



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
SEPTEMBER 24, 2020**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION# (CONTROL#)</u>	<u>APPLICATION NAME</u>
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POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONMENTS

1. (Agenda Pg. 1) CA-2019-01969 (1994-00010) Horizon 880-HPAB

Staff Recommendation: Staff recommends to postpone to Monday, November 23, 2020

MOTION: To postpone to Monday, November 23, 2020.

REGULAR AGENDA

M. OTHER ITEMS

ADD NEW AGENDA ITEM #8 and Reorder Accordingly, as follows:

8. Palm Beach County Department of Airports

MOTION AND TITLE: Staff recommends motion to:

- (A) Approve Fifth Amendment (Amendment) to Airport Ground Transportation Agreement (Current Agreement) (R-2015-0776, as amended) with WHC WPB, LLC (WHC), a Florida limited liability company, providing for extension of the Current Agreement for three additional months through December 31, 2020 with the right to terminate by County without cause, and for reimbursement by the County for in-terminal dispatching services provided by Medi-Wheels of the Palm Beaches, Inc. (Medi-Wheels), in an amount not to exceed \$45,000, and finding the extension is beneficial to the interest, health, safety or welfare of the County.
- (B) Approve conditional award of Airport On-Demand Ground Transportation Services Agreement (Agreement) to WHC for on-demand ground transportation services at the Palm Beach International Airport (PBI), commencing upon the execution of the Agreement and expiring September 30, 2021, which may be renewed on a monthly basis at the County's sole option for up to 24 months; providing for payment of \$2.50 per trip by WHC; and payment by County to WHC for staffing services in the amount of \$171,400.32 for the initial term, subject to entry of a subcontract between WHC and A1A Transportation Group, Inc., d/b/a A1A Airport Limousine Service (A1A) upon terms and conditions mutually acceptable to the parties for the provision of on-demand ground transportation services by A1A and its partner Metro Taxi of the Palm Beaches (Metro Taxi) based on increases in on-demand ground transportation trips (Conditional Award).
- (C) Authorize the County Administrator or designee to: (i) execute the Agreement on behalf of the Board upon satisfaction of the Conditional Award; or (ii) cancel RFP PB 20-7 (RFP) and commence a new solicitation process for the provision of a ground transportation

manager and on-airport ground transportation services to be provided by up to three operators based on increases in on-demand ground transportation trips at PBI in the event the Conditional Award requirement is not satisfied on or before 9:00 a.m. local time on October 13, 2020.



ZONING & URBAN PLANNING
MARKET RESEARCH & ANALYSIS
ENVIRONMENTAL ASSESSMENTS

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September 21, 2020

Mr. Jon MacGillis, Director
Palm Beach County Zoning Division
Palm Beach County Planning, Zoning & Building Department
2300 North Jog Road
West Palm Beach, FL 33411

Re: Horizon 880-HPAB CA-2019-01969

Dear Jon:

As agent for the above referenced zoning application, I respectfully request a postponement to the November 23, 2020 Board of County Commissioners hearing in order to afford us the opportunity to expand our community outreach to concerned residents in the general vicinity of the proposed recycling facility. This request complements our similar request for the postponement of Zoning Commission hearing to November 5th.

Respectfully,

Kevin McGinley
President

c.c. Ryan Vandenburg, Sr. Site Planner, Palm Beach County (PBC) Zoning Division
Bill Cross, Principal Planner, PBC Zoning Division
Paul Cross, HiPoint Agro Bedding Corp.
Chip Coulter, HiPoint Agro Bedding Corp.



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY SEPTEMBER 24, 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**

SEPTEMBER 24, 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

- 1. [CA-2019-01969](#) Title: a Class A Conditional Use application of Solid Waste Authority of Palm Beach County - Waste Solid, 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: 1 - 1
 Project Manager: Ryan Vandenburg
 Size: 5.25 acres ± BCC District: 2
Staff Recommendation: Staff recommends to postpone to October 22, 2020.
Zoning Commission Recommendation: Postponed to October 1, 2020 by a vote of 7-0-0.
MOTION: To postpone to October 22, 2020.

- 2. [SV/ZV/PDD/CA-2019-01090](#) Title: an Official Zoning Map Amendment application of James Baroni, Rinker Companies, LLC, Mary Baroni, Arelis Coronel, Tairon Coronel, James Gelsomino, Colleen Gelsomino by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
Title: a Class A Conditional Use of James Baroni, Rinker Companies, LLC, Mary Baroni, Arelis Coronel, Tairon Coronel, James Gelsomino, Colleen Gelsomino by Schmidt Nichols, Agent. Request: to allow a Type 3 Congregate Living Facility.
General Location: Northwest corner of Jog Road and Pioneer Road. (**Lee's Landing PUD**) (Control 2019-00092)
 Pages: 2 - 2
 Project Manager: Ryan Vandenburg
 Size: 9.33 acres ± BCC District: 2
Staff Recommendation: Staff recommends to postpone to October 22, 2020.
Zoning Commission Recommendation: Approved Subdivision Variance by a vote of 5-1-1.
Zoning Commission Recommendation: Approved a Type 2 Variance by a vote of 5-1-1.
Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-1-1.
Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-1-1.
MOTION: To postpone to October 22, 2020.

