



**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
AUGUST 27, 2020**

**AGENDA**

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

**E. ZONING APPLICATIONS- NEW**

7.	(145-182)	DOA/CA/W-2020-00263 (1996-00007)	EOS Fitness @ Mission Bay Corporate Park MUPD
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**AMEND PARKING** Condition 6 on Exhibit C-1 to read as follows:

Prior to final approval by the Development Review Officer, the Parking Data shall be amended to ~~ensure all of the parking spaces allocated for the existing uses are preserved as the approved calculation methodology allotted~~ restore the parking calculations for the shopping center outside of the affected area as previously approved. (DRO: ZONING - Zoning)

**REGULAR AGENDA**

**F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

13.	(252-273)	DOA-2019-02393 (1994-00073)	Faith Farm
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**AMEND SITE DESIGN** Condition 1 to read:

The Property Owner shall submit the Site Plan for Final Approval by the Development Review Officer by ~~December 1, 2020~~ August 27, 2022, or prior to submitting for any building permits that are not consistent with the current approved Site Plan, whichever occurs first. (BLDG/PMT/DATE: ZONING – Zoning)

**K. ULDC AMENDMENTS**

18.	(418-487)	FINAL ADOPTION OF UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2020-01	
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**ADD AN AMENDMENT**, Exhibit A, Part 2 (page 437), ULDC Art. 2.C.3, Application Processes and Procedures, Administrative Processes, General, to clarify requirements for the ZAR Review process.

**Notes:**

Underlined indicates **new** text; Double underline indicates revised added text; ~~Stricken~~ indicates text to be **deleted**; ~~Double stricken~~ indicates revised deleted text; ~~Stricken and italicized~~ means text to be totally or partially relocated; If being relocated destination is noted in bolded brackets [**Relocated to:** ]; *Italicized* indicates text to be relocated. Source

is noted in bolded brackets **[Relocated from: ]**; .... A series of four bolded ellipses indicates language omitted to save space.

**Part 2. ULDC Art. 2.C, Application Processes and Procedures, Administrative Processes (pages 43-60 of 101, Supplement 27), is hereby amended as follows:**

15 **Section 4 Review, Resubmittal, and Final Decision**

16 Review of an application shall be initiated by the DRO on the date it is deemed sufficient. The deadlines for  
17 Staff Comments, Resubmittal by the Applicant, and Certification or Final Decision shall be indicated on the  
18 Annual Zoning Calendar **[Ord. 2018-002] [Ord. 2020-001]**

19 **A. Review**

20 ....

41 **3. Zoning Agency Review (ZAR)**

42 DRO applications may be reviewed through the ZAR process, which requires five or less  
43 Agencies to review an application. Based on the application request, the Applicant shall  
44 consider the request(s) to indicate what Agencies are may be required to review the ZAR  
45 application based on as contained in the Zoning Technical Manual. Zoning Staff shall verify  
46 whether the Agencies to review the application are correct and confirm if the application is  
47 subject to ZAR. If it is determined that more than five Agencies are required, the application  
48 shall be subject to the Full DRO process, however the Zoning Director shall render the final  
49 decision in cases of a dispute between the Applicant and Staff.

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**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**THURSDAY AUGUST 27, 2020**

**9:30 A.M.**

**BCC Chambers 6th Floor, Jane Thompson Memorial Chambers  
301 N Olive Ave, West Palm Beach, 33401**

**CALL TO ORDER**

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**OTHER DEPARTMENT ITEMS**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*



**AGENDA  
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AUGUST 27, 2020**

**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. Amendments to the Agenda
- G. Motion to Adopt the 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-2020-00117](#) Title: a Class A Conditional Use application of Mary Cotton by Land Research Management Inc., Agent. Request: to allow a Limited Pet Boarding facility accessory to a Single Family Residence.

General Location: North side of East Wiltshire Drive, approximately 0.25 miles east of Seminole Pratt Whitney Road. **(Cotton Limited Pet Boarding)** (Control 2004-00903)

Pages: 1 - 14

Conditions of Approval (6 - 6)

Project Manager: Brenya Martinez

Size: 2.55 acres ±

BCC District: 6

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

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving a Class A Conditional Use to allow a Limited Pet Boarding Facility accessory to a Single Family Residence, subject to the Conditions of Approval as indicated in Exhibit C.

2. [DOA-2020-00642](#) Title: a Development Order Amendment application of Amsdell Storage Ventures XXX LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to a Class A Conditional Use to modify the Site Plan; add square footage; and, modify Conditions of Approval.

General Location: West side of South Military Trail, approximately 0.25 miles south of Forest Hill Boulevard. **(Compass Self Storage Military Trail)** (Control 1998-00091)

Pages: 15 - 34

Conditions of Approval (21 - 24)

Project Manager: Ryan Vandenburg

Size: 6.65 acres ±

BCC District: 2

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

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving a Class A Conditional Use to modify the Site Plan; add square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

3. [EAC-2020-00701](#) Title: a Development Order Amendment Expedited Application Consideration application of SSAB Florida Company, LLC by Schmidt Nichols, Agent. Request: to amend Conditions of Approval.

General Location: Southwest corner of North Congress Avenue and Westgate Avenue. **(Congress Auto Park)** (Control 1987-00033)

Pages: 35 - 60

Conditions of Approval (45 - 52)

Project Manager: Meredith Leigh

Size: 2.59 acres ±

BCC District: 7

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

**MOTION:** To adopt a Resolution approving a Development Order Amendment Expedited Application Consideration to amend Conditions of Approval, subject the Conditions of Approval as indicated in Exhibit C.

4. [EAC-2020-00694](#) Title: a Development Order Amendment Expedited Application Consideration application of Flamingo Property Group LLC, Rooms to Go by Gunster Yoakley & Stewart PA, Agent. Request: to modify Conditions of Approval.  
General Location: Northeast corner of Glades Road and 95th Avenue South. **(Rooms To Go @ Glades Square)** (Control 2000-00007)

Pages: 61 - 83

Conditions of Approval (66 - 72)

Project Manager: Ryan Vandenburg

Size: 2.66 acres ±

BCC District: 5

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

**MOTION:** To a adopt a Resolution approving a Development Order Amendment Expedited Application Consideration to modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

5. [ZV/DOA-2020-00183](#) Title: a Development Order Amendment application of PS Boca Raton Turnpike 2013 LLC by Miller Land Planning, Agent. Request: to a Class A Conditional Use and a Planned Development District to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval.  
General Location: West side of 81st Way South, approximately 575 feet north of Glades Road. **(StorAll Glades Road)** (Control 2004-00201)

Pages: 84 - 117

Conditions of Approval (90 - 105)

Project Manager: Ryan Vandenburg

Size: 4.00 acres ±

BCC District: 5

(affected area 1.13 acres ±)

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

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to a Planned Development District to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to a Class A Conditional Use to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-3.



6. [ZV/DOA-2019-02186](#) Title: a Development Order Amendment application of Planet Kids IX, Inc. by Schmidt Nichols, Agent. Request: to reconfigure the Site Plan; add land area, building square footage, children and an access point; to modify or delete Conditions of Approval; and, to restart the Commencement of Development Clock.  
General Location: West side of Seminole Pratt Whitney Road, bounded on the south by Murcott Boulevard, and on the north by 92nd Lane North. **(Planet Kids Seminole Pratt Whitney)** (Control 2001-00077)

Pages: 118 - 144

Conditions of Approval (126 - 134)

Project Manager: Meredith Leigh

Size: 2.59 acres ±

BCC District: 6

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

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to reconfigure the Site Plan; add land area, building square footage, children and an access point; to modify or delete Conditions of Approval; and, to restart the Commencement of Development Clock, subject to the Conditions of Approval as indicated in Exhibit C-2.

7. [DOA/CA/W-2020-00263](#) Title: a Development Order Amendment application of Pan York Glades, LLC, EOS Fitness Florida, LLC by Urban Design Kilday Studios, Agent. Request: to modify the Site Plan, uses and Conditions of Approval.  
Title: a Class A Conditional Use of Pan York Glades, LLC, EOS Fitness Florida, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Fitness Center.  
Title: a Type 2 Waiver of Pan York Glades, LLC, EOS Fitness Florida, LLC by Urban Design Kilday Studios, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use.  
General Location: Southwest corner of State Road 7/U.S. 441 and Glades Road. **(EOS Fitness @ Mission Bay Corporate Park MUPD)** (Control 1996-00007)

Pages: 145 - 182

Conditions of Approval (151 - 159)

Project Manager: Brenya Martinez

Size: 11.22 acres ±

BCC District: 5

(affected area 0.96 acres ±)

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

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to modify the Site Plan, uses and Conditions of Approval, 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 Fitness Center, subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a Resolution approving a Type 2 Waiver to allow a 24 hour operation within 250 feet of a Residential Future Land Use or Use, subject to the Conditions of Approval as indicated in Exhibit C-3.

- 8. [ZV/CA-2019-00294](#) Title: a Class A Conditional Use application of Hypoluxo Plaza II LLC, Sidhdi Desai by Schmidt Nichols, Agent. Request: to allow a Type 1 Restaurant with a Drive-Through.

General Location: South side of Hypoluxo Road, approximately 200 feet east of High Ridge Road. **(Ridgeline Dunkin)** (Control 1985-00122)

Pages: 183 - 206

Conditions of Approval (190 - 192)

Project Manager: Travis Goodson

Size: 0.47 acres ±

BCC District: 3

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

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-Through, subject to the Conditions of Approval as indicated in Exhibit C-2.

**F. CORRECTIVE RESOLUTIONS**

**G. ABANDONMENTS**

- 9. [ABN-2020-00488](#) Title: a Development Order Abandonment application of FoundCare, Inc. by Saltz Michelson Architects, Agent. Request: to abandon a Special Exception to allow a Financial Institution with Drive-Up Teller Windows.

General Location: Northwest corner of Okeechobee Boulevard and West Drive. **(FoundCare Medical Offices)** (Control 1978-00237)

Pages: 207 - 210

Project Manager: Travis Goodson

Size: 2.86 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a Resolution approving a Development Order Abandonment to abandon a Special Exception to allow a Financial Institution with Drive-Up Teller Windows.

10. [ABN-2020-00717](#) Title: a Development Order Abandonment application of Church Of Christ At Haverhill Road, Inc. by Land Research Management Inc., Agent. Request: to abandon a Special Exception to allow a Church.

General Location: East side of Haverhill Road, approximately 1,200 feet north of Roebuck Road. **(Church of Christ at Haverhill)** (Control 1979-00237)

Pages: 211 - 214

Project Manager: Travis Goodson

Size: 0.99 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a Resolution approving a Development Order Abandonment to abandon a Special Exception to allow a Church.

**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

11. [Title: LGA-20-B Faith Farm Ministries text amendment application of GL Acquisitions Corporation and Fort Lauderdale Rescue Tabernacle, Inc. by agent GL Acquisitions.](#)

To amend the Comprehensive Plan to accommodate the ability of a portion of the Faith Farm site to become a preserve area.

General Location: Approximately 1/4 mile north of Boynton Beach Blvd, on the east side of SR 7 (US 441). (Control 1994-00073)

Size: 87.28 acres

Pages: 215 - 237

Project Manager: Lisa Amara

BCC District: 5

Staff Recommendation: Staff recommends approval of the text amendment to adopt an ordinance amending the Comprehensive Plan.

Planning Commission Recommendation: Approval, motion by Lori Vinikoor, seconded by Jim Knight, passed in a 8 to 5 vote, with one commission member abstaining, at the June 12, 2020 public hearing. Under discussion, commission members expressed comments regarding the cost of housing in the Tier, concerns over increasing density, and that the request was within the confines of the County's rules for Agricultural Reserve Planned Developments. Two members of the public representing 1,000 Friends of Florida and the Sierra Club, spoke in opposition to the amendment.

BCC Transmittal: Transmit, motion by Vice Mayor Weinroth, seconded by Commissioner Bernard, passed in a 7 to 0 vote at the June 29, 2020 public hearing. There was minimal Board discussion. One member of the public representing the Sierra Club spoke in opposition. There were no negative comments issued by the State Review agencies following transmittal.

**MOTION:** To adopt an ordinance amending the Comprehensive Plan.

12. [PIA-2019-02346](#) Title: a Privately Initiated Code Amendments (Site Specific) application of Fort Lauderdale Rescue Tabernacle, Inc. - Michael Brown by G.L. Acquisitions Corporation, Agent. Request: to amend specific sections of the Unified Land Development Code (ULDC), concurrent with modifications to the Comprehensive Plan, to Articles 3.C Standard Districts, 3.E Planned Development District, and 7 Landscaping for Faith Farm Ministries. The modifications would allow the development to include split zoning of IPF and AGR-PUD, and to provide an exemption from the perimeter landscape buffer requirements for the property with split zoning.
- General Location: Approximately 1/4 mile north of Boynton Beach Blvd, on the east side of SR 7 (US 441). (Control 1994-00073)

Pages: 238 - 251

Project Manager: Wendy Hernandez

Size: 87.28 acres ±

BCC District: 5

Staff Recommendation: Staff recommends adoption of an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

Land Development Regulation Advisory Board (LDRAB) Recommendation: On May 27, 2020, the LDRAB recommended approval of the proposed ULDC amendment with a vote of 14-1.

Land Development Regulation Commission (LDRC) Determination: On May 27, 2020, the LDRC found the proposed ULDC amendment consistent with the Comprehensive Plan with a vote of 15-0.

BCC Public Hearing: On June 25, 2020, the BCC approved the Request for Permission to Advertise on August 27, 2020, with a vote of 7-0.

**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: A PRIVATELY INITIATED AMENDMENT TO ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS: CHAPTER C, STANDARD DISTRICTS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 7 - LANDSCAPING: CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS; 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.

13. [DOA-2019-02393](#) Title: a Development Order Amendment application of Ft. Lauderdale Rescue Tabernacle, Inc., G. L. Acquisitions Corporation by G.L. Acquisitions Corporation, Agent. Request: to delete land area and amend Conditions of Approval. General Location: East side of State Road 7/US 441, approximately 0.25 miles north of Boynton Beach Boulevard. **(Faith Farm)** (Control 1994-00073)

Pages: 252 - 273

Conditions of Approval (259 - 259)

Project Manager: Meredith Leigh

Size: 87.28 acres ±

BCC District: 5

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

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

14. [PDD/DOA-2019-02394](#) Title: an Official Zoning Map Amendment application of 9231 155th Lane, LLC, Ft. Lauderdale Rescue Tabernacle, Inc., Rodney Espinosa & Harry Espinosa Irrevocable Trust, A Nu-Leaf Nursery, Inc., G. L. Homes of Palm Beach Associates, Ltd., Spanish River Nursery, Inc. & Fermin Espinosa, Gwen and Kevin Harding, AKD Real Estate Investments, LLC, Rodney Espinosa & Harry Espinosa Revocable Trust, Double B Investments, Inc. by G.L. Homes of Palm Beach Associates Ltd, Agent. Request: to allow a rezoning from the Institutional and Public Facilities (IPF) Zoning District and the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment of 9231 155th Lane, LLC, Ft. Lauderdale Rescue Tabernacle, Inc., Rodney Espinosa & Harry Espinosa Irrevocable Trust, A Nu-Leaf Nursery, Inc., G. L. Homes of Palm Beach Associates, Ltd., Spanish River Nursery, Inc. & Fermin Espinosa, Gwen and Kevin Harding, AKD Real Estate Investments, LLC, Rodney Espinosa & Harry Espinosa Revocable Trust, Double B Investments, Inc. by G.L. Homes of Palm Beach Associates Ltd, Agent. Request: to modify the Master Plan to add and delete land area (Preserve); and, to amend Conditions of Approval.

General Location: Development Area: On the east side of Lyons Road, approximately 0.25 miles south of Boynton Beach Boulevard; generally bounded by Acme Dairy Road, Lyons Road, LWDD L-25 Canal on the north (partial), and LWDD L-26 Canal to the south. (**Canyon Lakes AGR-PUD**) (Control 2002-00067)

Pages: 274 - 346

Conditions of Approval (280 - 295)

Project Manager: Meredith Leigh

Size: 609.19 acres  $\pm$

BCC District: 5

(affected area 184.39 acres  $\pm$ )

#### DISCLOSURE

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

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

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

**MOTION:** To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Institutional and Public Facilities (IPF) Zoning District and the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District, subject to the Condition of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to modify the Master Plan to add and delete land area (Preserve); and, to amend Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.



- 15. **Z-2019-02395** Title: an Official Zoning Map Amendment application of G.L. Homes of Palm Beach Associates, Ltd by G.L. Homes of Palm Beach Associates Ltd., Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District. General Location: West side of State Road 7, approximately 0.5 miles north of Clint Moore Road and 2 miles south of Atlantic Avenue. **(Hyder West AGR)** (Control 2002-00067)

Pages: 347 - 365

Conditions of Approval (354 - 354)

Project Manager: Meredith Leigh

Size: 92.19 acres ±

BCC District: 5

DISCLOSURE

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

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

**MOTION:** To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District, subject to the Condition of Approval as indicated in Exhibit C.

**G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

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

## I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

16. [ZV/DOA/CA/W-2019-01438](#) Title: a Development Order Amendment application of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to reconfigure the Site Plan, to add a use, building and square footage.
- Title: a Class A Conditional Use of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.
- Title: a Type 2 Waiver of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use.
- General Location: Northeast corner of Atlantic Avenue and Hagen Ranch Road. **(McDonald's L/C #009-2659 Atlantic and Hagen)** (Control 1973-00039)

Pages: 366 - 398

Conditions of Approval (377 - 385)

Project Manager: Ryan Vandenburg

Size: 25.45 acres ±

BCC District: 5

(affected area 0.95 acres ±)

## DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-2 through C-4.

Zoning Commission Recommendation: Approved a Type 2 Variance by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 7-1-0.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to reconfigure the Site Plan, to add a use, building and square footage, 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 a Type 1 Restaurant with a Drive-through, subject to the Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a Resolution approving a Type 2 Waiver to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use, subject to the Conditions of Approval as indicated in Exhibit C-4.

**J. ZONING APPLICATIONS - NEW**

17. [AI-2020-01012](#) (PCN-2020-01012) Title: PCN - No Application application of South Florida Water Management District, Power Florida, PBA Holdings, Inc., Palm Beach Aggregates, LLC by Carlton Fields P.A., Agent. Request: an Administrative Inquiry (AI) to review a Five Year Monitoring Report for the Palm Beach Aggregates. General Location: North side of Southern Boulevard, approximately 3.5 miles west of Seminole Pratt Whitney Road. **(Palm Beach Aggregates)** (Control 1989-00052)

Pages: 399 - 417

Project Manager: Travis Goodson

Size: 2,010.07 acres  $\pm$

BCC District: 6

No Action Required.

**K. COMPREHENSIVE PLAN TEXT AMENDMENTS****L. ULDC AMENDMENTS**

18. [Title: FINAL ADOPTION - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2020-01](#)

The proposed Ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications, as well as several specific amendments, as follows:

Ordinance Title

Exhibit A Art. 2, Administrative Modifications

Exhibit B Art. 2, Residential Type 1 Variances

Exhibit C Art. 3, Palm Beach International Airport Overlay Landscaping, Notification, and Noise

Exhibit D Art. 3, Zero Lot Line Residential Uses

Exhibit E Art. 3 and 4, Plan Requirements for Planned Development Districts

Exhibit F Art. 4, Commercial Recreation Zoning District with Rural Residential Future Land Use Designation

Exhibit G Art. 4, Mobile Retail Sales

Exhibit H Art. 5, Workforce Housing Program Low-Income Category Rental Requests

Exhibit I Art. 1, 3, 4, and 6, Parking Reference Glitch Corrections

Pages: 418 - 487

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends adoption of an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

Land Development Regulation Advisory Board (LDRAB): On February 26, 2020 and May 27, 2020, the LDRAB recommended approval of the proposed amendments with multiple votes.

Land Development Regulation Commission (LDRC) Determination: On May 27, 2020, the LDRC found the proposed ULDC amendments to be consistent with the Comprehensive Plan with a vote of 15-0.

BCC Public Hearing: On June 25, 2020, the BCC approved the Request for Permission to Advertise for First Reading on July 30, 2020, with a vote of 7-0. On July 30, 2020, the BCC approved the First Reading and Advertisement for Adoption Hearing on August 27, 2020 with a vote of 7-0.

**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 H, DEFINITIONS AND ACRONYMS; ARTICLE 2 - APPLICATION PROCESSES AND PROCEDURES: CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS: CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS: CHAPTER A, USER GUIDE AND GENERAL PROVISIONS; CHAPTER B, USE CLASSIFICATION; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER G, DENSITY BONUS PROGRAMS; ARTICLE 6 - PARKING, LOADING, AND CIRCULATION: CHAPTER B, PARKING AND LOADING; CHAPTER E, LOADING STANDARDS; 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.

19. [Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT TO THE WORKFORCE HOUSING PROGRAM EXCHANGE BUILDER OPTION FOR PRIOR APPROVALS](#)

The proposed Ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications, as well as several specific amendments, as follows:

Ordinance Title

Exhibit A Art. 5, Workforce Housing Program Exchange Builder Option for Prior Approvals

Pages: 488 - 492

Project Manager: Patricia Behn

Staff Recommendation: Staff Recommendation: Staff recommends a motion to approve the Request for Permission to Advertise for Final Adoption of the ULDC Amendment to the Workforce Housing Program Exchange Builder Option for Prior Approvals for September 24, 2020.

Land Development Regulation Advisory Board (LDRAB): At time of publication, the LDRAB has not made a recommendation. The Meeting will be held on August 26, 2020.

Land Development Regulation Commission (LDRC) Determination: At time of publication, the LDRC has not made a determination. The Meeting will be held on August 26, 2020.

**MOTION:** To approve the Request for Permission to Advertise for Final Adoption of the ULDC Amendment to the Workforce Housing Program Exchange Builder Option for Prior Approvals, for September 24, 2020: 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 5 - SUPPLEMENTARY STANDARDS: CHAPTER G, DENSITY BONUS PROGRAMS; 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.

20. [Title: INITIATION OF UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2020-02](#)

Solicit feedback from the Board of County Commissioners on the scheduling of ULDC Amendments that have been prioritized for inclusion into Round 2020-02.

Pages: 493 - 495

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends a motion to initiate ULDC Amendments for Round 2020-02.

**M. OTHER ITEMS - Comprehensive Plan - Appeal of Administrative Decision**

21. [Title: Lake Worth Drainage District Appeal \(LWDD\) of Local Planning Agency decision to uphold a Planning Division Administrative Determination](#)

The item before the Board is to consider an appeal of the Local Planning Agency/Planning Commission's decision to uphold a Comprehensive Plan determination issued by the Planning Division. The Planning Commission decision was made at a public hearing on Sept. 9, 2016 to support the Planning Division's determination in a letter dated April 19, 2016. The letter stated that canal rights-of-way owned by a public agency and utilized for right of way purposes are not eligible to be Preserve Areas for an Agricultural Reserve Planned Development (AGR-PDD) for acreage calculations or for density purposes. The LWDD has requested an appeal of the Planning Determination, and subsequently requested an appeal of the Planning Commission's decision.

Pages: 496 - 497

Project Manager: Bryce Van Horn

**END OF REGULAR AGENDA**

**OTHER DEPARTMENT ITEMS**

**A. PURCHASING CONTRACT**

**B. DEPARTMENT UPDATE**

**C. ENGINEERING ITEM**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. ASSISTANT COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**