



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING  
AMENDMENTS TO THE AGENDA  
NOVEMBER 21, 2024**

**CALL TO ORDER**

**F. Agenda Approval, Additions/Deletions**

- **Requests for Postponement.** The Applicant for Regular Agenda Items 7 and 9 has submitted the **attached letter** requesting a postponement, and the Applicant for Item 8 has submitted the **attached letter** requesting a postponement. Please note that should the Board postpone Item 7, the FLUA and text amendment, as allowed by Florida Statutes, Planning Staff will notify the State Land Planning Agency that the amendment will not be adopted by the 180 day statutory deadline (December 4, 2024) and that the County has agreed to extend the adoption an additional 180 days (through June 2, 2025).
- Staff supports the revised motions below to approve the postponements.

**7. LGA-2024-00006 Central Park Commerce Center MUPD**

**MOTION:** To approve postponement to the January 30, 2024 BCC Hearing

**8. DOA-2024-00313 PBA Holdings Inc. (1989-00052)**

**MOTION:** To approve postponement to the January 30, 2024 BCC Hearing

**9. ZV/PDD/DOA/W-2024-00309 Central Park Commerce Center MUPD (2015-00085)**

**MOTION:** To approve postponement to the January 30, 2024 BCC Hearing

**CONSENT AGENDA**

**C. ZONING APPLICATIONS**

**2. DOA-2023-01093 SmartStop Self Storage (1996-00004)**

**AMEND – To modify the Development Order Amendment** Conditions of Approval in Exhibit C as shown with the deleted text struck out:

**ALL PETITIONS**

3. Development of the site is limited to the uses approved by the Board of County Commissioners. The approved site plan is dated September 11, 2024. All modifications must be approved by the Board of County Commissioners ~~or Zoning Commission~~ unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning)

**3. CA-2023-01741 H.I.D. Plaza (1993-00003)**

**ADD – To modify the Class A Conditional Use** request Conditions of Approval in Exhibit C to add a condition as shown with the added underlined text:

**ENGINEERING**

3. The Property Owner shall be responsible for restriping the north connection of the slip street at State Road 7, as approved by the County Engineer and FDOT. Striping shall include (but not be limited to) stop bars, directional arrows and lane delineation. All striping shall be done in accordance with current engineering standards. Striping shall be completed prior to the issuance of the Certificate of Occupancy. (CO: MONITORING-Eng)

**4. CA-2024-00219 Waste Pro Palm Beach (1994-00036)**

**ADD – To modify the Class A Conditional Use** request Conditions of Approval in Exhibit C to add a condition as shown with the added underlined text:

**USE LIMITATION**

3. The recycling operation shall be limited to the sorting, storage, and transfer of materials. The processing of recycling materials, including grinding or crushing, is prohibited. (ONGOING: CODE ENF - Zoning)

**C. ULDC REVISIONS**

**10. Agriculture Marketplace in Preserve – First Reading**

**AMEND – To modify the Agenda to revise the Staff Recommendations** with the deleted text struck out and the added underlined text:

**Staff Recommendation:**

a. That the BCC, by a majority plus one vote, elect to conduct both required advertised hearings for this item at 1:00 p.m.~~9:30 a.m.~~, instead of holding one of the required advertised hearings after 5:00 p.m.. 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. Approval of first reading of an Ordinance to revise the ULDC for item 10.9, and permission to advertise for second reading and adoption of an Ordinance on December 12, 2024 at 1:00 p.m.~~9:30 a.m.~~

**11. Flood Damage Prevention Ordinance – First Reading and Adoption**

**ADD – To modify the Staff Report** to add a letter from FEMA as Exhibit 14 (**see attached**).



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**BOARD OF COUNTY COMMISSIONERS**

**ZONING HEARING**

**Thursday, November 21, 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. Invocation and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Agenda Approval

**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**  
**November 21, 2024**

**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. Agenda Approval
  - Presentation of Additions/Deletions
  - Request to Pull Items from Consent
  - **Motion** to adopt the Agenda

## CONSENT AGENDA

### A. REQUESTS TO PULL ITEMS FROM CONSENT

### B. DISCLOSURES FOR THE CONSENT ITEMS

### C. ZONING APPLICATIONS

#### 1. [Z-2024-00932 Mohanty Residence \(2010-00145\)](#)

**Zoning Application of** Elizabeth Mohanty, Jyoti Mohanty by 2GHO Inc.

**Location:** East side of Palmwood Road, approximately 600 feet north of Fredrick Small Road

**Project Manager:** Nancy Frontany Bou, Senior Site Planner

**BCC District:** 1

#### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 9-0-0.

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 1.32 acres

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

#### 2. [DOA-2023-01093 SmartStop Self Storage \(1996-00004\)](#)

**Zoning Application of** Smartstop Storage Advisors, LLC - Alex Giangrande, SST II 8135 Lake Worth Rd, LLC by BOHLER Engineering

**Location:** North side of Lake Worth Road, approximately 455 feet west of The Florida's Turnpike

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

**BCC District:** 6

#### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 9-0-0.

a. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan, to add building square footage and modify Conditions of Approvals on 17.28 acres

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

#### 3. [CA-2023-01741 H.I.D Plaza \(1993-00003\)](#)

**Zoning Application of** Boca Center, Inc. - Jonas Steinberg, Shree Ashapuri Mataji Donut Corporation - Hitesh Patel by Insite Studio

**Location:** West side of South State Road 7, approximately 1.5 miles south of West Palmetto Park Road

**Project Manager:** Lorraine Fuster Santana, Site Planner II

**BCC District:** 5

#### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 9-0-0.

a. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with a drive-through on 3.33 acre

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

4. [CA-2024-00219 Waste Pro Palm Beach \(1994-00036\)](#)

**Zoning Application of** Waste Pro Of Florida, Inc. by Schmidt Nichols

**Location:** East on Pike Road, approximately 1000 feet south of Belvedere Road

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

**BCC District:** 2

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 9-0-0.

a. **Title:** a Class A Conditional Use **Request:** to allow a Recycling Plant on 14.29 acres

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

D. **OTHER COUNTY DEPARTMENT ITEMS**

5. [AB68876 Plat No. 17 Quail Ridge DE Abandonment](#)

**Land Development Application of** Quail Ridge Property Owners Association Inc.

**Location:** north of Woolbright Road and east of Lawrence Road

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

**BCC District:** 4

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request.

a. **Title:** Drainage Easement Abandonment **Request:** to abandon a portion of a drainage easement as shown on the Golf Course Tract of Plat No. 17 Quail Ridge, according to the plat thereof, recorded in Plat Book 38, pages 47 through 49, Public Records of Palm Beach County.

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

6. [Amendments to Declarations of Restrictive Covenant for Workforce Housing Program Rental Units](#)

**Summary:** 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.

**Project Manager:** Maria Bello, Principal Planner, Planning Division

**Staff Recommendation:** Staff recommends approval and authorization for the Mayor to execute amendments to Declarations of Restrictive Covenants for the Workforce Housing Program.

a. **Title:** 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.

**MOTION:** To approve item 6

**- END OF CONSENT AGENDA -**

## REGULAR AGENDA

### A. ITEMS PULLED FROM CONSENT

### B. COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ZONING APPLICATIONS

#### 7. [LGA-2024-00006 Central Park Commerce Center MUPD](#)

**Future Land Use Application of** PBA Holdings Inc. - Enrique Tomeu, WPB Logistics Owner, LLC - J Bradford Smith by Urban Design Studio

**Title/Request:** To change a future land designation from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center (EDC) on 64.46 acres; to revise conditions of approval in Ordinance 2018-012; and to apply those revised conditions to the 64.46 acre site that is the subject of this Ordinance.

**Location:** North side of Southern Boulevard, west of the L-8 Canal, and approximately 3.4 miles west of Seminole Pratt Whitney Road

**Project Manager:** Maria Bello, Principal Planner

**BCC District:** 6

**Staff Recommendation:** Approval with Conditions

**Planning Commission Recommendation:** Recommended Approval with conditions in an 8 to 0 vote at the April 12, 2024 public hearing.

**BCC Transmittal Action:** Transmitted by a 7 to 0 vote at the May 1, 2024 public hearing.

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

#### 8. [DOA-2024-00313 PBA Holdings Inc. \(1989-00052\)](#)

**Zoning Application of** PBA Holdings Inc. by Carlton Fields P.A.

**Location:** North side of Southern Boulevard, west of the L-8 Canal, approximately 3.4 miles west of Seminole Pratt Whitney Road

**Project Manager:** Zubida Persaud, Senior Site Planner

**BCC District:** 6

#### DISCLOSURES

**Staff Recommendation:** Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1.

**Zoning Commission:** Recommended approval by a vote of 9-0-0.

a. **Title:** a Development Order Amendment **Request:** to modify the Site Plan to delete land area (64.46 acres) from the approved Conditional Use for a Type 3 Excavation (5,096.22 acres) and to modify Conditions of Approval on 5,031.76 acres

