



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
MARCH 23, 2023**

REGULAR

C. COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ZONING APPLICATIONS

9. ZV/Z/ABN-2021-01863, Windsor Industrial (Control 2003-00020)

AMEND - To Amend the Staff Report to add the Development Order Abandonment analysis as shown in Attachment A (next page).

18. 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.

LANDSCAPE – PERIMETER (WEST AND SOUTH PROPERTY LINES)

1. In addition to the requirements for a ~~Type 2 Incompatibility buffer for the west property line and~~ a Right of Way buffer for the south property line the following shall apply:

- a. Width: Minimum ~~35~~ 30 feet; ~~and,~~
- b. One additional native palm, pine or canopy tree shall be provided for each 30 linear feet; ~~and~~
- c. Barrier: provide a 6 foot tall wall located on top of a minimum 2 foot tall berm excluding the emergency access to Ranches Road which shall be an opaque gate. (DRO/BLDGPMT: ZONING - Zoning)

LANDSCAPE – PERIMETER (WEST PROPERTY LINE)

1. In addition to the requirements for a Type 2 Incompatibility buffer for the west property line the Development shall provide a 6 foot wall. (DRO/BLDGPMT: ZONING - Zoning)

LANDSCAPE – PERIMETER (EAST PROPERTY LINE)

1. In addition to the requirements for a Type 2 Incompatibility buffer for the east property line the Development shall provide a 6 foot fence. (DRO/BLDGPMT: ZONING - Zoning)

SITE DESIGN

1. ~~Relocation of the water management tracks to the west and south property lines, and shifting of the townhouse units internal to the development may be allowed through the Development Review Officer to provide increased buffering and distance from the west and south property lines.~~ (DRO: ZONING – Zoning)

2. ~~Townhouse lots and Recreation uses and structures shall increase the rear setback by 10 feet when adjacent to the south and west property lines.~~ (DRO: ZONING – Zoning)

USES – ACCESS

1. Construction traffic shall be prohibited from utilizing Ranches Road to access the subject property. (ONGOING: CODE ENF - Zoning)

2. Access onto Ranches Roads shall be limited to emergency access only. (DRO : ZONING - Zoning)

Attachment A

ZV/Z/ABN-2021-01863, Windsor Industrial (Control 2003-00020)

Development Order Abandonment: To add language shown in underline to Staff Report.

A DO for a Conditional Use or similar DO granted under Zoning Resolution No. 3-57, Ordinance No. 73-2, Ordinance No. 92-20, or Ordinance No. 2003-067, as amended, may be abandoned according to the procedures in this Section and pursuant to Art. 2.B, Public Hearing Processes. DOs, that are partially or fully implemented, or have not been implemented may be abandoned subject to the requirements of this Section. When considering an ABN application, the BCC and ZC shall consider the Standards indicated in Article 2.B.7.F.6. Standards.

As part of the request, the Applicant is seeking an abandonment of a Development Order granted for a convenience store with gas sales, previously approved under Resolution R-2007-1442, on August 27, 2007. This approval consisted of 2.55 acres.

a. Consistency with the Plan - The proposed abandonment is consistent with the Plan.

Staff has analyzed the proposed request to abandon the convenience store with gas sales will not create any inconsistency with the goals and policies of the Comprehensive Plan. The convenience store with gas sales was never implemented.

b. Consistency with the Code - The proposed abandonment, is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code. The abandonment of a DO does not create any new non-conformities.

The abandonment of the previously approved convenience store with gas sales will not create any conflict with any portion of the code. The use and development of the site is proposed to be modified, and subject to a new Development Order. Abandonment does not create any non-conformities

c. Adequate Public Facilities - The proposed abandonment of the DO shall not impact the approved requirements of Art. 2.F, Concurrency (Adequate Public Facility Standards)Art. 2.F, Concurrency (Adequate Public Facility Standards). When a non-implemented DO is abandoned, all concurrency affiliated with the DO is no longer valid. For implemented DOs, concurrency for the remainder of the non-affected area shall remain. Concurrency for any new uses on the subject property shall be subject to the requirements of Art. 2.F, Concurrency (Adequate Public Facility Standards).

The abandonment of the convenience store with gas sales will not have adverse concurrency impacts to the proposed development. The development as proposed will continue meet adequate facility standards for concurrency, as mentioned in the DOA findings below.

d. Changed Conditions or Circumstances - There are demonstrated changed site conditions or circumstances provided by the Applicant's Justification Statement that necessitate the abandonment. Abandonment of the Resolution approving the DO will not impact other DOs approved on the same site. There is no reliance by other parties for additional performances, or tasks to be implemented, that were required in the original DO.

There are demonstrated changes in conditions and circumstances that necessitate the abandonment. The Applicant is seeking to abandon the approved, as the use was never implemented. The Applicant is seeking a new approval for the site, including modifications to the Comprehensive Plan. That request is analyzed below on its own merits. There are no reliance on other parties for additional performances as part of the approval of the convenience store with gas sales.

Staff finds that the request meets the Development Order Abandonment Standards and is recommending approval of the request.



BOARD OF COUNTY COMMISSIONERS

ZONING MEETING

Thursday, March 23, 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
MARCH 23, 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-2022-01640, Howell Lane Rezoning](#) (Control 2022-00063)

Zoning Application of Leonard Schulz by Team Plan Inc., Agent.

Location: West side of Howell Lane, approx. 2,000 feet north of Northlake Blvd.

Project Manager: Phil Myers

BCC District: 1

Staff Recommendation: Staff recommends approval of the request with a Conditional Overlay Zone and 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 Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District on 2.25 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. [Z-2022-01110, Deleon Rezoning](#) (Control 2003-00073)

Zoning Application of Jose Deleon by Land Research Management Inc., Agent.

Location: South side of Pioneer Road, approx. 2,200 feet east of Lyons Road

Project Manager: Vincent Stark

BCC District: 6

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 Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District on 8.66 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 2.a.

3. [DOA-2022-00814, Woods Walk Plaza](#) (Control 1985-00069)
Zoning Application of Woods Walk Joint Venture by Insite Studio, Agent.
Location: Northeast corner of Lake Worth Road and State Road 7
Project Manager: Timothy Haynes
BCC District: 6

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 Site Plan; and, add a building and square footage on 20.41 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 3.a.

4. [ABN-2022-01654, Congregation Aitz Chaim](#) (Control 1984-00153)
Zoning Application of Congregation Aitz Chaim of WPB Inc by WGINC, Agent.
Location: East of Haverhill Road, approx. 0.4 miles north of Okeechobee Blvd
Project Manager: Larry D' Amato
BCC District: 2

Staff Recommendation: Staff recommends approval of the Development Order Abandonment.
 - a. **Title:** a Development Order Abandonment **Request:** to abandon a special exception to allow a Temple with prior modifications on 3.69 acres

Zoning Commission Recommendation: Not required for abandonment.

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

5. [EAC-2022-00852, Green Cay](#) (Control 1997-00095)
Zoning Application of Palm Beach County by Gentile Glas Holloway O'Mahoney & Assoc. Inc., Agent.
Location: Southwest corner of Flavor Pict Road and Jog Road
Project Manager: Jerome Ottey
BCC District: 5

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 (Expedited Application Consideration (EAC)) **Request:** to modify Conditions of Approval on 270.43 acres

Zoning Commission Recommendation: Not required for EAC.

MOTION: To adopt a resolution approving Item 5.a.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ULDC REVISIONS

6. [Commerce Future Land Use Designation](#), ULDC Second Reading/Final Adopt

Summary: The item before the Board is final adoption of a County proposed revision to the Unified Land Development Code (ULDC) to implement amendments to the Comprehensive Plan adopted by Ordinance No. 2022-024, Commerce Future Land Use, to establish a new industrial future land use designation called Commerce (CMR). The report and exhibit have been modified since First Reading on January 26, 2023 in order to incorporate Board direction on Fitness Centers and Brewery Taprooms.

Title: 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: REVISION FOR COMMERCE FUTURE LAND USE DESIGNATION, AMENDING ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; ARTICLE 4 - USE REGULATIONS; 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.

Staff Recommendation: Staff recommends adoption of the Ordinance to revise the ULDC.

LDRAB Recommendation: The LDRAB met on January 17, 2023 and recommended approval by a vote of 12-0-0.

LDRC Determination: The LDRC met on January 17, 2023 and March 8, 2023 and determined the amendment is consistent with the Comprehensive Plan.

MOTION: To approve on Second Reading and adopt an Ordinance approving Item 6.

7. [Electric Vehicle Charging Stations](#), ULDC Second Reading/Final Adoption

Summary: The item before the Board is final adoption of a County proposed revision to the Unified Land Development Code (ULDC) for Electric Vehicle Charging Stations (EVCSs) regulations. This is Phase I of a series of amendments to implement direction from the Board regarding EVCS requirements and implementation. The report and exhibits have been revised to incorporate Board direction on February 23, 2023 to modify allowable locations for EVCS internal to developments.

Title: 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: REVISION FOR ELECTRIC VEHICLE CHARGING STATIONS, AMENDING ARTICLE 1 GENERAL PROVISIONS; ARTICLE 4 USE REGULATIONS; ARTICLE 6 - PARKING LOADING, AND CIRCULATION; 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.

Staff Recommendation: Staff recommends adoption of the Ordinance to revise the Unified Land Development Code.

LDRAB Recommendation: The LDRAB met on January 17, 2023 and recommended approval by a vote of 12-0-0.

LDRC Determination: The LDRC met on January 17, 2023 and determined the amendment is consistent with the Comprehensive Plan.

MOTION: To approve on Second Reading and adopt an Ordinance approving Item 7.

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

8. [SCA-2022-00015, Windsor Industrial](#), Small Scale Future Land Use Amendment

Title/Request: To change the future land use designation from Commercial Low with an underlying 2 units per acre (CL/2) to Industrial with an underlying 2 units per acre (IND/2) and to modify conditions of approval in Ordinance 2007-014.

Future Land Use Amendment Application of 6562 Belvedere LLC, Shawn Chemtov by Schmidt Nichols, Agent.

Location: Southwest corner of Old Belvedere Road and Jog Road

Project Manager: David Wiloch

Size: 2.55 acres +

BCC District: 2

Staff Recommendation: Approval with conditions of the proposed amendment to change a future land use designation from Commercial Low with an underlying 2 units per acre (CL/2) to Industrial with an underlying 2 units per acre (IND/2).

Planning Commission Recommendation: The PLC recommended approval with conditions (as proposed by staff) in an 8 to 0 vote at the February 10, 2023 Public Hearing.

MOTION: To adopt an Ordinance for the Windsor Industrial FLUA amendment.

9. [ZV/Z/ABN-2021-01863, Windsor Industrial](#) (Control 2003-00020)

Zoning Application of Shawn Chemtov, 6562 Belvedere LLC, by Schmidt Nichols, Agent.

Location: Southwest corner of Old Belvedere Road and Jog Road

Project Manager: Imene Haddad

BCC District: 2

Zoning Commission Action: Approved a Type 2 Variance (with conditions) by a vote of 7-0-0.

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C-2.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Community Commercial (CC) Zoning District to the Light Industrial (IL) Zoning District on 2.55 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 9.a.

b. **Title:** a Development Order Abandonment **Request:** to abandon a Convenience Store with Gas Sales on 2.55 acres

Zoning Commission Recommendation: Not required for abandonment.

MOTION: To adopt a resolution approving Item 9.b.

10. [LGA-2023-00002, Morin/Connolly](#), Large Scale Future Land Use Amendment
- Title/Request:** To change the future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR).
- Future Land Use Amendment Application of** Robert G. Morin Trust, Carol Connolly, Howard Connolly by JMorton Planning & Landscape Architecture, Agent.
- Location:** West side of State Road 7, approx. 0.2 miles north of Boynton Beach Boulevard
- Project Manager:** Travis Goodson
- Size:** 3.41 acres +
- BCC District:** 5
- Staff Recommendation:** Approval of the proposed amendment to change the future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR).
- Planning Commission Recommendation:** The PLC recommended approval with modifications in a 9 to 0 vote at the October 14, 2022 public hearing. The modification included an additional condition to limit the site to 30,000 square feet of commerce uses.
- BCC Transmittal Action:** The BCC transmitted (with no modifications) in a 7 to 0 vote at the November 28, 2022 public hearing.
- MOTION:** To adopt an Ordinance for the Morin/Connolly Commerce FLUA amendment
11. [Z-2022-01116, Morin/Connolly Commerce](#) (Control 2016-00159)
- Zoning Application of** Morin Robert Tr & Carol, Howard Connolly by JMorton Planning & Landscape Architecture, Agent.
- Location:** West side of State Road 7, approx. 0.2 mile north of Boynton Beach Boulevard
- Project Manager:** Cody Sisk
- BCC District:** 5
- DISCLOSURE
- 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 Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District on 3.41 acres
- Zoning Commission Recommendation:** Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-1.
- MOTION:** To adopt a resolution approving Item 11.a.
12. [LGA-2023-00007, LTG Sports Turf](#), Large Scale Future Land Use Amendment
- Title/Request:** To change the future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR).
- Future Land Use Amendment Application of** LTG Boynton Beach LLC - Michael Ryan by Urban Design Studio, Agent.
- Location:** North side of 100th Street S (Boynton Beach Boulevard), approximately 0.13 miles west of State Road 7
- Project Manager:** Travis Goodson
- Size:** 5.01 acres +
- BCC District:** 5

Staff Recommendation: Approval of the proposed amendment to change a future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR).

Planning Commission Recommendation: The PLC recommended approval with modifications in a 9 to 1 vote at the October 14, 2022 public hearing. The modification included an additional condition to limit the site to 30,000 square feet of commerce uses.

BCC Transmittal Action: The BCC transmitted (with no modifications) in a 7 to 0 vote at the November 28, 2022 public hearing.

MOTION: To adopt an Ordinance for the LTG Sports Turf FLUA amendment.

13. [Z-2022-00948, LTG Sports Turf](#) (Control 2010-00028)

Zoning Application of LTG Boynton Beach LLC by Urban Design Studio, Agent.

Location: North side of 100th Street S, approx. 0.13 miles west of 441 (SR-7)

Project Manager: Cody Sisk

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request, with a Conditional Overlay Zone, and 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 Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District on 5.01 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 13.a.

14. [LGA-2022-00020, Brentwood of Wellington](#), Large Scale Future Land Use Amendment

Title/Request: To change the future land use designation from High Residential, 8 units per acre (HR-8), Commercial Low with an underlying 8 units per acre (CL/8), and Commercial Low with an underlying 2 units per acre (CL/2) to High Residential, 8 units per acre (HR-8) and to modify conditions of approval in Ordinance 2009-005.

Future Land Use Amendment Application of AHC of Lake Worth, LLC - Charles Scardina by Insite Studio, Agent.

Location: West side of State Road 7, approx.. 0.5 miles north of Lantana Road

Project Manager: Inna Stafeychuk

Size: 10.22 acres +

BCC District: 6

Staff Recommendation: Approval with conditions of the proposed amendment to change the future land use designation from High Residential, 8 units per acre (HR-8), Commercial Low with an underlying 8 units per acre (CL/8), and Commercial Low with an underlying 2 units per acre (CL/2) to High Residential, 8 units per acre (HR-8).

Planning Commission Recommendation: The PLC recommended denial in 6 to 5 vote at the April 8, 2022 Public Hearing. The request at the time included 194 units and four story buildings. Following the PLC meeting, the applicant revised the application to reduce the total number of units to 132 units with a maximum of two stories.

BCC Transmittal Action: The BCC transmitted in a 7 to 0 vote at the September 1, 2022 Public Hearing.

MOTION: To adopt an Ordinance for the Brentwood of Wellington FLUA amendment

15. [ABN-2023-00247, Brentwood of Wellington](#) (Control 2006-00368)

Zoning Application of AHC of Lake Worth LLC by Insite Studio, Agent.

Location: Northwest corner of Carlyle Village Drive and State Road 7

Project Manager: Jerome Ottey

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request.

a. Title: a Development Order Abandonment **Request:** to abandon a Conditional Overlay Zone with prior modifications on 1.05 acres

Zoning Commission Recommendation: Not required for abandonment.

MOTION: To adopt a resolution approving Item 15.a.

16. [ABN/Z/CA-2022-00218, Brentwood of Wellington](#) (Control 2005-00454)

Zoning Application of Palm Beach Recovery 2016 LLC, AHC Acquisitions, LLC - Charlie Scardina, HRS Palm Beach LLC by Insite Studio, Agent.

Location: West side of State Road 7, approx. 0.5 miles north of Lantana Road

Project Manager: Jerome Ottey

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

a. Title: a Development Order Abandonment **Request:** to abandon a Type 3 Congregate Living Facility on 9.17 acres

Zoning Commission Recommendation: Not required for abandonment.

MOTION: To adopt a resolution approving Item 16.a.

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Community Commercial (CC) Zoning District on 1.05 acres and the Planned Unit Development (PUD) Zoning District on 9.17 acres to the Residential Multifamily (RM) Zoning District on 10.22 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 16.b.

c. Title: a Class A Conditional Use **Request:** a Class A Conditional Use to allow a combined density increase with the Workforce Housing Program and Transfer of Development Rights Program in excess of two units per acre on 10.22 acres

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

MOTION: To adopt a resolution approving Item 16.c

17. **SCA-2022-00019, Towns at Tidewater**, Small Scale Future Land Use Amendment

Title/Request: To change the future land use designation from Low Residential, 1 unit per acre (LR-1) to Medium Residential, 5 units per acre (MR-5).

Future Land Use Amendment Application of Medjool Nurseries, LLC - Ramzi Akel by JMorton Planning & Landscape Architecture, Agent.

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

Project Manager: Inna Stafeychuk

Size: 9.24 acres +

BCC District: 2

Staff Recommendation: Denial of the proposed amendment to change the future land use designation from Low Residential, 1 unit per acre (LR-1) to Medium Residential, 5 units per acre (MR-5). However, should the Board adopt the amendment, staff recommends the request be amended to LR-3 with the conditions in Exhibit 1 to cap the site at 69 units, require the purchase of all available TDRS (28), and require 23% of the total units as onsite workforce housing.

Planning Commission Recommendation: The PLC recommended Approval with modifications in a 10 to 0 vote at the October 14, 2022 Public Meeting. The modification including amending the request to LR-3 with the conditions in Exhibit 1 to cap the site at 69 units, require the purchase of all available TDRS (28), and require 23% of the total units as onsite workforce housing.

MOTION: To deny the Towns at Tidewater FLUA amendment.

18. **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 approx. 0.83 miles east of Jog Road

Project Manager: Donna Adelsperger

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends **approval** of the Official Zoning Map Amendment subject to the Condition of Approval as indicated in Exhibit C-1; and **denial** of the Class A Conditional Use to allow Townhomes. Should the BCC approve this request it should be subject to the Conditions of Approval as indicated in Exhibit C-2.

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) Zoning District on 9.24 acres

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 18.a.

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

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

MOTION: To adopt a resolution denying Item 18.b. Should the BCC approve this request, staff recommends the Conditions of Approval as indicated in Exhibit C-2.

E. OTHER COUNTY DEPARTMENT ITEMS

END OF REGULAR AGENDA

COMMENTS

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

19. [Code Enforcement Overview and Commercial Vehicles](#)

- F. COMMISSIONERS

ADJOURNMENT

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