

entire facility for a minimum of three (3) days. (CO: BUILDING DIVISION – Building Division)

ADD new Use Limitations Conditions, as follows:

USE LIMITATIONS

1. Delivery of waste material (bedding, shavings, manure, etc.) shall be prohibited should the facility be without any power. (ONGOING: CODE ENF – Zoning)
2. Delivery of waste material (bedding, shavings, manure, etc.) shall be prohibited should the facility's filtration system be inoperable. (ONGOING: CODE ENF – Zoning)
3. Delivery of waste materials (bedding, shavings, manure, etc.) shall be prohibited between the hours of 9 a.m. through 4 p.m. on Saturdays and Sundays. (ONGOING: CODE ENF – Zoning)
4. The north facing bay door(s) for Building One shall be automatic closing bay doors which shall be operational during all hours of delivery. The north facing bay door(s) shall close automatically after each vehicle containing waste materials (bedding, shavings, manure, etc.) enters the facility, and remain closed unless a vehicle containing said waste materials is entering or leaving the facility. (ONGOING: CODE ENF – Zoning)
5. Vehicles containing waste material (bedding, shavings, manure, etc.) shall only use Pike Road as their ingress and egress from the property. (ONGOING: CODE ENF – Zoning)
6. All deliveries and unloading of raw, unprocessed waste materials (bedding, shavings, manure, etc.) shall occur entirely inside Building One and while all doors are closed. (ONGOING: CODE ENF – Zoning)
7. All waste materials (bedding, shavings and manure, etc.) shall be processed within 5 days of arriving at the facility. (ONGOING: CODE ENF – Zoning)
8. The bay door on the west side of Building One does not need to be automatic, but will remain shut after any vehicle enters or leaves through the west bay door. ONGOING: CODE ENF - Zoning



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

MONDAY NOVEMBER 23, 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/

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



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

NOVEMBER 23, 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. [W-2020-00790](#) Title: a Type 2 Waiver application of Mattamy Palm Beach, LLC by AJ Entitlements & Planning LLC, 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 Lake Worth Road and Polo Road. **(Polo Legacy MXPD)** (Control 2007-00096)

Pages: 1 - 19

Conditions of Approval (5 - 5)

Project Manager: Meredith Leigh

Size: 38.54 acres ±

BCC District: 6

(affected area 2.89 acres ±)

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 Type 2 Waiver by a vote of 6-0-0.

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.

2. [Z-2020-00909](#) Title: an Official Zoning Map Amendment application of Betty Kaylor, Gregory Rice by Brandenburg & Associates P.A., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: South side of Belvedere Road, approximately 0.15 miles east of Jog Road. **(Rice Project)** (Control 2020-00060)

Pages: 20 - 31

Conditions of Approval (24 - 24)

Project Manager: Meredith Leigh

Size: 2.08 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District, with a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

3. [ZV/CA/W-2020-00276](#) Title: a Class A Conditional Use application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to allow an Electric Transmission Substation.

Title: a Type 2 Waiver of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to substitute a six foot high opaque wall with a six foot high opaque hedge in a Type 3 Incompatibility Buffer.

General Location: West side of U.S. Highway 27, approximately 1 mile south of U.S. 441/State Road 80 and immediately adjacent to the southernmost boundary of the City of South Bay. **(South Bay Substation)** (Control 2017-00163)

Pages: 32 - 66

Conditions of Approval (38 - 41)

Project Manager: Brenya Martinez

Size: 19.81 acres ±

BCC District: 6

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 by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 6-0-0.

MOTION: To adopt a Resolution approving a Class A Conditional Use to allow an Electric Transmission Substation, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a Resolution approving a Type 2 Waiver to substitute a six foot high opaque wall with a six foot high opaque hedge in a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-3.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

- 4. [ABN-2020-01227](#) Title: a Development Order Abandonment application of AMKBJ Partners, LTD LLLP by JMorton Planning & Landscape Architecture, Agent. Request: to abandon a Class A Conditional Use to allow a Workforce Housing Program Density Bonus greater than 30 percent.
General Location: West side of Military Trail, approximately 0.60 miles north of Lantana Road (**Heathwood Reserve**) (Control 1997-00008)

Pages: 67 - 71

Project Manager: Timothy Haynes

Size: 22.54 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a Resolution approving a Development Order Abandonment of a Class A Conditional Use to allow a Workforce Housing Program Density Bonus greater than 30 percent.

- 5. [ABN-2020-01284](#) Title: a Development Order Abandonment application of Solid Waste Authority of Palm Beach County by Land Research Management Inc., Agent. Request: to abandon the Voluntary Commitments within Resolution R-1994-00951.
General Location: East side of Benoist Farms Road, approximately 0.3 miles north of Southern Blvd. (**Solid Waste Authority of Palm Beach County**) (Control 1994-00010)

Pages: 72 - 74

Project Manager: Ryan Vandenburg

Size: 14.99 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon the Voluntary Commitments within Resolution R-1994-00951.

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

- 6. [SCA-2020-00014](#) Title: The Quartet-Medical Office, Small Scale Future Land Use Amendment application of 8475lwr Llc by Insite Studio, Agent. Request: To change a future land use designation from Low Residential, 2 units per acre (LR-2) to Commercial Low-Office with an underlying 2 units per acre (CL-O/2)
General Location: Northeast corner of Lake Worth Road and Blanchette Trail. **(The Quartet-Medical Office)** (Control 2005-00001)

Pages: 75 - 102

Project Manager: Carolina Valera

Size: 1.61 acres ±

BCC District: 6

Staff Recommendation: Approval of an amendment to change the future land use designation from Low Residential, 2 units per acre (LR-2) to Commercial Low-Office with an underlying 2 units per acre (CL-O/2).

Planning Commission Recommendation: Recommendation Pending - scheduled for November 13, 2020 public hearing.

MOTION: To adopt an ordinance changing the future land use designation.

7. [ABN/PDD/W-2020-00433](#) Title: a Development Order Abandonment application of 8475 LWR LLC by Insite Studio, Agent. Request: to abandon a Class A Conditional use to allow a General Day Care.

Title: an Official Zoning Map Amendment of 8475 LWR LLC by Insite Studio, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) District.

Title: a Type 2 Waiver of 8475 LWR LLC by Insite Studio, Agent. Request: to substitute a six foot high opaque wall with a six foot high fence within a Type 3 Incompatibility Buffer.

General Location: Northeast corner of Lake Worth Road and Blanchette Trail. **(The Quartet MUPD)** (Control 2005-00001)

Pages: 103 - 141

Project Manager: Ryan Vandenburg

Size: 1.61 acres ±

BCC District: 6

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 a Development Order Abandonment by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 6-0-0.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon a Class A Conditional Use to allow a General Day Care.

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution approving a Type 2 Waiver to substitute a six foot high opaque wall with a six foot high fence within a Type 3 Incompatibility Buffer, 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

8. [CA-2019-01969](#) Title: a Class A Conditional Use application of Solid Waste Authority of Palm Beach County, Horizon 880 LLC by Land Research Management Inc., Agent. Request: to allow an Equestrian Waste Management Facility.
General Location: East side of Benoist Farms Road, approximately 0.3 miles north of Southern Blvd. (**Horizon 880-HPAB**) (Control 1994-00010)

Pages: 142 - 192

Conditions of Approval (150 - 151)

Project Manager: Ryan Vandenburg

Size: 5.25 acres \pm

BCC District: 2

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 Class A Conditional Use by a vote of 7-0-0.

MOTION: To adopt a Resolution approving a Class A Conditional Use to allow an Equestrian Waste Management Facility, subject to the Conditions of Approval as indicated in Exhibit C.

J. ZONING APPLICATIONS - NEW**K. COMPREHENSIVE PLAN TEXT AMENDMENTS****L. ULDC AMENDMENTS**

9. [Title: REQUEST FOR PERMISSION TO ADVERTISE UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2020-02](#)

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, Waiver Summary Tables Consolidation

Exhibit B - Art. 1 and 2, Release of Unity of Title

Exhibit C - Art. 2, Monitoring Development Phases

Exhibit D - Art. 2, Removal of the Building Division from DRO Agency Review

Exhibit E - Art. 1, 2, 3, and 4, Property Development and Density Bonus Regulations, and Review Procedures for the WCRAO

Exhibit F - Art. 2, 3, and 5, Unity of Control

Exhibit G - Art. 3 and 4, Multiple Use Planned Development Freestanding Buildings

Exhibit H - Art. 4, Planning Determination for Infill Density Exemption

Exhibit I - Art. 5, WCRAO Workforce Housing Program Exemption

Pages: 193 - 226

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends a motion to approve the Request for Permission to Advertise for First Reading of the ULDC Amendment Round 2020-02 for December 22, 2020.

Land Development Regulation Advisory Board (LDRAB): On August 26, 2020, September 23, 2020, and October 28, 2020, the LDRAB recommended approval of the proposed amendments with multiple votes.

Land Development Regulation Commission (LDRC) Determination: On October 28, 2020, the LDRC found the proposed ULDC amendments to be consistent with the Comprehensive Plan with a vote of 15-0.

MOTION: To approve the Request for Permission to Advertise for First Reading of the ULDC Amendment Round 2020-02, for December 22, 2020: ARTICLE 1 - GENERAL PROVISIONS: CHAPTER H, DEFINITIONS AND ACRONYMS; ARTICLE 2 - APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; CHAPTER E, MONITORING OF DEVELOPMENT ORDERS (DOs) AND CONDITIONS OF APPROVAL; CHAPTER G, DECISION MAKING BODIES; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS: CHAPTER B, OVERLAYS; 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 F, LEGAL DOCUMENTS; 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.

M. OTHER ITEMS

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

10. [Title: Presentation regarding the History and Current Practice of the Tree Policy in the Unified Land Development Code \(ULDC\)](#)

Pages: 227 - 233

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT