



**BOARD OF COUNTY COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
JANUARY 28, 2016**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

E. ZONING APPLICATIONS - NEW

4.	(88-89)	PDD-2015-01732 (Control 2015-00119)	Hamlet Estates at Lake Worth
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AMEND Engineering Conditions 4 and 5 to read as follows:

- 4. The Property Owner shall construct: right turn lane, east approach on Lake Worth Road at the project's entrance...
 - ~~a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit.~~
 - ~~b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.~~
- 5. Prior to issuance of the first building permit, the Property Owner... This condition shall be considered satisfied if another project has constructed drainage facilities for the required road segment or if an entity has posted surety to ensure construction of drainage facilities for the required road segment.

REGULAR AGENDA

J. ZONING APPLICATIONS – NEW

7.	(182-187)	Z/CA-2015-01024 Control (1973-00206)	Place of Hope at the Rinker Campus
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DELETE Engineering Condition 4 (Exhibit C-2) and renumber accordingly.

AMEND Planning Condition 1 (Exhibit C-1 **and** Exhibit C-2) to read as follows:

- 1. The HR-12 density may only be used to calculate the number of beds associated with the CLF ~~and the school/gym facilities may only be used by the residents of the CLF.~~ (ONGOING: PLANNING - Planning)

DELETE Planning Condition 1 (Exhibit C-3) and renumber accordingly.



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JANUARY 28, 2016

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. Notice
- D. Proof of Publication
- E. Swearing In
- F. 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**

JANUARY 28, 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. 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. [CA-2015-01712](#) Title: a Class A Conditional Use application of Opportunity Inc Of Palm Beach County, R & L Properties Westgate LLC by Jon E Schmidt & Associates, Agent. Request: to allow a General Daycare. General Location: Northeast corner of Donnell Road and Westgate Avenue. **(Opportunity Inc. Daycare)** (Control 2015-00120)

Pages: 1 - 29

Conditions of Approval (7 - 9)

Project Manager: Carlos Torres

Size: 3.70 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to 16 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use with a vote of 9-0-0

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a General Daycare subject to Conditions of Approval as indicated in Exhibit C.

2. [ZV/DOA-2015-00542](#) Title: a Development Order Amendment application of Evangelical Christian Credit Union by Shutts and Bowen LLP, Agent. Request: to reconfigure the Site Plan and delete land area.

General Location: Southeast corner of Haverhill Road and Summit Boulevard.
(Evangelical Christian Credit Union) (Control 1986-00114)

Pages: 30 - 54

Conditions of Approval (35 - 43)

Project Manager: Joyce Lawrence

Size: 16.85 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1, and 49 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment with a vote of 9-0-0

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 9-0-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and delete land area subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [ZV/Z/CA-2015-01731](#) Title: an Official Zoning Map Amendment application of Herbert Kahlert, Lyons Petroleum Inc by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Commercial General (CG) Zoning District.

Title: a Class A Conditional Use of Herbert Kahlert, Lyons Petroleum Inc by Urban Design Kilday Studios, Agent. Request: to allow a Convenience Store with Gas Sales.

General Location: Northeast corner of Lake Worth Road and Lyons Road. **(Village Corner Commercial)** (Control 1998-00077)

Pages: 55 - 80

Conditions of Approval (61 - 64)

Project Manager: Osniel Leon

Size: 14.26 acres ±

BCC District: 6

(affected area 2.43 acres ±)

Staff Recommendation: Staff recommends approval of the Rezoning subject to a Conditional Overlay Zone and 3 Conditions of Approval as indicated in Exhibit C-2, and the Class A Conditional Use subject to the 15 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved a Type II Variance (with conditions) with a vote of 9-0-0

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use with a vote of 9-0-0

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 9-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Commercial General (CG) Zoning District subject to a Conditional Overlay Zone (COZ) and Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-3.

4. **PDD-2015-01732** Title: an Official Zoning Map Amendment to a Planned Development District application of Herbert Kahlert, Gerald Barbarito by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Multiple Use Planned Development (MUPD) and Agriculture Residential (AR) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

General Location: Northeast corner of Lake Worth Road and Lyons Road. (**Hamlet Estates at Lake Worth**) (Control 2015-00119)

Pages: 81 - 111

Conditions of Approval (88 - 91)

Project Manager: Osniel Leon

Size: 34.56 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 20 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment to a Planned Development District with a vote of 9-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Multiple Use Planned Development (MUPD) and Agriculture Residential (AR) Zoning Districts to the Planned Unit Development (PUD) Zoning District 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

- 5. [SCA-2015-00007](#) Title: The Falls Commercial, Large Scale Land Use Amendment application of John hoecker by Cotleur & Hearing Inc., Agent. Request: to change the Future Land Use from Commercial Recreation with an underlying Medium Residential 5 units per acre (CR/5) to Commercial Low (CL).

General Location: Northwest corner of Hypoluxo Road and Jog Road. **(The Falls Commercial)** (Control 1985-00155)

Pages: 112 - 143

Project Manager: Erin Sita

Size: 171.31 acres ±

BCC District: 3

(affected area 3.51 acres ±)

Staff Recommendation: Approval of the proposed amendment from Commercial Recreation with an underlying 5 units per acre (CR/5) to Commercial Low (CL).

Planning Commission Recommendation: Planning Commission recommended Approval by a vote of 12-0.

MOTION: To adopt an ordinance approving the proposed amendment from Commercial Recreation with an underlying 5 units per acre (CR/5) to Commercial Low (CL).

- 6. **PDD/R-2015-00545** Title: an Official Zoning Map Amendment to a Planned Development District application of Falls Country Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Commercial Recreation (CRE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Requested Use of Falls Country Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Type I Restaurant with a drive-through.
General Location: Northwest corner of Jog Road and Hypoluxo Road. **(The Falls Commerical MUPD)** (Control 1985-00155)

Pages: 144 - 174

Conditions of Approval (151 - 154)

Project Manager: Melissa Matos

Size: 3.51 acres ±

BCC District: 3

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 18 Conditions of Approval as indicated in Exhibit C-1 and 5 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment to a Planned Development District with a vote of 7-0-0

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 7-0-0

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Commercial Recreation (CRE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning 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 Type I Restaurant with drive-through subject to the Conditions of Approval as indicated in Exhibit C-2.

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

7. [Z/CA-2015-01024](#) Title: an Official Zoning Map Amendment application of Place of Hope at the Haven Campus Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Public Ownership (PO) Zoning District to the Institutional and Public Facilities (IPF) Zoning District.

Title: a Class A Conditional Use of Place of Hope at the Haven Campus Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a Type 3 Congregate Living Facility (CLF) use; and an Assembly, Nonprofit Institutional use.

General Location: South of Glades Road, west of Boca Rio Road. **(Place of Hope at the Rinker Campus)** (Control 1973-00206)

Pages: 175 - 208

Conditions of Approval (182 - 187)

Project Manager: Melissa Matos

Size: 13.01 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requested Rezoning with a Conditional Overlay Zone (COZ) and Class A Conditional Uses subject to 4 Condition of Approval as indicated in Exhibit C-1; 16 Conditions of Approval as indicated in Exhibit C-2; and 11 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use with a vote of 9-0-0

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 9-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Public Ownership (PO) Zoning District to the Institutional and Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) 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 a Type 3 Congregate Living Facility (CLF) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an Assembly, Nonprofit Institutional Use subject to the Conditions of Approval as indicated in Exhibit C-3.

8. [ZV/Z/DOA-2015-01385](#) Title: an Official Zoning Map Amendment application of AMKBJ Partners LTD LLLP, TLH 29 Anwar LLC, TLH 35 Bac Pioneer LLC by Wantman Group Inc., Agent. Request: to allow a rezoning from Agricultural Residential (AR), Residential Estate (RE), and Residential Transitional (RT) Zoning Districts to the Residential Single-family (RS) Zoning District.

TITLE: Stipulated Settlement Agreement REQUEST: to request relief filed pursuant to FLA. STAT. §70.51, F.S.

General Location: Approximately 520 feet east of Lyons Road, on the north side of Pioneer Road. (**Pioneer Royale**) (Control 2012-00650)

Pages: 209 - 257

Conditions of Approval (216 - 218)

Project Manager: Wendy Hernandez

Size: 22.94 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 23 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment with a vote of 8-0-1

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

MOTION: To Approve and Authorize the Mayor to Execute: STIPULATED SETTLEMENT AGREEMENT IN RE AMKBJ PARTNERS, LTD., LLLP REQUEST FOR RELIEF, PURSUANT TO FLA. STAT. §70.51 as indicated in Exhibit E.

K. ULDC AMENDMENTS

9. Title: [ADOPTION HEARING](#) - UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2015-02

Pages: 258 - 297

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, as amended.

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, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS, CHAPTER I; DEFINITIONS & ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER D, ADMINISTRATIVE PROCESS; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3- OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDD's); ARTICLE 4- USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER D, EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; ARTICLE 7- LANDSCAPING; CHAPTER B, TYPES OF PLANS; CHAPTER D, GENERAL STANDARDS; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; ARTICLE 8- SIGNAGE; CHAPTER H, OFF-SITE SIGNS; 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

10. [Title: Use Regulations Project Update](#) - Public and Civic Uses

Pages: 298 - 324

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT