the Residential Estates Zoning District (RE) to the Residential Planned Unit Development (PUD) District.
- Title: a Requested Use of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Transfer of Development Rights (TDR) and to allow Workforce Housing density bonus in excess of 30 percent.
- Title: a Transfer of Development Rights of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Transfer of Development Rights for 53 units and designate this site as a receiving area.
- General Location: On the south side of Lake Ida Road between Sims Road and Via Flora. (**Stonybrook on the Lake**) (Control 1978-00032)

Pages: 79 - 140

Conditions of Approval (87 - 92)

Project Manager: Roger Ramdeen

Size: 31.07 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to the 27 Conditions of Approval as indicated in Exhibit C-1, the 4 Conditions of Approval as indicated in Exhibit C-2 and 7 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Denied the requests with a vote of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential Zoning District (AR) and the Residential Estates Zoning District (RE) to the Residential Planned Unit Development (PUD) District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Transfer of Development Rights (TDR) and to allow Workforce Housing density bonus in excess of 30 percent subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Transfer of Development Rights for 53 units and designate this site as a receiving area subject to the Conditions of Approval as indicated in Exhibit C-3.

J. ZONING APPLICATIONS - NEW

K. ULDC AMENDMENTS

5. **TITLE: FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING**
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2014-01

Staff Recommendation: Staff recommends a motion to approve on First Reading and advertise for Adoption Hearing on August 28, 2014.

Pages: 141 - 206

MOTION: To approve on First Reading and advertise for Adoption Hearing on August 28, 2014: 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

6. RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

TITLE: FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS

Staff Recommendation: Staff recommends a motion to approve on First Reading and advertise for Adoption Hearing on August 28, 2014.

Pages: 207 - 210

MOTION: To approve on First Reading and advertise for Adoption Hearing on August 28, 2014: 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.

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

**7. REQUEST FOR PERMISSION TO ADVERTISE
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT - AGRICULTURAL
ENCLAVE OVERLAY (AGEO)**

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for First Reading on August 27, 2014.

Pages: 211 - 235

MOTION: To approve on preliminary reading and advertise for First Reading on August 27, 2014: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; 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 5- SUPPLEMENTARY STANDARDS; CHAPTER A, GENERAL; CHAPTER B, ACCESSORY AND TEMPORARY USES; CHAPTER F, LEGAL DOCUMENTS; ARTICLE 7- LANDSCAPING; CHAPTER C, MGTS TIER COMPLIANCE; ARTICLE 8- SIGNAGE; - CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; 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

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

8. Screening of mechanical equipment for replacement equipment on existing residential structures.

Pages: 236 - 239

Directions:1. Amend the ULDC to provide allowance for existing non-conforming mechanical equipment from required screening.; or,
2. Continue to apply and enforce the existing ULDC that all existing mechanical equipment that is modified complies with screening when required.

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT