



**BOARD OF COUNTY COMMISSIONERS  
AMENDMENTS TO THE AGENDA  
JULY 17, 2024**

**CONSENT AGENDA**

**B. Zoning Applications**

**2. DOA-2023-01761 Adolph & Rose Levis JCC (1984-00139)**

**AMEND – To amend the Agenda Staff Recommendation** as shown with the added text underlined:

Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

**AMEND – To amend the Development Order Amendment** for the overall MUPD Exhibit C-1 to correct the acres to 115.62 acres rather than 115.77 acres.

**AMEND – To amend the Development Order Amendment** for the Conditional Uses Conditions of Approval in Exhibit C-2 as shown with the deleted text struck out and added text underlined:

**USE LIMITATIONS**

... [omitted for brevity]

**Is hereby amended to read:**

Pod B shall include:

- a) Type 3 Congregate Living Facility; ~~Type 3~~ - 740 beds (Building A1-A3, and C)
- b) 23,000 square feet for ~~Assembly~~, Nonprofit Institutional Assembly, or an Adult Daycare Facility with 90 adults and 20 employees (Building F)
- ~~b c~~ d Nursing or Convalescent Facility 60 beds (Building A2)
- ~~e d~~ Assembly, Nonprofit Institutional Assembly 25,000 ~~48,000~~ square feet (Building E) (ONGOING: ~~CODE-ENF ZONING~~- Zoning)

**3. DOA-2023-00520 Windsor Place MXPDP (2003-00079)**

**AMEND – To amend the Development Order Amendment for the overall MXPDP** in Exhibit C-1 as shown below with the added text underlined:

**ENGINEERING**

13. The Property Owner shall close the existing full median opening on Hypoluxo Road, about 465 feet west of the proposed entrance for Area A, remove both eastbound and westbound U-turn lanes, and reconstruct the median, all as approved by the County Engineer.

This construction shall be concurrent with the paving and drainage improvements for Area A. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

- a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit Area A. (BLDGPMPT: MONITORING - Engineering)
- b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy for Area A. (BLDGPMPT/CO: MONITORING - Engineering)

**4. Amendments to Declarations of Restrictive Covenant for Workforce Housing Program Rental Units, Planning Division**

**AMEND – To amend the Memorandum** with the deleted text struck out and added text underlined:

The item before the Board is the amendment of Restrictive Covenants for the Workforce Housing Program (WHP) for 19 20 projects with WHP rentals, to implement Board of County Commissioners (BCC) October 2023 direction.

**ADD – To add** a 20<sup>th</sup> Exhibit to item 4 (attached), and reflect in back-up as shown below.

Amendments to Declarations of Restrictive Covenants for Workforce Housing Program Rental Units to Implement October 2023 BCC-Directed Code Changes		
Apartment Name	Requirement Amended	
	Annual Report	Utility Allowance*
	...omitted for brevity...	
<u>Altis Blue Lake</u>	✓	✓

**REGULAR AGENDA**

**B. ULDC REVISIONS**

**6. PPR-2024-0290 Beachfront Properties Waiver – First Reading and Adoption**

**AMEND – To amend the Agenda ZC and LDRC Recommendations** with the deleted text struck out and added text underlined:

**ZC Recommendation:** On July 2, 2024, the ZC recommended approval in a 5-1 4-2-0 vote.

**LDRC Recommendation:** On July 2, 2024, the ZC serving as the Land Development Regulation Commission pursuant to 163.3194, F.S., recommended a finding of consistency with the Comprehensive Plan by a 5-1 4-2-0 vote.

**AMEND – To modify the proposed ULDC amendment in Exhibit 1 as shown with** deleted text struck out and added text double underlined in red:

**E. Building Height**

The maximum height for buildings and structures in all districts shall be 35 feet, unless otherwise stated. [Ord. 2005-002]

**1. Airport Zones**

Structures in Airport Zones are subject to the height restrictions in Art. 16.B, Airport Protection Zoning Regulations Governing Airport Hazards. [Ord. 2017-025]

**2. Multifamily, Non-Residential Districts, and PDDs**

In the RH, RM, CLO, CHO, CG, IL, IG, and PDD districts, buildings may exceed 35 feet in height as follows:

- a) Buildings over 35 feet in height shall be set back in accordance with Table 3.D.1.A, Property Development Regulations, with one additional foot of setback to be provided in addition to the required setback for each one foot in height, or fraction thereof, over 35 feet. **RH/RM Zoned Beachfront Properties may request a Type 2 Waiver from this additional setback to provide one additional foot of setback for each seven and one-half feet of height over 35 feet for the portion of the building over 35 feet in height.**
- b) In the PO district, buildings over 35 feet in height shall provide one foot of setback, in addition to required perimeter landscape buffers, for each additional one foot in height or fraction thereof over 35 feet. This regulation shall have no effect on any existing structure within the PO district that is conforming as of the effective date of this Code. [Ord. 2005-002] [Ord. 2007-013]

**C. COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ULDC AND ZONING APPLICATIONS**

**8. ABN/PDD/CA 2023-00832 Spring Haven (1973-00033)**

**AMEND – To replace Exhibit B -Standards Analysis & Findings (Page 41) of the Staff Report with the attached replacement page.**

**DELETE – To amend the Official Zoning Map Amendment Conditions of Approval Exhibit C-1 as shown with the deleted text struck out:**

**ENGINEERING**

~~3. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.~~

~~a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING-Engineering)~~

~~b. Any required drainage easements shall be dedicated in conjunction with the plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDG/PMT/PLAT: MONITORING-Engineering)~~

**PLANNING**

8. Prior to the issuance of eighty-five percent of the Residential Building Permits ~~(166 units)~~ (2<sup>nd</sup> BP), all WHP units (49) must receive Certificate of Occupancy (CO). Should both of the residential Building Permits be issued simultaneously, then the initial Certificates of Occupancy (CO) that are released shall be attributable to the WHP obligation. (BLDG/PMT: MONITORING - Planning)

~~9. Should both of the residential Building Permits be issued simultaneously, then the initial Certificates of Occupancy (CO) that are released shall be attributable to the WHP obligation. (ONGOING: PLANNING - Planning)~~ (relocated to Condition 8)

~~9. 10.~~ The Developer shall notify the Planning Division at the commencement of leasing. (ONGOING: PLANNING - Planning)

**D. ZONING APPLICATIONS**

**9. ABN/PDD/CA 2023-00996 Cypress Creek PUD (1977-00052)**

**ADD – To amend the Official Zoning Map Amendment for the Rezoning Conditions of Approval in Exhibit C-1 as shown below with the added text underline:**

**ENGINEERING**

9. At all times during and after construction, the Property Owner shall ensure that the historical flows from the adjacent properties are maintained. (ONGOING: ENGINEERING-Eng)

**HEALTH**

1. Prior to the issuance of the first building permit, the property owner shall submit to the Florida Department of Health a copy of the Soil Management Plan Soil ("SMP") submitted to FDEP, the FDEP SMP Approval Letter, and a signed and sealed certification from the Applicant's Florida licensed Professional Engineer or Professional Geologist that the Applicant is in compliance with the SMP. ~~"No Further Action" letter from the Florida Department of Environmental Protection (FDEP) regarding the mediation of the contamination associated with this property.~~ (BLDG/PMT: MONITORING - Health Department)

## ENVIRONMENTAL

~~2. Prior to the issuance of the site development permit and/or the storm water management system permit, the applicant shall provide documentation to ERM that the area(s) of the proposed excavation(s) and the surrounding 300 feet thereof does not contain any known contaminants. (BLDGPMT/ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)~~

~~13. Prior to the issuance of the excavation permit and/or the storm water management system permit, the applicant shall provide documentation to ERM that the area(s) of the proposed excavation(s) and the surrounding 300 feet thereof does not contain any known contaminants that exceed state clean-up levels, as regulated by FDEP. (BLDGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)~~

**ADD – To amend the Class A Conditional Use** for the Type 2 Excavation Conditions of Approval in Exhibit C-2 as shown below with the underline text below:

## ALL PETITION

2. Prior to final approval by the DRO, the Applicant shall provide updated application requirements for the Type 2 Excavation, as required by Article 4.b.10.C.4.f.3). (DRO:ZONING – Zoning)

## HEALTH

1. The property owner shall adhere to and utilize all of the requirements set forth below during all applicable phases of construction and development in addition to the following enforceable conditions, to which the applicant has agreed. The following conditions and the contact information for the County and/or FDOH personnel responsible for enforcement shall be posted alongside the Building Permit on the construction site at all times

### Steps to minimize dust:

a. Prior to the issuance of the first building permit, the Applicant shall install onsite dust and wind speed monitors around the site perimeter with real-time monitoring to minimize off-site dust migration and other dust emissions from horizontal land development activities at the site consistent with best management practices. (BLDGPERMIT/ONGOING: HEALTH - Health)

b. Dust generation from soil mixing and earthwork activities during horizontal land development will be controlled to limit offsite dust migration by periodic watering consistent with best management practices. Construction personnel will avoid over-spraying/watering to prevent offsite runoff and mud-slick work surfaces. (ONGOING: HEALTH - Health)

c. All dust control measures established by these conditions will be implemented during permitted hours of development in an effort to avoid migration into surrounding areas. (ONGOING: HEALTH - Health)

d. During horizontal land development, dump trucks transporting soil off-site will be covered using a truck-mounted tarpaulin system when entering, exiting the site. (ONGOING: HEALTH - Health)

e. All vehicles will be required to travel at low speeds (<20 mph) on site to minimize and control the generation of dust and offsite dust migration. (ONGOING: HEALTH - Health)

f. During horizontal land development, work activities will be temporarily halted and sources of potential dust migration shall be controlled (to extent reasonably practicable) during sustained high wind gust events (>30 mph) until wind conditions resume to normal conditions. (ONGOING: HEALTH - Health)

g. To minimize soil disturbance and offsite dust migration, vegetation, including groundcover, will only be cleared from areas where work is being performed right away. (ONGOING: HEALTH - Health)

- h. Limerock or other stabilization materials will be placed and maintained by the applicant on access/haul roads onsite during construction and development activity. (DRO/BLDGPERMIT: HEALTH – Health)
- i. Construction entrances/exits will be stabilized to minimize tracking dust offsite and onto public roadways. This may include gravel beds, stabilization pads, or other stabilization measures. (ONGOING: HEALTH - Health)
- j. Trucked and transported materials will be swept from public roadways as required (street sweeping); (ONGOING: HEALTH - Health)
- k. The contractor will adhere and maintain FDEP erosion control Best Management Practices (BMP's) at all times. The contractor will adhere and maintain its Stormwater Pollution Prevention Plan (SWPPP) for the duration of the project to comply with its NPDES permit. (ONGOING: HEALTH - Health)
- l. Prior to commencement of earthwork and construction activities, contact information for onsite personnel that are in charge of construction, dust mitigation, and environmental cleanup activities will be provided to Palm Beach County, FDOHG, and FCO or its designated representative. In the event of personnel changes, updated contact information will be provided to these entities. (BLDG PERMIT/ONGOING: HEALTH DEPARTMENT - Health Department)

## SITE DESIGN

1. Prior to issuance of any land clearing permits for the site, applicant shall install and maintain silt fence around the perimeter of the development site during all stages of site development and construction until such time as vegetation has been established and/or sod has been installed . (BLDGPMT/DRO: BUILDING/ZONING - Zoning)

## USE LIMITATIONS

1. Land development, earthwork and clearing operations shall be prohibited on Saturday, Sunday, and statutory holidays. (ONGOING: CODE ENF – Zoning)
2. Construction traffic shall be prohibited from utilizing Palo Verde Drive to access the subject property during all stages of site development. (ONGOING: CODE ENF - Zoning)
3. Prior to the issuance of the last Certificate of Occupancy (CO), the Applicant shall provide quarterly updates on the status of soil remediation to the Zoning Division and the Cypress Creek POA. (CO/ONGOING: ZONING – Zoning)
4. Prior to the issuance of the last Certificate of Occupancy (CO), the Applicant shall host two meetings on the status of soil remediation with the Zoning Division and the Cypress Creek POA. (CO/ONGOING: ZONING – Zoning)



**BOARD OF COUNTY COMMISSIONERS**

**ZONING HEARING**

**Wednesday, July 17, 2024**

**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**

**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.

**ZONING HEARING AGENDA**  
**PALM BEACH COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**July 17, 2024**

**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

**AGENDA APPROVAL**

- A. Amendments to the Agenda
  - Presentation of **Add/Delete**
  - Request to Pull Items from Consent
  - **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-2024-00162 NorWest Pointe \(2023-00047\)](#)

**Zoning Application of** One Mile Properties LLC, Michael Crabb, Anthony Amante by JMorton Planning & Landscape Architecture

**Zoning Application of** CH76 Investment LLC by PLACE Planning & Design **Location:** Northwest corner of Westgate Avenue and Tallahassee Drive

**Project Manager:** Jerome Small, Senior Site Planner

**BCC District:** 7

### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 6-0-0.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Commercial Neighborhood (CN) Zoning District on 0.27 acres and Residential High Density (RH) Zoning District on 0.27 acres to the Residential Multifamily (RM) Zoning District on 0.54 acres.

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

2. [DOA-2023-01761 Adolph & Rose Levis JCC \(1984-00139\)](#)

**Zoning Application of** Jewish Community Facilities Corporation by WGINC **Location:** South and east side of Ruth and Baron Coleman Blvd, approx. 600 feet west of 95th Ave. S

**Project Manager:** Michael Birchland, Site Planner II

**BCC District:** 5

### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 6-0-0.

a. **Title:** a Development Order Amendment **Request:** to modify the overall Master Plan, modify previously approved Requested Use for an Adult Daycare Facility (R-1995-1321.14), and to modify Conditions of Approval on 115.77 acres

**MOTION:** To adopt a resolution approving item 2.a

b. **Title:** a Development Order Amendment **Request:** to modify the Site Plan to re-designate a use for an existing building that would add square footage and building for the previously approved Assembly Non-Profit Institutional use (R-2010-01173) and to modify Conditions of Approval on 40.22 acres

**MOTION:** To adopt a resolution approving item 2.b



3. [DOA-2023-00520 Windsor Place MXP](#) (2003-00079)

**Zoning Application of** Hatzlacha-WP Holdings, LLC by WGINC, AJP Consulting Services LLC

**Location:** Northwest corner of Hypoluxo Road and Lyons Road

**Project Manager:** Imene Haddad, Senior Site Planner

**BCC District:** 6

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request subject to the Conditions of Approval in Exhibit C-1 and C-2.

**Zoning Commission:** Recommended approval by a vote of 6-0-0.

a. **Title:** a Development Order Amendment **Request:** to modify the overall Master Plan and Site Plan for the Commercial Pod to add a building, reduce square footage, reconfigure the site layout, and modify uses and Conditions of Approval on 40.0 acres.

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

b. **Title:** a Development Order Amendment **Request:** to modify the Class A Conditional Use Type I Restaurant with drive-through to reduce square footage, relocate to a single building, and modify Conditions of Approval on 40.0 acres.

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

4. **OTHER DEPARTMENT/DIVISION ITEMS**

4. [Amendments to Declarations of Restrictive Covenant for Workforce Housing Program Rental Units, Planning Division](#)

**Summary:** The item before the Board is the amendment of Restrictive Covenants for the Workforce Housing Program to implement Board of County Commissioners' (BCC) October 2023 direction.

**Background and Justification:** In October 2023, the BCC approved changes to the WHP to improve compliance monitoring of WHP rental units, including clarifying how fees are charged and strengthening requirements for ongoing, real-time reporting of leasing activity. These changes effectively replaced annual reporting and utility allowance requirements, but for existing projects that have restrictive covenants requiring these items, these code changes can only be applied if property's restrictive covenant is amended. Covenant amendments reflecting these changes have been prepared, reviewed and approved by the County Attorney's office, and executed by each property owner. They are now presented to the Board for approval.

**Staff Recommendation:** Staff recommends approval.

a. **Title:** To authorize the Mayor to execute amendments to Declarations of Restrictive Covenants for the Workforce Housing Program.

**MOTION:** To approve item 4.a

5. [Resolution Authorizing Replacement of Master Declaration of Restrictive Covenants for Wagner Homes Subdivision, Planning Division](#)

**Summary:** The item before the Board is a resolution authorizing replacement of the recorded Master Declaration of Restrictive Covenants for the Workforce Housing Program for the Wagner Homes Subdivision.

**Background and Justification:** The Wagner Homes Subdivision was approved in 2021 as a 53 unit development, with a Workforce Housing Program obligation of 4 units, to be provided on site. At the time the required restrictive covenant was recorded, the development was intended to be a rental project. Subsequently, the developer has decided to develop the project as a for-sale development, requiring that the recorded restrictive covenant be replaced with a restrictive covenant for for-sale WHP units. The change does not affect the total number of units nor the workforce housing obligation. The recorded covenant provides that covenant cannot be replaced without written authorization of the Board of County Commissioners. The resolution would provide the required written authorization.

**Staff Recommendation:** Staff recommends approval.

- a. **Title:** To authorize replacement of the Master Declaration of Restrictive Covenants for rental workforce housing units for the Wagner Homes Subdivision, with a Master Declaration of Restrictive Covenants for for-sale workforce housing units

**MOTION:** To adopt a resolution approving item 5.a

**- END OF CONSENT AGENDA -**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. ULDC REVISIONS**

6. [PPR-2024-0290 Beachfront Properties Waiver – First Reading and Adoption](#)

**Summary:** The item before the Board is a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) as summarized below:

- To establish a Type 2 Waiver process for applicants to request a reduction in front setback and the additional height setback in order to allow for redevelopment of multifamily residential properties abutting the Atlantic Ocean.

**Staff Recommendation:** Staff recommends approval of first reading and adoption of an Ordinance to revise the ULDC.

**BCC Permission to Advertise:** On June 20, 2024, the BCC approved Request for Permission to Advertise by a vote of 7-0.

**ZC Recommendation:** On July 2, 2024, the ZC recommended approval in a 4-2-0 vote.

**LDRC Recommendation:** On July 2, 2024, the ZC serving as the Land Development Regulation Commission pursuant to 163.3194, F.S., recommended a finding of consistency with the Comprehensive Plan by a 4-2-0 vote

**MOTION:** To adopt an ordinance approving item 6.

C. **COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ULDC AND ZONING APPLICATIONS**

7. [\*\*LGA 2024-005 Spring Haven MUPD\*\*](#)

**Future Land Use Application of WPB** Apts Holdings, LLC - Arnold Marcus and Jonathan Marcus; WPB Lodge No. 1352, Benevolent & Protective Order of Elks of USA, Inc. of Josh Nichols, Schmidt Nichols

**Title/Request:** To change the future land use designation from Institutional and Public Facilities with an underlying 5 units per acre (INST/5) to Institutional and Public Facilities with an underlying 8 units per acre (INST/8) on 11.22 acres

**Location:** South side of Belvedere Road, approximately 0.3 miles east of N Jog Road

**BCC District:** 2

**Staff Recommendation:** Approval with Conditions

**Planning Commission:** Recommended Approval with Conditions in an 11 to 0 vote at the January 12, 2024 public hearing

**Board of County Commissioners Transmittal Public Hearing:** *Transmit*, motion by Commissioner Weiss, seconded by Commissioner Baxter, passed in a 7 to 0 vote at the January 31, 2024 public hearing.

**MOTION:** To adopt an ordinance approving item 7.

8. [\*\*ABN/PDD/CA-2023-00832 Spring Haven MUPD \(1973-00033\)\*\*](#)

**Zoning Application of West Palm Beach Lodge # 1352 by Schmidt Nichols Location:** Southeast corner of Belvedere Road and 62nd Drive North

**Project Manager:** Joyce Lawrence, Senior Site Planner

**BCC District:** 2

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request subject to the Conditions of Approval in Exhibit C-1 and C-2.

**Zoning Commission:** Recommended approval by a vote of 6-0-0.

a. **Title:** a Development Order Abandonment **Request:** to abandon a Special Exception for a Fraternal Organization approved by Resolution R-73-401 on 11.22 acres

**MOTION:** To adopt a resolution approving item 8.a

b. **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 11.22 acres

**MOTION:** To adopt a resolution approving item 8.b

c. **Title:** a Class A Conditional Use **Request:** to allow a combined density increase through the Workforce Housing Program (WHP) (+71) and Transfer of Development Rights (TDR) (+34) in excess of 2 units per acre (a combined total increase of 105 WHP and TDR units) 11.22 acres

**MOTION:** To adopt a resolution approving item 8.c

**D. ZONING APPLICATIONS**

**9. [ABN/PDD/CA-2023-00996 Cypress Creek PUD \(1977-00052\)](#)**

**Zoning Application of Alex Martin, True Shot LLC - William Marcacci, Shot True by WGINC**

**Location:** East side of S Military Trail, approx. 0.30 miles north of Old Boynton Road

**Project Manager:** Imene Haddad, Senior Site Planner

**BCC District:** 2

**DISCLOSURES**

**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:** Recommended approval by a vote of 4-2-0.

**a. Title:** a Development Order Abandonment **Request:** to abandon Special Exception to allow a Golf Course, Clubhouse and accessory facilities on 130.30 acres

**MOTION:** To adopt a resolution approving item 9.a

**b. Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District in part on 120.89 acres and from the Single-Family Residential District (RS) Zoning District in part on 1.67 acres to the Planned Unit Development (PUD) Zoning District on 122.56 acres

**MOTION:** To adopt a resolution approving item 9.b

**c. Title:** a Class A Conditional Use **Request:** to allow Type 2 Excavation with removal of more than ten percent of the extracted material from the site on 122.56 acres

**MOTION:** To adopt a resolution approving item 9.c

**10. WORKSHOP**

**10. Traffic and Mobility Workshop**

**Title:** The Engineering and Public Works Department (EPW) and Planning Division Staff will present the County’s Traffic Concurrency and Development Order Monitoring system, and with Benesch, the County’s Mobility Consultant, will present an overview of the County’s Road Impact Fee program and alternative funding programs.

**Summary: Part I – Traffic Concurrency and Development Order Monitoring Workshop.** As a follow up to the May 14, 2024 BCC Budget Workshop, Staff will present a background of Traffic Concurrency, amendments to legislation, the Countywide Traffic Concurrency system, traffic analysis during the Comprehensive Plan and development review processes, and monitoring of Development Orders. **Background:** In 1990, BCC adopted Countywide Traffic Performance Standards (TPS) for County and State roads requiring traffic improvements to be provided concurrent with the impacts of the development in order to meet the adopted Level of Service (LOS) standards. Subsequently, amendments adopted in 2011 and 2013 to Section 163.3180, F.S, allow developers to use Proportionate Share (Prop Share) share to meet traffic concurrency requirements. The amendments prohibit local governments from denying development applications solely on traffic concurrency if a Prop Share Agreement is in place. The presentation will include an overview of traffic concurrency within the broader context of adequate public facilities. The presentation will also include an overview of Comprehensive Plan Future Land Use Element Policy 3.5-d as part of the review of Future Land Use Amendments, as it relates to traffic impacts, and Monitoring.

**Part II – Impact, Multimodal, and Mobility Fee Workshop.** Staff with its consultant, Benesch, will present an overview of impact fees and alternative mobility funding systems including mobility fees and multimodal fees. The presentation will provide an explanation of differences and similarities between these three funding systems. Staff will seek Board direction on its preferred funding system. **Background:** State legislative amendments to alternative mobility funding systems will presumptively affect the operation of the County’s

impact fee program in light of the prospective increase in local municipalities adopting mobility fees.

**MOTION:** No motion required. Staff to seek BCC direction after each presentation.

**- END OF REGULAR AGENDA -**

**COMMENTS**

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

**ADJOURNMENT**