



BOARD OF COUNTY COMMISSIONERS ZONING HEARING AMENDMENTS TO THE AGENDA JULY 14, 2026

REGULAR AGENDA

B. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5. CA-2025-00956 Calvary Chapel Christian School (2009-01722)

AMEND – To modify Exhibit G Correspondence to add letters of opposition and a letter from the South Indian River Water Improvement Control District at the following [link](#).

D. OTHER DEPARTMENT ITEMS

8. [Agenda Item: Lake Worth Road Annexation ILA](#)

AMEND – To modify item backup with the updated document provided with this [link](#).

F. OTHER WORKSHOP

11. [Law Enforcement Municipal Service Taxing Unit \(MSTU\)](#)

AMEND – To modify item backup information with the updated document provided with this [link](#).

12 [CR 880](#)

AMEND – To modify item backup with the updated document provided with this [link](#).

AMEND – To modify Agenda to remove item summary and replace with the added text underlined:

SUMMARY: Section 335.0415, Florida Statutes, authorizes the transfer of public roads between jurisdictions only by mutual agreement of the affected governmental entities. Section 337.29, Florida Statutes, states in relevant part, that the title to all roads transferred in accordance with Section 335.0415 shall be in the governmental entity to which such roads have been transferred, upon the recording of a deed. Adoption of the Resolution, and approval of the Agreement, will transfer, in phases, the jurisdiction, ownership, and maintenance of Segment One and Segment Two. Adoption of the Resolution and approval of the Agreement will also transfer jurisdiction, ownership, and maintenance of Segment Three upon construction completion of Bridge Project. Upon FDOT executing the Agreement, jurisdiction of Segment One and Segment Two will be transferred to FDOT. Title to Segment One and Segment Two will transfer ownership upon recordation of a County Deed which will occur within one year of Agreement execution. County Deed for Segment Three will be brought to the Board of County Commissioners (BCC) for approval upon construction completion of Bridge Project. Maintenance of Segment One and Segment Two will automatically transfer from the County to FDOT as follows:

- Segment One, once FDOT issues its contractor the Notice to Proceed on FDOT Project FM 458094.1 for road reconstruction; and
- Segment Two, upon construction completion by the County of the Sam Senter Road bridge over the South Florida Water Management District (SFWMD) Ocean Canal; and

he County will enter into a future Local Funding Agreement to transfer any remaining funds from the County's Project No. 2024504 for geotechnical road study to FDOT. Since the standard

agreement form is from FDOT, the Agreement does not include the County's standard clauses for termination for convenience or default, right to audit, non-discrimination, venue, non-appropriations, the Inspector General, and third-party beneficiaries; however, the Engineering and Public Works Department (EPW) still recommends approval. The Agreement will be executed first by the County and then by FDOT. District 6 (YBH)

Background and Policy Issues: The Engineering and Public Works Department recommends adoption and approval by the BCC.

Staff recommends motion to:

- a. **Adopt** a Resolution approving an Agreement with the Florida Department of Transportation (FDOT) to transfer, in phases, the jurisdiction, ownership, and maintenance of County Road (CR) 880 (CR880) from State Road (SR) 880 / Dr. Martin Luther King Junior Boulevard E / Avenue E to 1,350 linear feet south of CR 700 / Connors Highway (collectively, Segment One and Segment Two), and to transfer jurisdiction, ownership, and maintenance of CR 880 from 1,350 linear feet south of CR 700 / Connors Highway to U.S. 441 / U.S. 98 / SR 80 / Southern Boulevard (Segment Three) upon construction completion of Palm Beach County (County) bridge project number 2015500 (Bridge Project) to FDOT (Agreement);
- b. **Approve** the Agreement with the FDOT for the transfer, in phases, of the jurisdiction, ownership, and maintenance of Segment One and Segment Two, and to transfer jurisdiction, ownership, and maintenance of Segment Three upon construction completion of Bridge Project

C. ULDC REVISIONS

AMEND – To modify the Agenda to add an item regarding Large-Scale Data Centers and a Moratorium of Data Center type uses, and the backup is provided with this [link](#).

13. Large-Scale Data Centers – Request for Permission to Advertise

Summary: The item before the Board are proposed revisions to add the Large-Scale Data Center use to the Palm Beach County Unified Land Development Code ("ULDC" or "the Code"). Specifically, the revisions add a definition for a Large-Scale Data Center use and include language establishing a Moratorium for facilities that fall under the definition of the use. The proposed revisions implement direction to staff by the Board of County Commissioners at the July 7, 2026 BCC Hearing.

Project Manager: Darren Leiser, Assistant County Attorney III

Staff Recommendation: Staff recommends:

- a. That the BCC, by a majority plus one vote, elect to conduct both required advertised hearings for this item at 9:30 am, instead of holding one of the required advertised hearings after 5:00 pm. Florida Statutes Section 125.66 requires two advertised public hearings for this item, at least one of which is required to be held after 5:00 p.m. unless the BCC, by majority plus one vote, elects to conduct that hearing at another time of day.
- b. To receive and file the Business Impact Estimate.
- c. Approval of permission to advertise for first reading at the BCC Zoning Hearing on August 27, 2026 at 9:30 a.m.

MOTION: To approve Staff recommendation for items 13.a, 13.b, and 13.c.



Board of County Commissioners
County Administrator, Joseph Abruzzo
Department of Planning, Zoning, & Building
2300 N. Jog Road
West Palm Beach, FL 33411
Phone: 561-233-5200

BOARD OF COUNTY COMMISSIONERS

ZONING PUBLIC HEARING

Tuesday, July 14, 2026, 9:30 AM

**BCC Chambers 6th Floor, Jane M. Thompson Memorial Chambers
301 N. Olive Avenue, West Palm Beach, FL 33401**

CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In

AGENDA APPROVAL

- A. Additions, Deletions Substitutions
- B. Adoption of the Agenda
- C. Request to Pull Items From Consent

POSTPONEMENTS/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

**ZONING PUBLIC HEARING AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
Tuesday, July 14, 2026**

CALL TO ORDER

- A. Roll Call – 9:30 a.m.
- B. Invocation 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

AGENDA APPROVAL

- A. Additions, Deletions Substitutions
- B. Request to Pull Items from Consent and/or request to reorganize Agenda
- C. Adoption of the Agenda – **Motion** to adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. POSTPONEMENTS - REMANDS
- B. WITHDRAWALS

- END OF POSTPONEMENTS/WITHDRAWALS AGENDA –

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT
- B. DISCLOSURES FOR THE CONSENT ITEMS
- C. ZONING APPLICATIONS

- 1. [ABN/DOA-2026-00566 Palm Beach Park of Commerce - Averitt Express Inc. \(1981-00190\)](#)

DISCLOSURES

Zoning Application of Averitt Express, Inc. by Urban Design Studio

Location: Northwest corner of Beeline Highway and Park of Commerce Boulevard

Project Manager: Shannan Webb, Site Planner 2

BCC District: 1

Zoning Commission: Recommended approval by a vote of 7-0-0

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C2

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Retail Gas and Fuel Sales with a Convenience Store on 1.99 acres

MOTION: To adopt a resolution approving item 1.a.

- b. **Title:** a Development Order Amendment **Request:** to modify the overall Master Plan to designate 1.99 acres of the General Commercial Pod to a Light Industrial Pod and to modify Conditions of Approval on 1,322.19 acres

MOTION: To adopt a resolution approving item 1.b.

- D. OTHER COUNTY DEPARTMENT ITEMS

- 2. [AB74599 Southampton PUD UE Abandonment](#)

Land Development Application of KL Reflection Bay, LLC

Location: north of Okeechobee Blvd and west of Haverhill Rd

Project Manager: Scott B. Cantor, Director, Land Development Division

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

- a. **Title:** Utility Easement Abandonment **Request:** to abandon any public interest in all of the 10-foot wide utility easement dedicated by Reflection Bay, Parcel 1 a TND, and Parcel 2 a PUD, as recorded in Plat Book 124, Pages 1 through 3, now lying in Tract Z on the plat of Southampton PUD, as recorded in Plat Book 140, Pages 180 through 192 (Abandonment Site), Public Records of Palm Beach County