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

- 3. [DOA/CA-2019-01971](#) Title: a Development Order Amendment application of Lake Worth Commercial Association, Inc., Palms West Professional Plaza, LLC, 7 Eleven Inc by WGINC, Agent. Request: to reconfigure the Site Plan, add square footage, modify uses and Conditions of Approval, and restart the Commencement of Development Clock.

Title: a Class A Conditional Use of Lake Worth Commercial Association, Inc., Palms West Professional Plaza, LLC, 7 Eleven Inc by WGINC, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.

General Location: Northeast corner of Lake Worth Road and Nassau Road. **(Lake Worth & Nassau MUPD)** (Control 2003-00087)

Pages: 3 - 40

Conditions of Approval (9 - 19)

Project Manager: Meredith Leigh

Size: 8.39 acres ±

BCC District: 2

(affected area 4.34 acres ±)

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 Amendment by a vote of 7-0-0.

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 Development Order Amendment to reconfigure the Site Plan, add square footage, modify uses and Conditions of Approval, and restart the Commencement of Development Clock, 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 Type 1 Restaurant with a Drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

- 4. [ABN-2020-00110](#) Title: a Development Order Abandonment application of Kabbalah Centre Of Florida Inc. by Kimley-Horn and Associates Inc, Agent. Request: to abandon a Class A Conditional Use to allow a Church or Place of Worship with dormitory and Rabbi's residence, as amended by Resolution R-2002-1951 and Resolution R-2007-1621.

General Location: North side of Palmetto Park Road, approximately 0.35 miles west of Boca Rio Road and Florida's Turnpike, and 0.6 miles east of Lyons Road. **(Kabbalah Learning Center, Inc.)** (Control 1997-00094)

Pages: 41 - 43

Project Manager: Brenya Martinez

Size: 2.55 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon a Class A Conditional Use to allow a Church or Place of Worship with dormitory and Rabbi's residence, as amended by Resolution R-2002-1951 and Resolution R-2007-1621.

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

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

- 5. [ZV/CA-2018-01804](#) Title: a Class A Conditional Use application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow a Type 2 Congregate Living Facility. General Location: North side of Donald Ross Road, approximately 350 feet east of 69th Drive North. **(Hedge House)** (Control 2018-00013)

Pages: 44 - 68

Conditions of Approval (54 - 55)

Project Manager: Ryan Vandenburg

Size: 1.09 acres ±

BCC District: 1

DISCLOSURE

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

Zoning Commission Recommendation: Adopted a Resolution denying Type 2 Variance by a vote of 6-0-1.

Zoning Commission Recommendation: Adopted a Resolution denying a Type 2 Variance by a vote of 0-6-1.

Zoning Commission Recommendation: Recommended denial of a Class A Conditional Use.

MOTION: To adopt a Resolution approving a Class A Conditional Use to allow a Type 2 Congregate Living Facility, subject to the Conditions of Approval as indicated in Exhibit C.

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. ULDC AMENDMENTS

- 6. [Title: FINAL ADOPTION - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT 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: 69 - 73

Project Manager: Patricia Behn

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 August 26, 2020, the LDRAB recommended approval of the proposed ULDC amendment with a vote of 16-0.

Land Development Regulation Commission (LDRC) Determination: On August 26, 2020, the LDRC found the proposed ULDC amendment consistent with the Comprehensive Plan with a vote of 16-0.

BCC Public Hearing: On August 27, 2020, the BCC approved the Request for Permission to Advertise on September 24, 2020, with a vote of 5-0.

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 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.

7. [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: 74 - 76

Project Manager: Wendy Hernandez

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

MOTION: To initiate ULDC Amendment Round 2020-02 for the list of priority items provided by Staff.

M. OTHER ITEMS

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

8. [Title: Requesting Board Direction on Workforce Housing Program Percentage for Townhomes](#)

Staff requests Board direction on selecting the percentage of workforce housing to be recommended for townhomes, for applications seeking an increase in density through the Future Land Use Amendment process. Staff is recommending that 20% be applied in the staff recommendation for projects employing the Townhome unit type. As with the single family (10%) and the multi-family (25%) figures, this would be a staff recommendation for Board consideration on a case-by case basis.

Pages: 77 - 78

Project Manager: Maria Bello

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT