



Palm Beach County Board of County Commissioners
Public Hearing Results*
November 6, 2024

*Please note that this document is not intended to serve as the official minutes of this hearing.

1. CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file

BCC Action: *Receive and file*, motion by Vice Mayor Marino, seconded by Commissioner Weiss passed in a 5 to 0 vote.

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions - Motion to receive and file

BCC Action: *Receive and file*, motion by Vice Mayor Marino, seconded by Commissioner Woodward passed in a 5 to 0 vote.

- B. Postponements - None
- C. Adoption of the Agenda – Motion to adopt the agenda

BCC Action: *Adopt*, motion by Commissioner Barnett, seconded by Commissioner Weiss passed in a 5 to 0 vote.

3. PUBLIC HEARING – Amendment Round 25-A Transmittal

3.A. County Proposed Text Amendment

3.A.1 [Bioscience Research Protection Overlay Revisions](#)

Summary: This proposed text amendment will revise the Comprehensive Plan related to the Bioscience Research Protection Overlay (BRPO). Staff is providing the following options for the Board’s consideration:

- **Option 1-A:** Delete policies related only to the Bioscience Land Protection Advisory Board (BLPAB) within the FLUE and ICE; **or**
- **Option 1-B:** Delete the Overlay in its entirety which includes deleting an Objective and policies within the Future Land Use Element (FLUE); policies within the Intergovernmental Coordination Element (ICE); and revising the Map LU 3.1, Special Planning Areas of the Map Series to delete the Overlay.

Staff Assessment: On January 23, 2024, following the BLPAB’s unanimous vote to sunset, the Board directed staff to terminate the interlocal agreement (ILA) creating the advisory board, which was subsequently finalized in agreement with the municipal parties on June 4, 2024. This proposed amendment will implement the necessary revisions as directed by the BCC by deleting the policies related to the BLPAB or the BCC may choose to delete the entire Overlay as it is no longer required due to the termination of the ILA.

Staff Recommendation: *Approval*

Planning Commission/LPA Recommendation: *Approval of Option 1-B (as shown in Exhibit 1-B)*, motion by Dagmar Brahs, seconded by Kiley Harper-Larsen, passed in an 11 to 0 vote at the October 11, 2024 public hearing. There was minimal Board discussion and no public comment.

MOTION 1: To *transmit* the Bioscience Research Protection Overlay Revisions amendment

MOTION 2: To *receive and file* the Business Impact Estimate

BCC Action: *Transmit Option 1-B (as shown in Exhibit 1-B) and Receive and File the Business Impact Estimate*, motion by Vice Mayor Marino, seconded by Commissioner Woodward, passed in a 5-0 vote (with Commissioner Baxter absent) at the November 6, 2024 public hearing. There was minimal Board discussion. One member of the public spoke regarding the history of the overlay.

3.B. Privately Proposed FLUA and Text Amendments

3.B.1 [West Delray RV \(LGA 2024-011\) FLUA and Text](#)

Proposed FLUA Amendment: From Agricultural Reserve (AGR) to Commercial Recreation with an underlying Agricultural Reserve (CR/AGR) with conditions.

Proposed Text Amendment: To revise the Future Land Use Element related to the Agricultural Reserve Tier to allow Recreational Vehicle Parks in the Commercial Recreation (CR) future land use designation, subject to criteria.

Size: 10.11 acres **BCC District: Mayor Sachs, District 5**

Location: North side of Atlantic Avenue and approx. 0.5 miles west of State Road 7

Summary: The amendment proposes to change the future land use designation from Agricultural Reserve (AGR) to Commercial Recreation with an underlying AGR (CR/AGR) in order to allow for a recreational vehicle park development (RVPD) with up to 121 RV spaces and a clubhouse.

Staff Assessment: The CR future land use designation was established in the 1989 Comprehensive Plan to allow for both public and private commercial recreational facilities that are intended to serve the needs of both residents and tourists. Sites with existing recreational uses were assigned the CR FLU at the adoption of the 1989 Plan and FLUE Policy 2.2.3-a allows the County to apply the CR FLU at appropriate locations through the amendment process. The land use designation is further restricted in the Ag Reserve Tier as currently the only form of commercial recreation uses allowed are freestanding golf courses. Therefore, the request also includes a privately initiated text amendment to allow a recreational vehicle park in the CR future land use subject to criteria.

The applicant has provided adequate justification that the RVPD at this location will provide a complementary use adjacent to the County operated West Delray Regional Park. In order to ensure compatibility with nearby environmentally sensitive sites, staff is recommending conditions of approval limiting the total number of allowable RV sites to 121 and prohibits other uses within the CR FLU on the site.

Staff Recommendation: *Approval with conditions*

Planning Commission/LPA Recommendation: *Approval with conditions*, motion by Glenn Gromann, seconded by Sherri Scarborough, passed in a 12 to 0 vote at the October 11, 2024 public hearing. Board discussion included comments regarding the infrastructure needed for the site including water, sewer and electrical connections, traffic concerns due to the number of proposed RV sites, providing environmentally friendly development considerations, and whether the site is required to provide a preserve area. There was no public comment.

MOTION: To *transmit* the West Delray RV Resort FLUA and text amendment

BCC Action: *Transmit*, motion by Commissioner Weiss, seconded by Vice Mayor Marino, passed in a 5 to 0 vote (with Commissioner Baxter absent) at the November 6, 2024 public hearing. Board discussion included comments regarding the connection of water and wastewater service, site design elements for the protection of the Loxahatchee Wildlife Refuge, and the length of stay for users of the RV resort. Two members of the public spoke in opposition, citing a desire for the opportunity for smaller campers to utilize the resort and a concern of changes within the Agricultural Reserve.

3.B.2 Rawlings Estates (LGA 2024-010) FLUA and Text

Proposed FLUA Amendment: From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) with conditions.

Proposed Text Amendment: To amend the Future Land Use Element to establish the Loxahatchee Estates Overlay allowing for up to one unit per acre in the Rural Tier and to revise the Special Planning Areas Map LU 3.1 to depict the boundaries.

Size: 104.07 acres **BCC District: Commissioner Baxter, District 6**

Location: West side of 180th Ave. N, and approx. 0.3 miles south of Sycamore Drive

Summary: The amendment proposes a future land use amendment on the 104.07 acre site from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) for a maximum development potential of 104 units. The applicant intends to develop 54 single family homes (0.52 units per acre). The request also includes text amendments to revise the Comprehensive Plan to establish the Loxahatchee Estates Overlay (LEO) to allow up to 1 unit per acre in the Rural Tier for the subject site only.

Staff Assessment: The site is located within the Central Western Communities (CWC), an area consisting primarily of agricultural, rural estate residential and equestrian uses. The intent of the proposed Overlay and FLU change to LR-1 is to allow residential development at one unit per acre consistent with the existing lot pattern of the parcels to the east while remaining in the Rural Tier, with rural levels of service. Although the sites to the east, in the Exurban Tier, are built at a density of 1 unit per 1.25 acres, the highest future land use allowed is 1 unit per 2.5 acres. As a result, the applicant is utilizing the Overlay as a mechanism to increase density on the site to 1 unit per 2 acres (by condition) that is consistent with the lot pattern to the east.

In addition, staff recommends a condition limiting the site to 54 units with no further density increases permitted. Consistent with past Board direction, staff is also recommending that 10 percent of the units be required as onsite workforce housing. However, the applicant is requesting to utilize the Offsite-Construction/Exchange Builder Option #1. In addition, Facilities and Development Operations staff in coordination with Fire Rescue are requesting direction as to whether the site should provide a dedication to Palm Beach County for a future fire-rescue facility to mitigate the service deficiencies identified during department review.

Staff Recommendation: *Approval with conditions*

Planning Commission/LPA Recommendation: *Approval with conditions*, motion by Glenn Gromann, seconded by Sherri Scarborough, passed in 8 to 4 vote (with Barbara Roth, Kiley Harper-Larsen, Angela Vann, and Varisa Lall Dass dissenting) at the October 11, 2024 public hearing. The motion included the applicant's proposed condition #2 to provide the workforce housing obligation offsite as well as the condition as recommended by FD&O for a land dedication for fire rescue purposes. Commission discussion included the location and operations of a future fire station, traffic and infrastructure concerns, the proposed disposition of the required workforce housing units, and the proposed density. There was no public comment.

MOTION: To *transmit* the Rawlings Estates FLUA and text amendment

BCC Action: *Transmit*, motion by Commissioner Weiss, seconded by Commissioner Woodward, passed in a 5 to 0 vote (with Commissioner Baxter absent) at the November 6, 2024 public hearing. The motion included the applicant's proposed condition #2. Board discussion included comments regarding the disposition of the required WHP units, the potential for a future fire station onsite, and infrastructure issues in the area. One member of the public spoke in opposition to the amendment, citing concerns with increased density and traffic impacts.

3.C. Privately Proposed FLUA and Tier Change

3.C.1 [The Reserve at Eagles Landing \(LGA 2024-012\) FLUA and Tier Change](#)

Proposed FLUA Amendment: From Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) with conditions

Proposed Tier Change: From the Rural Tier to the Urban/Suburban Tier, which requires concurrent changes to the Managed Growth Tier System Map LU 1.1 and the Service Area Map LU 2.1 of the Map Series.

Size: 26.24 acres total **BCC District: Commissioner Baxter, District 6**

Location: South side of Lantana Road and approx. 0.33 miles west of State Road 7

Summary: The applicant is requesting a tier change from the Rural Tier to the Urban/Suburban Tier on the 26.24 acre subject site. The proposed tier change is to allow for a future land use amendment from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) for the development of 26 single family homes. The required Tier Study, prepared by staff, demonstrates that the change is appropriate and meets the criteria in Future Land Use Element Policy 1.1-b.

Staff Assessment: The subject site is located along the south side of Lantana Road and west of State Road 7 and bounded by the Urban/Suburban Tier to the north and east, and the Agriculture Reserve Tier to the south and west. The west side of State Road 7 in this area consists primarily of low-density residential, agricultural uses, and various nonresidential uses, including industrial and commercial, around the intersection. The proposed LR-1 is the lowest FLU designation necessary to achieve the target density and is consistent and compatible with the existing development pattern of the area.

Staff recommends a condition limiting the site to 26 units with no further density increases permitted through density bonus programs. Consistent with past Board direction, staff is also recommending that 10 percent of the units be required as onsite workforce housing. However, the applicant is proposing to provide the workforce housing units offsite, limiting the available disposition methods to either the Off-site Construction/Same Developer or Offsite-Construction/Exchange Builder Option #1.

Staff Recommendation: *Approval with conditions*

Planning Commission/LPA Recommendation: *Approval with conditions*, motion by Barbara Roth, seconded by Sherri Scarborough, passed in 12 to 0 vote at the October 11, 2024 public hearing. The motion included the applicant's proposed condition #2 to provide the workforce housing obligation offsite. Commission discussion included the current use of the land, the timing and disposition of the workforce housing units, traffic concerns, and site design. One member of the public, representing the Lago Del Sol HOA, spoke in support of the project,

indicating the majority of their property owners support the project, which was reflected in a letter submitted for the record (see Exhibit 10). Two members of the public spoke in opposition, citing concerns regarding traffic and safety issues related to the proposed site plan.

MOTION: To *transmit* the Reserve at Eagles Landing Tier change and FLUA amendment

BCC Action: *Transmit*, motion by Commissioner Weiss, seconded by Vice Mayor Marino, passed in a 5 to 0 vote (with Commissioner Baxter absent) at the November 6, 2024 public hearing. The included the applicant's proposed condition #2. Board discussion included comments regarding perimeter landscape buffering, provision of sidewalks, connection to water and sewer, and concerns relating to individual driveway connections onto Lantana Road. Two members of the public spoke in support of the project, including a representative of the Lago Del Sol HOA, indicating the majority of the property owners support the project, while also citing potential safety concerns relating to future traffic and pedestrians. One member of the public spoke in opposition, citing concerns with increased density, development west of State Road 7, and the loss of agricultural land.

4. REGULAR AGENDA

4.A Privately Proposed Text Initiation

This item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered "Phase I". If the amendment is initiated, staff will accept the associated future land use amendment (FLUA), and return to the Board with the FLUA and text amendments through the public hearing process as part of "Phase II".

4.A.1 [CDNK Medical Text Initiation](#)

Summary: The subject site is a 3.37 acre parcel consisting of two lots and is located west of Seminole Pratt-Whitney Road between 91st Place North and 90th Street North. The proposed text amendment would modify a policy in the Future Land Use Element to allow the subject site to be eligible for the Commercial Low Office (CL-O) future land use designation in the Exurban Tier and to allow for a higher floor area ratio, increasing from 0.05 to 0.15.

Staff Assessment: Staff concurs that allowing additional, limited office development along a major thoroughfare and adjacent to an eligible commercial node, as proposed by the applicant, warrants consideration. Initiation of this amendment does not indicate staff support for the final policy language or the associated future land use amendment. If initiated, the applicant would submit a future land use change from RR-2.5 to the CL-O future land use designation to allow up to 22,020 square feet (0.15 FAR) of professional office uses.

Staff Recommendation: *To Initiate*

Planning Commission/LPA Recommendation: *Initiate*, motion by Rick Stopek, seconded by Sherri Scarborough, passed in 9 to 2 vote (with Dagmar Brahs and Serge D'Haiti dissenting) at the October 11, 2024 meeting. Commission discussion included the proposed floor area ratio (FAR), the design requirements for exurban office as well as other uses that would be appropriate on the site. Seven members of the public, spoke in opposition, citing traffic and compatibility concerns and the desire to see the same residential scale and design as Reach Estate Office with a 0.05 FAR. A letter was submitted for the record by the President of the Acreage Landowners Association (see Exhibit 4).

MOTION: To initiate the CDNK Medical Comprehensive Plan text amendment

BCC Action: Deny Initiation, substitute motion by Commissioner Weiss, seconded by Commissioner Woodward, passed in a 5 to 0 vote (with Commissioner Baxter absent) at the November 6, 2024 public hearing. The initial motion to postpone was made by Vice Mayor Marino, seconded by Commissioner Barnett. Board discussion included comments regarding traffic and road construction timing in the area and concerns related to compatibility with the proposed higher floor area ratio. Six members of the public spoke in opposition, in regards to traffic ingress/egress, compatibility, and services not needed. In addition, a letter from Mark Grafton, Schuman Law Group representing the adjacent property owners/residents to the west was included in the add/delete (see Exhibit 4).

5. COMMENTS

- A. Assistant County Attorney
- B. Planning Director
- C. Zoning Director
- D. Executive Director
- E. Deputy County Administrator
- F. Commissioners

6. ADJOURNMENT

Be advised that anyone choosing to appeal any action with respect to any matter discussed by the Board of County Commissioners will need a record of the proceedings, and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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