MOTION: To adopt a resolution approving item 2.a

- END OF CONSENT AGENDA –

REGULAR AGENDA

A. ZONING APPLICATIONS

3. [DOA-2025-00313 Pipers Glen PUD \(1980-00212\)](#)

DISCLOSURES

Zoning Application of Palm Cove Builders, LLC by Schmidt Nichols & Dunay, Miskel, and Backman, LLP

Location: Generally north and south side of Pipers Glen Boulevard, extending from Military Trail to Hagen Ranch Road

Project Manager: Nancy Frontany Bou, Senior Site Planner 1

BCC District: 5

Zoning Commission: Recommended approval by a vote of 7-0-0

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

- a. **Title:** a Development Order Amendment **Request:** to modify the overall Planned Unit Development to delete land area (2.39 acres) from the overall 645.19-acre development and to modify Conditions of Approval for a remaining total of 642.80 acres

MOTION: To adopt a resolution approving item 3.a.

4. [Z-2025-00315 Palm Cove Subdivision \(2025-00018\)](#)

DISCLOSURES

Zoning Application of Palm Cove Builders, LLC by Schmidt Nichols and Dunay, Miskel, and Backman, LLP

Location: Southwest corner of Military Trail and Pipers Glen Boulevard

Project Manager: Nancy Frontany Bou, Senior Site Planner 1

BCC District: 5

Zoning Commission: Recommended approval by a vote of 7-0-0

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

- a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Transition (RT) Zoning District with a Special Exception for a Planned Unit Development (PUD) to the Single Family Residential (RS) Zoning District with a Conditional Overlay Zone (COZ) on 2.39 acres

MOTION: To adopt a resolution approving item 4.a.

B. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5. [CA-2025-00956 Calvary Chapel Christian School \(2009-01722\)](#)

DISCLOSURES

Zoning Application of Calvary Chapel of Jupiter, Inc - Terry Eve by Cotleur & Hearing Inc.

Location: Southeast corner of Indiantown Road and Rocky Pines Road

Project Manager: Matthew Boyd, Senior Site Planner 1

BCC District: 1

Zoning Commission: Recommended denial by a vote of 7-0-0

Staff Recommendation: Staff recommends denial of the Class A Conditional Use request.

- a. **Title:** a Class A Conditional Use **Request:** to allow an Elementary or Secondary School on 18.588 acres

MOTION: To adopt a resolution denying item 5.a.

C. ULDC REVISIONS

6. [Fitness Centers in Commerce FLU – Privately Proposed Revision Phase 2 First Reading](#)

Zoning Application of BC Boynton Industrial LLC - Jon Channing, by JMorton Planning & Landscape Architecture, Inc.

Summary: The item before the Board is a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) to remove the square footage restriction for a Fitness Center occupying the industrial space of a development with Commerce (CMR) Future Land Use designation.

Project Manager: Jerome Ottey, Principal Site Planner

Zoning Commission Phase 1 Initiation Recommendation: At the February 5, 2026 Hearing, the Zoning Commission recommended approval of Phase 1 and Initiation of Phase 2 by a vote of 7-0.

Board of County Commissioners Phase 1 Initiation: This item was scheduled for February 26, 2026 Hearing, however, the Applicant requested a postponement to the March 26, BCC Hearing to allow for further discussion on the proposed changes. The postponement request was approved by the BCC by a vote of 7-0.

At the March 26, 2026 Hearing, the BCC approved Phase 1 and Initiation of Phase 2 by a vote of 7-0. Board discussion included direction for staff to analyze allowing Fitness Center to occupy 100 percent of the square footage of an industrial building in CMR FLU. Commissioners also expressed concern with pedestrian safety for the public accessing these industrial sites with industrial activities such as circulation of commercial vehicles and the proposed location of Fitness Center uses within the site.

Board of County Commissioners Phase 2 Request for Permission to Advertise: At the June 17, 2026 Hearing, the Board approved Request for Permission to Advertise for first reading at the July 15, 2026 Zoning Hearing by a vote of 7-0. Board discussion was centered around the limitations for the specific Fitness Center activities. Members of the public all spoke in support of the item.