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

#### 9. [ZV/PDD/DOA/W-2024-00309 Central Park Commerce Center MUPD \(2015-00085\)](#)

**Zoning Application of** PBA Holdings, Inc. by Urban Design Studio

**Location:** North side of Southern Boulevard, west of the L-8 Canal, approximately 3.4 miles west of Seminole Pratt Whitney Road

**Project Manager:** Zubida Persaud, Senior Site Planner

**BCC District:** 6

#### DISCLOSURES

**Staff Recommendation:** Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2. FDO/PREM is recommending approval with the additional Conditions of Approval as indicated in Exhibit C-3.

**Zoning Commission:** Recommended approval by a vote of 8-1-0.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Special Agricultural (SA) Zoning District to Multiple Use Planned Development (MUPD) planned development district on 64.46 acres

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

b. **Title:** a Development Order Amendment **Request:** to modify the overall MUPD Master Plan to add land area (64.46 acres) and to modify the Conditions of Approval on 202.67 acres

**MOTION:** To adopt Resolution approving item 9.b.

## C. ULDC REVISIONS

### 10. Agriculture Marketplace in Preserve – First Reading

**Summary:** The item before the Board is a privately proposed revision to the Unified Land Development Code (ULDC) to implement the privately proposed amendment Bedner’s Market (LGA 2024-003) to the Comprehensive Plan adopted by Ord. 2024-017 to allow an Agriculture Marketplace within an Agricultural Reserve Preserve Area of a Multiple Use Planned Development (AGR-MUPD), including associated revisions.

**Staff Recommendation:**

- 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. Approval of first reading of an Ordinance to revise the ULDC for item 9, and permission to advertise for second reading and adoption of an Ordinance on December 12, 2024 at 9:30 a.m.

**BCC Permission to Advertise:** On August 22, 2024, the BCC approved Request for Permission to Advertise by a vote of 5-1.

**ZC Recommendation:** On November 7, 2024, the ZC recommended approval in a 9-0 vote.

**LDRC Recommendation:** On November 7, 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 9-0 vote

**MOTION:** To approve Staff recommendation for items 10.a and 10.b

### 11. Flood Damage Prevention Ordinance – First Reading and Adoption

**Summary:** The item before the Board is a proposed revision to the Palm Beach County Unified Land Development Code (ULDC). These changes are to implement the floodplain management regulations necessary to maintain compliance with the requirements of the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP), the NFIP Community Rating System (CRS) program and the Florida Building Code (FBC), and to clarify or codify existing floodplain development policies and procedures. Specifically, the changes propose to:

- Add and revise terminology related to floodplain development;
- Modify the title of the authority designated to interpret the provisions of Article 18 – Flood Damage Prevention from “Flood Damage Prevention Administrator” to “Floodplain Administrator”; and
- Add and revise floodplain development regulations and variance criteria pursuant to FEMA policy and program updates.

**Staff Recommendation:** Staff recommends approval of first reading and adoption of an Ordinance

**BCC Permission to Advertise:** On October 24, 2024, the BCC approved Request for Permission to Advertise by a vote of 6-0.



**ZC Recommendation:** On November 7, 2024, the ZC recommended approval in a 9-0 vote.

**LDRC Recommendation:** On November 7, 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 9-0 vote

**MOTION:** To adopt an ordinance approving item 11.

**D. COMPREHENSIVE PLAN AND FLUA AND ZONING INITIATION ITEMS**

**12. County Owned Natural Areas FLUA and Rezoning Initiation**

**Summary:** The item for the Board is to consider the initiation of County amendments for lands purchased by the County at the request of the Environmental Resources Management Department (ERM). The specific requests are as follows:

- Future Land Use Atlas (FLUA) amendments to the Comprehensive Plan to change the future land use designation to the Conservation (CON) future land use designation for approximately 54 acres located within the Cypress Creek, Hungryland Slough, and Pine Glades Natural Areas as well as 101 acres within Palm Beach Heights (part of the Pal-Mar Ecosite); and
- Official Zoning Map amendments to rezone to the Preservation/Conservation (PC) Zoning District for approximately 1,580 parcels on 13,431 acres of land.

**Staff Recommendation:** Staff recommends initiation.

**MOTION:** To approve initiation of item 12.

**- END OF REGULAR AGENDA -**

**COMMENTS**

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

**ADJOURNMENT**

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