



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
JUNE 22, 2023**

CONSENT

2. **ZV/DOA/W-2022-01515, Debris Dog** (Control 2008-00259)

ADD – To amend the Development Order Amendment to add Conditions of Approval in Exhibit C-1 as shown below with the added text underlined.

USE LIMITATION

2. The use and operation of site shall be limited to Yard Trash, Vegetative Land Clearing Debris, and Clean Wood Recycling and Composting Facility pursuant to SWA permit DD 0081 YT21. (ONGOING: ZONING – Zoning)

3. Bio-solids, food waste, equestrian waste, animal waste, or construction debris on the site is prohibited. (ONGOING: ZONING – Zoning)

REGULAR

4. **Z/CA-2021-02123, Towns at Tidewater** (Control 2014-00014)

AMEND - To amend the Class A Request for Townhomes to modify Conditions of Approval in Exhibit C-2 as shown below with the added text underlined and deleted text struck out.

USE LIMITATIONS – AGRICULTURE SURROUNDING

1. The Property Owner shall include in all homeowner documents, as well as written sales brochures, sales contracts, and related site plans, a disclosure statement identifying and notifying of the existence of active agricultural uses in the vicinity of the development. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on ~~May 25, 2024~~ June 22, 2024 and shall continue annually until all units within the development have been have been sold or the petitioner relinquishes control to the Property Owners Association. (DATE/ONGOING: MONITORING – Zoning)

AMEND - To Amend the Class A Request for Combined Density Increase to modify Conditions of Approval in Exhibit C-3 as shown below with the added text underlined and deleted text struck out.

PLANNING

7. The Developer shall notify the Planning Division and the Department of Housing and Economic ~~Sustainability~~ Development (DHEDS) at the commencement of leasing or sales. (ONGOING: PLANNING - Planning)

8. **Title: Employee Housing, ULDC Second Reading and Adoption**

AMEND – To Amend Exhibit 1, Part 4, Page E-4, Line 40 and Page E-5, Line 26 as shown below with added text underlined and deleted text stuck out.

39 1) The land dedicated to Employee Housing may be approved for a maximum 20 employees per
40 acre subject to the Class A Conditional Use approval process.

....
26 1) Demonstration for the need of the requested ~~the~~ number of employees and housing units
27 considering the operation of the specific Recreational Use.

9. **Title: Unity of Title and Potential Buildable Lot, ULDC Permission to Advertise**

AMEND – To delete Exhibit 2 and revise the Agenda Number for the Motion as shown below with the added text underlined and deleted text struck out.

MOTION: To approve Staff recommendation for item ~~8~~ 9.



BOARD OF COUNTY COMMISIONERS

ZONING MEETING

Thursday, June 22, 2023

9:30 A.M.

**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. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication - Motion to receive and file
- E. Swearing In
- F. Amendments to the Agenda - Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT

REGULAR

OTHER DEPARTMENT ITEMS

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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



ZONING HEARING AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
JUNE 22, 2023

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
- F. Amendments to the Agenda - **Motion** to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS - REMANDS

B. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. ZONING APPLICATIONS

1. [Z-2022-00370 Ribar Property Rezoning](#) (Control 2022-00018)
Zoning Application of James Ribar by H&L Planning & Development Consultants LLC, Agent.
Location: Southeast corner of Square Lake Drive and South Virginia Avenue.
Project Manager: Alex Biray
BCC District: 1
Staff Recommendation: Staff recommends approval of the request, subject to the Condition of Approval as indicated in Exhibit C.
 - a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District on 1.41 acres
Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.
MOTION: To adopt a resolution approving item 1.a

2. [ZV/DOA/W-2022-01515 Debris Dog](#) (Control 2008-00259)
Zoning Application of Dack Beeline LLC by WGINC, Agent.
Location: North side of Bee Line Highway, approximately 1.14 miles south of Indiantown Road
Project Manager: Vincent Stark
BCC District: 1
Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.
 - a. **Title:** a Development Order Amendment **Request:** to reconfigure the site plan, to expand the use; and modify Conditions of Approval on 10.00 acres
Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 6-1-0.
MOTION: To adopt a resolution approving item 2.a
 - b. **Title:** a Type 2 Waiver **Request:** to allow an alternative Type 3 Incompatibility Buffer to substitute a six foot wall with a six foot hedge and fence along the south; and a six foot hedge east, north and west property lines on 10.00 acres
Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.
MOTION: To adopt a resolution approving item 2.b.

D. OTHER COUNTY DEPARTMENT ITEMS

3. [AB63545 FPL Ryder Drainage Easement Abandonment](#)

Zoning Application of FPL

Location: North side of PGA Blvd., east of the C-18 Canal, and west of Ryder Cup Blvd.

Project Manager: Scott Cantor

BCC District: 1

Staff Recommendation: Staff recommends approval of the request.

a. Title: Drainage Easement Abandonment **Request:** to abandoning any public interest in a portion of Tract B, Ryder Substation Florida Power and Light Company, being the drainage easement as shown on said plat, as recorded in Plat Book 95, Pages 63-64, and as dedicated to Palm Beach County In the document recorded in Official Record Book 3417, Pages 1489-1493, Public Records of Palm Beach County.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving item 3.a

4. [Palm Beach County Water Utilities Cyber Security Grant](#)

Summary: The FDS has \$30 million available for fiscal year 2022-2023 cybersecurity technical assistance and capabilities to Florida’s local governments to improve their cybersecurity posture and resiliency. The awarded capabilities of Palm Beach County Water Utilities Department (PBCWUD) include Endpoint-Based Asset Discovery (Agent); Network-Based Asset Discovery (Agentless); Content Delivery Network; Endpoint Detection & Response (EDR); Security Operations Platform; Email Security Solution. FDS will expend funds for the provision of services, licenses, or commodities awarded to the PBCWUD to be utilized for cybersecurity technical assistance purposes. PBCWUD is being granted assistance in the form of services, licenses, or commodities to enhance its cybersecurity framework, to identify and mitigate risks, and to protect its infrastructure from threats. The awarded capability assistance will equate to \$742,000 in savings for PBCWUD. The emergency signature process under County Administrative Code 309.00 was utilized due to an extremely short turn-around time between receipt of the Grant Agreement and the deadline for County execution. No local match is required for this grant. Countywide (MWJ)

Staff Recommendation: Staff recommends approval of the following.

a. Title: Ratify the Mayor’s signature on a Grant Agreement For Local Cyber Security Grant Program with State of Florida Department of Management Services (FDMS) through Florida Digital Service (FDS) for assistance in the amount of \$742,000.

MOTION: To approve item 4.a

b. Title: Authorize the County Administrator, or designee, to execute standard grant agreements, amendments, and all other documents necessary for the implementation of the grant award that do not substantially change the scope of work, terms or conditions of the agreement.

MOTION: To approve item 4.b.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5. [Z/CA-2021-02123 Towns at Tidewater](#) (Control 2014-00014)

Zoning Application of Medjool Nurseries LLC by JMorton Planning & Landscape Architecture, Agent.

Location: South side of Hypoluxo Road, approximately 0.83 miles east of Jog Road.

Project Manager: Donna Adelsperger

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests with a Conditional Overlay Zone (COZ) and subject to the Conditions of Approval as indicated in Exhibits C-1 through C-3.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) District on 9.24 acres, including a COZ recommended by Staff

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-1.

MOTION: To adopt a resolution approving item 6.a

b. **Title:** a Class A Conditional Use **Request:** to allow Townhouse dwelling units on 9.24

Zoning Commission Recommendation: Recommended Denial of a Class A Conditional Use by a vote of 7-0-1.

MOTION: To adopt a resolution approving item 6.b

c. **Title:** a Class A Conditional Use **Request:** to allow a combined density greater than two units per acre through the Workforce Housing and Transfer of Development Rights programs on 9.24 acres

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-2-1.

MOTION: To adopt a resolution approving of item 6.c

C. COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ZONING APPLICATIONS

6. [SCA-2022-00011, Lake Worth Crossing](#), Small Scale Future Land Use Amendment

Title/Request: To revise previously adopted conditions of approval adopted in Ord. 2009-028 for a site with a Commercial High, underlying 2 units per acre (CH/2) future land use designation on 9.15 acres

Future Land Use Amendment Application of KS Lake Worth LLC - Nita Yeung by JMorton Planning & Landscape Architecture, Agent.

Location: Southwest corner of Lake Worth Road and Hooks Road

Project Manager: Jerry Lodge

BCC District: 6

Staff Recommendation: Approval with conditions to revise previously adopted conditions of approval in Ordinance 2009-028.

Planning Commission (PLC) Recommendation: The PLC recommended approval with conditions (as proposed by staff) in a 10 to 0 vote at the April 14, 2023 public hearing.

MOTION: To adopt an ordinance for the Lake Worth Crossing amendment.

7. [PDD/CA/W-2021-01526 Lake Worth Crossing MUPD](#) (Control 2008-00296)

Zoning Application of KS Lake Worth, LLC by JMorton Planning & Landscape Architecture, Agent.

Location: Southwest corner of Lake Worth Road and Hooks Road

Project Manager: Donna Adelsperger

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval in Exhibits C-1 through C-3.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 9.34-acres

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-1-0.

MOTION: To adopt a resolution approving item 5.a

b. **Title:** a Class A Conditional Use **Request:** to allow a Hospital on 9.34-acres

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 6-1-0.

MOTION: To adopt a resolution approving item 5.b

c. **Title:** a Class A Conditional Use **Request:** to allow extended hours of operation for business within 250 feet of a parcel of land with a Residential Future Land Use on 9.34-acres

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 6-1-0.

MOTION: To adopt a resolution approving item 5.c

8. **ULDC REVISIONS**

8. **Title:** [Employee Housing, ULDC Second Reading and Adoption](#)

Summary: The item before the Board is second reading and adoption of an ordinance to modify the Unified Land Development Code (ULDC) to establish a new type of accessory living quarters for Employee Housing, including related changes. The proposed changes are outlined below:

- Establish "Employee Housing" as an accessory living quarters use to Recreation uses, consisting of Golf Courses and/or Clubhouses, subject to Class A Conditional Use approval subject to specific Standards for location, number of employees, and building type, and prohibiting a change to another residential use.
- Modify Accessory Quarter to remove language requiring the kitchen removal agreement and adding language to allow property owners to reside in an accessory living quarter.
- Clarify accessory living quarters for internal consistency.

Staff Recommendation: Staff recommends approval of second reading and adoption of an ordinance to revise the ULDC for item 7.

LDRAB Recommendation: The LDRAB met on May 10, 2023 and recommended approval by a vote of 11-1.

LDRC Determination: The LDRC met on May 10, 2023 and determined the amendment is consistent with the Comprehensive Plan by a vote of 12-0.

MOTION: To adopt an ordinance approving item 7.

9. **Title:** [Unity of Title and Potential Buildable Lot, ULDC Permission to Advertise](#)

Summary: The item before the Board is a request for permission to advertise for revisions to the Unified Land Development Code (ULDC). Specifically, the revisions in this report address the following:

- Return to the ULDC the option for a property owner with two adjacent residential lots to record a Unity of Title in order to place an accessory structure on the lot without the principal residence; and
- Return to the ULDC and expand language on legal lots of record to address previously subdivided residential parcels.

Staff Recommendation: Staff recommends approval of permission to advertise for first reading and adoption of an ordinance at the Zoning BCC hearing on July 19, 2023 beginning at 9:30 a.m.

LDRAB Recommendation and LDRC Determination: This item will be presented to the LDRAB/LDRC on June 21, 2023. The recommendation and determination will be presented in the add/delete at the BCC hearing.

MOTION: To approve Staff recommendation for item 8.

END OF REGULAR AGENDA

COMMENTS

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR
- C. PLANNING DIRECTOR
- D. EXECUTIVE DIRECTOR
- E. ASSISTANT COUNTY ADMINISTRATOR
- F. COMMISSIONERS

ADJOURNMENT

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