Zoning Commission: At the July 2, 2026 Hearing, the Zoning Commission recommended approval and that the proposed ULDC revision is found to be consistent with the Comprehensive Plan by a vote of 7-0.

Staff Recommendation: Staff recommends approval of first reading and permission to advertise for second reading and adoption at the Zoning BCC Hearing on August 27, 2026 at 9:30 a.m.

MOTION: To approve staff recommendation for item 6.

7. **Self-Service Storage Facilities - Request for Permission to Advertise**

Summary: The item before the Board are proposed revisions to Self-Service Storage Facility (SSSF) Use Regulations in the Palm Beach County Unified Land Development Code ("ULDC" or "the Code"). Specifically, the revisions addressed in this report correct that SSSFs are allowed in zoning districts with a Commercial Low Office (CL-O) or Commercial High Office (CH-O) Future Land Use (FLU) designation.

Project Manager: Alexander Biray, Senior Site Planner I

Staff Recommendation: Staff recommends:

- a. That the BCC, by a majority plus one vote, elect to conduct both required advertised hearings for this item at 9:30 am, instead of holding one of the required advertised hearings after 5:00 pm. Florida Statutes Section 125.66 requires two advertised public hearings for this item, at least one of which is required to be held after 5:00 p.m. unless the BCC, by majority plus one vote, elects to conduct that hearing at another time of day.
- b. To receive and file the Business Impact Estimate.
- c. Approval of permission to advertise for first reading at the BCC Zoning Hearing on August 27, 2026 at 9:30 a.m.

MOTION: To approve Staff recommendation for item 7.a, 7.b, and 7.c.

D. **OTHER DEPARTMENT ITEMS**

8. **Agenda Item: Lake Worth Road Annexation ILA**

Title: Village of Wellington Interlocal Agreement (ILA) providing consent for the annexation of a right-of-way segment of Lake Worth Rd adjacent to Panther Run Elementary School; 0.6 mile west of State Road 7.

Summary: The Village of Wellington requested the voluntary annexation of the right-of-way segment of Lake Worth Road adjacent to Panther Run Elementary School and abutting the Village's boundary, totaling 5.50 acres. The annexation provides the Village the ability to enforce codes, regulations and traffic safety. The proposed annexation meets the requirements of Chapter 171, Florida Statutes (F.S.), as the area is contiguous, compact, does not create an enclave, and is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan.

Staff Recommendation: Approval of the ILA

MOTION: To approve the ILA providing consent for the annexation of the right-of-way segment.

E. PLANNING DIVISION WORKSHOP

9. [Agenda Item: Mixed Use Development Options and Commercial Cap Policies within Agricultural Reserve \(AGR\) Tier](#)

Title: Follow-up Discussion regarding Mixed Use Development Options and Commercial Cap Policies within Agricultural Reserve (AGR) Tier

Summary: The item before the Board is a follow-up to Board direction from the March 26, 2026 BCC Zoning Hearing to bring back further information regarding the amount of approved, built and vacant Commercial uses, a tour and to gather public input via two public meetings and an online survey regarding the four criteria affecting new commercial uses in the Agricultural Reserve (AGR) Tier. A tour conducted by Commissioner Sachs was also held on June 3rd that visited several sites. The purpose of the two public meetings within the Agricultural Reserve Tier was to gather input from the community regarding current Comprehensive Plan policies guiding development in the AGR and if they still meet the needs of the residents and the agricultural industry. The meetings were held at the Canyon Town Center Public Library on June 3rd and June 12th 2026. The topics discussed included the factors affecting non-residential uses including the commercial cap, location criteria, uses permitted within preserves and traffic.

Recommendation: Staff will be seeking Board direction on the policies affecting these factors.

MOTION: To provide Staff Board direction.

F. OTHER WORKSHOP

10. [Update on Countywide Improvements by Florida's Turnpike Enterprise \(FTE\) a unit of the Florida Department of Transportation \(FDOT\).](#)

Summary: On April 23, 2026, the Board of County Commissioners (BCC) directed staff to coordinate a Workshop presentation to provide details on the FTE's current and upcoming projects within Palm Beach County, including project costs and locations of noise abatement and/or other types of walls along Florida's Turnpike.

Recommendation: Staff will be seeking Board direction.

MOTION: No motion required

11. [Law Enforcement Municipal Service Taxing Unit \(MSTU\)](#)

Summary: Approval on preliminary reading and permission to advertise an Ordinance for the creation of a Law Enforcement Municipal Service Taxing Unit (MSTU).

Recommendation: Staff will be seeking Board direction.

MOTION: To approve preliminary reading and permission to advertise for public hearing on August 18, 2026 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA PROVIDING FOR THE CREATION OF A LAW ENFORCEMENT MUNICIPAL SERVICE TAXING UNIT (MSTU).

12. [CR 880](#)

Summary: Based on construction schedules as shown in the Agreement, adoption of the Resolution and approval of the County Deed and Agreement will transfer CR880 to the FDOT. Specifically, Palm Beach County (County) will transfer ownership and jurisdiction of CR880 from State Road 880/Dr. Martin Luther King Jr. Boulevard E to U.S. 441/U.S. 98/State Road 80/Southern Boulevard by County Deed with approval of this item. Maintenance of the roadway will be transferred from the County to FDOT as follows:

- CR880 from State Road 880/Dr. Martin Luther King Jr. Boulevard E to 2,200 linear feet west of Sam Senter Road, once FDOT issues its contractor the Notice to Proceed on FDOT Project FM 458094.1 for road reconstruction within those same limits; and
- CR880 from 2,200 linear feet west of Sam Senter Road to 1,350 linear feet south of Connors Highway/CR700, once the County and FDOT agree in writing that the construction of the Sam Senter Road bridge over the South Florida Water Management District (SFWMD) Ocean Canal has been completed; and
- CR880 from 1,350 linear feet south of Connors Highway/CR700 to U.S. 441/U.S. 98/State Road 80/Southern Boulevard, once the County and FDOT agree in writing that construction of the CR880 bridge over the SFWMD Canal C-51 has been completed.

The Agreement also requires FDOT and the County to enter into a future Local Funding Agreement to memorialize maintenance costs and balance transfers. Delegating authority will allow the County Administrator or designee to sign future items, including this Local Funding Agreement, provided that the future items remain consistent with the Agreement.

Section 335.0415, Florida Statutes, authorizes the transfer of public roads between jurisdictions only by mutual agreement of the affected governmental entities. The Agreement will be executed first by the County and then by FDOT. **In accordance with County Ordinance 2019-038, a super majority (5 votes) is required by the Board of County Commissioners (BCC) for all transfers of real property that requires BCC approval.** District 6 (YBH)

Background and Justification: The Engineering and Public Works Department recommends adoption and approval by the BCC

Project Manager: David Ricks, P.E., County Engineer

Staff recommends motion to:

- adopt** a Resolution approving a County Deed for County Road 880 (CR880) from Dr. Martin Luther King Junior Boulevard E / Avenue E to 1,350 linear feet south of C.R. 700 / Connors Highway, and an Agreement with the Florida Department of Transportation (FDOT) to transfer jurisdiction, ownership, and maintenance, in phases, of CR880 from Dr. Martin Luther King Junior Boulevard E / Avenue E to U.S. 441 / U.S. 98 / S.R. 80 / Southern Boulevard, to FDOT (Agreement); To receive and file the Business Impact Estimate.
- approve** the Agreement with the FDOT for the transfer of jurisdiction, ownership, and maintenance, in phases, of CR880 to FDOT;
- approve** the County Deed for CR880 between Dr. Martin Luther King Junior Boulevard E / Avenue E to 1,350 linear feet south of C.R. 700 / Connors Highway; and
- adopt** a Resolution delegating authority to the County Administrator or designee to sign additional forms, certifications, contracts/agreements, amendments and any other necessary documents related to the Agreement, which documents do not substantially change the scope of work, terms, or conditions of the Agreement.

COMMENTS

- A. DEPUTY CHIEF COUNTY ADMINISTRATOR**
- B. PZB EXECUTIVE DIRECTOR**
- C. COUNTY ATTORNEY**
- D. ZONING DIRECTOR**
- E. PLANNING DIRECTOR**
- F. COMMISSIONERS**

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.