

**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

**Application No.:** ABN/DOA/CA-2022-00187  
**Application Name:** Journey Church  
**Control No./Name:** 1973-00216 (Palm Beach Baptist Temple)  
**Applicant:** Journey Church Lake Worth Inc  
**Owners:** Journey Church Lake Worth Inc  
**Agent:** Cotleur & Hearing, Inc. - David Milledge  
Cotleur & Hearing, Inc. - Don Hearing  
**Telephone No.:** (561) 747-6336 , (561) 747-6336  
**Project Manager:** Jordan Jafar, Senior Site Planner

**TITLE:** a Development Order Abandonment **REQUEST:** to abandon a Special Exception for an Educational Institution on 13.58 acres

**TITLE:** a Development Order Amendment **REQUEST:** to modify and delete Conditions of Approval; to reconfigure the Site Plan; and to add, delete, and modify uses on 13.58 acres

**TITLE:** a Class A Conditional Use **REQUEST:** to allow a General Daycare on 13.58 acres.

**APPLICATION SUMMARY:** The proposed requests are for the 13.58-acre Journey Church Property. The site was last approved by the Board of County Commissioners (BCC) on July 27, 1989.

The request will modify the Site Plan by abandoning a previously approved Educational Institution, in order to allow a General Daycare in the existing building on the southwest portion of the site. The existing Place of Worship remains unchanged. The Preliminary Site Plan (PSP) indicates four buildings with a total of 47,717 square feet (sq.ft). The plan also indicates 379 parking spaces and an access point from Military Trail.

**SITE DATA:**

Location:	West side of Military Trail, approximately .17 miles south of Lantana Road
Property Control Number(s)	00-42-45-01-00-000-3220: 3050
Existing Future Land Use Designation:	Institutional and Public Facilities (INST) with Medium Residential (MR-5)
Existing Zoning District:	Agricultural Residential District (AR) with Single-Family Residential District (RS)
Total Acreage:	13.58 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Atlantis, Greenacres
Future Annexation Area	Lantana
Commission District	District 02, Vice Mayor Gregg K. Weiss

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

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received one phone call from the public regarding this application. The caller voiced a concern regarding the Daycare and the amount of traffic generated from the use.

**PROJECT HISTORY:** The site was originally approved by the BCC on November 29, 1973 for a Church and Accessory Facilities (R-1973-0816) with the most recent approval by the Board of County Commissioners (BCC) on July 25, 2002.

Application No.	Request	Resolution	Approval Date
Z/CA-1973-0216	To Rezone from the Agricultural Residential to the Residential Single Family Zoning District To reconfigure the site plan and add square footage	R-2022-1236, R-2022-1237	07/25/2002
Z/SE-1973-0216	Increase the square footage for the Church and Accessory Buildings and Structures and Permit an Educational Institution.	R-1990-0057, R-1990-0058	07/27/1989
SE-1973-0216	Special Exception to Allow a Church and Accessory Facilities	R-1973-0816	11/29/1973

---

## FINDINGS:

When considering an ABN application, the BCC and ZC shall consider the Standards indicated below.

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

The proposed abandonment of the Educational Use is consistent with the Goals, Objectives and Policies of the Comprehensive Plan. The existing Place of Worship will remain and a proposed Daycare will replace the abandoned Educational Institution.

- 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 proposed Development Order Abandonment for an Educational Institution Use is consistent with the Code. The existing Place of Worship will remain and the abandonment of the Educational Use will allow for the addition of the Daycare.

- c. Adequate Public Facilities:** *The proposed abandonment of the DO shall not impact the approved requirements of [Art. 2.F, Concurrency \(Adequate Public Facility Standards\)](#). 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 proposed abandonment will not impact the requirements of Art. 2.F, Concurrency (Adequate Public Facility Standard). Concurrency has been requested by the Applicant for the new use.

- 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.*

As the Educational Use is no longer being utilized, the applicant has requested to abandon the Educational Use to allow a Daycare in the existing Building D on site. The new use will not add any additional square footage and the existing building footprint will remain the same.

---

## FINDINGS:

### Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

The subject application has a Development Order Amendment to modify the prior conditions of approval for the Place of Worship that was originally approved in 1973 and the Private School (K-12) approved in 1990, and add a Conditional Use for a General Daycare. The analyses for both of these requests are consolidated under each of these standards.

**a. Consistency with the Plan - *The proposed amendment is consistent with the Plan.***

- *Consistency with the Comprehensive Plan:* The proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- *Relevant Comprehensive Plan Policies:* Future Land Use Element (FLUE) Policy 2.2.8-a, states that an institutional use may be allowed in all future land use designations provided the use is consistent with the provisions of the comprehensive plan and the ULDC. The proposed place of worship with a daycare is an Institutional use, and, the subject request is within the INST FLU.
- *Intensity:* The request to reallocate previously approved square footage and does not seek to change the previously approved 47,717 sq. ft., which equates to a FAR of approximately 0.08 (47,717 / 591,588 sq. ft. or 13.581 acres = 0.079). The maximum Floor Area Ratio (FAR) of 0.45 is allowed for an institutional use within any FLU designation (591,588 sq. ft. or 13.581 acres x 0.45 maximum FAR = 266,214.6 sq. ft. maximum).
- *Special Overlay District/Neighborhood Plan/Planning Study Area:* The subject site is not located within any neighborhood plans, overlays, or plan study areas as identified in the Comprehensive Plan.

**b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.***

The modification to the Place of Worship, removal of the school and addition of the General Daycare does not conflict with Code and is consistent with the purpose and intent. The Applicant is seeking to utilize its existing structures, to allow for the Daycare care, and the Place of Worship at different times of the week. The Daycare will replace the previously approved K-12 School they no longer service.

- *Nonconformities:* There are several site element non-conformities related to interior landscaping and easement encroachment to grass parking that were legally approved in prior Development Orders and are carried forward with this request. Those items have been indicated on the Preliminary Site Plan and are vested pursuant to the requirements of Art 1.E Prior Approvals and Art 1.F, Nonconformities.
- *Property Development Regulations:* The lot conforms to the property development regulations of the Zoning District. The existing Place of Worship and the proposed Daycare comply with the setbacks for the Zoning district and do not exceed the building coverage.
- *Place of Worship:* The existing Place of Worship was previously approved by the BCC and is still conforming to the ULDC requirement. No additional square footage is proposed. Building D is proposed to be used by both the Daycare and the Youth Ministries at different times.
- *General Daycare:* The proposed General Daycare meets the requirements as indicated on Article 4.B.4.C.7 for the daycare as related to; setbacks, drop off spaces, sidewalks and outdoor play area as required by the Childcare Section of the Health Department. The daycare is not proposed to operate 24 hours per day.
- *Parking:* The Place of Worship based on 1,137 seats and 216 children will require 379 parking spaces including 11 drop-off spaces.
- *Landscape/Buffering:* The site plan is in compliance with the prior conditions of approval for landscape buffers and there is no request to modify them.
- *Signs:* The development is conditioned to only one freestanding sign along the frontage for which they have not requested any amendment to.

**c. Compatibility with Surrounding Uses - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.***

The subject property was previously considered compatible with the surrounding residential neighborhoods with the K-12 school and the Place of Worship. Modification to allow a Daycare in place

of the school continues to be consistent with the existing uses and district of the community. The use will be located within existing structures and the outdoor play area for the Daycare on the south side of Building D, which is separated approximately 100 feet from the residents to the south by a perimeter landscape buffer and parking.

- d. Effect on Natural Environment** – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

The modification to the Place of Worship, along with the addition of the Daycare does not create adverse impacts on the natural environment. The proposal will utilize existing structures and site amenities for the existing and new use.

- *Vegetation Protection:* The property is an existing place of worship. The car care facility is existing.
- *Wellfield Protection Zone:* The property is not located within a Wellfield Protection Zone.
- *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.
- *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

- e. Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The addition of the daycare use on this property will result in a logical development pattern as it will allow for the inclusion of an additional Institutional, Public or Civic use in the area that will serve the neighborhood as well as the members of the Place of Worship. The previous approval included a school for K-12 students, the proposed request modifies to remove the school and replace it with the Daycare. The pattern for the institutional and civic uses remains as a development pattern that exists for the area.

- f. Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

The development as a whole, for both the amendment to the Place of Worship and the new General Daycare complies with the provision of Adequate Public Facilities. The review by the agencies are as follows:

ENGINEERING COMMENTS:

The proposed addition of 216 children daycare to the existing Church, is expected to generate additional 441 net new daily trips, 84 net new AM peak hour trips, and 85 net new PM peak hour trips. The build out of the project is expected to happen by 2025.

The additional traffic will have insignificant impacts on the area network, as per the definition in Palm Beach County Traffic Performance Standards. The property Owner will create a new access point on Military Trail at the existing restricted median opening prior to the daycare enrollment exceeding 100 children. This new access will be in-only, while the existing Tall Pines Rd will be exit only.

**ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)**

Segment: Military Trail from Lantana Rd to Hypoluxo Rd  
Existing count: Northbound=1436, Southbound=1296  
Background growth: Northbound=403, Southbound=367  
Project Trips: Northbound=23, Southbound=23  
Total Traffic: Northbound=1862, Southbound=1686  
Present laneage: 3 in each direction  
Assured laneage: 3 in each direction  
LOS "D" capacity: 2940 per direction  
Projected level of service: Better than LOS D in both directions

PALM BEACH COUNTY HEALTH DEPARTMENT: This project meets the requirements of the Florida Department of Health.

**FIRE PROTECTION:** Staff has reviewed this application and have no comment. The subject site is within the service area of PBC Fire Station #43.



**SCHOOL IMPACTS:** The School Board has no comment regarding this non-residential application.

**PARKS AND RECREATION:** Non-residential project therefore, Park and Recreation ULDC requirements do not apply.

- g. Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The proposed structure will provide a dedicated space for the Applicant’s youth ministry during church services; and to fill an urgent need of the community by providing day care during the week. The Applicant will utilize available space to the south of the fellowship hall for the Daycare Use. This development is logical as these uses are typically found at similar places of worship and subject site has sufficient space to accommodate this additional building while still providing substantial setbacks from the adjacent uses.

**CONCLUSION:** Staff has evaluated the standards listed under Article 2.B and has determined that there is a balance between the need for change and the potential impacts generated by this change. Staff is recommending conditions from the Place of Worship also be placed on the General Daycare approval should the Place of Worship be abandoned in the future. Staff is recommending approval of these requests, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

## CONDITIONS OF APPROVAL

### EXHIBIT C-1 - Development Order Amendment

#### ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2002-1237, Control No.1973-00216, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-73-0816 (Petition 73-21 6), R-90-57, R-90-58 (Petition 73-21 6(A)) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified.

#### Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-2002-01237 Control 1973-216 have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2002-1237, Control No.1973-00216, which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated May 10 , 2002. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

#### Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated August 22, 2022. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING-Zoning)

3. Prior to site plan certification by the Development Review Committee (DRC), the petitioner shall record in the public record a unity of control title for the entire subject property. The unity shall be recorded in a form and manner acceptable to the County Attorney. The unity shall not be removed, altered, changed, or amended without written approval from the Zoning Director. (DRC: ZONING - CO Att) (Previous ALL PETITIONS Condition 4 of Resolution R-2002-1237, Control No.1973-00216)

#### ARCHITECTURAL REVIEW

1. At time of submittal for final DRC certification, the architectural elevations shall be submitted for final architectural review and approval. Elevations and the site plan shall be designed to be consistent with Sec. 6.6.E and 6.6.C of the ULDC. Development shall be consistent with the approved architectural elevations and DRC certified site plan. (DRC: ZONING-Zoning) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

#### ENGINEERING

1. Developer shall construct, at his expense, the required left and right turning lanes onto Military Trail (S.R.809) (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

2. Prior to the issuance of any building permits the developer shall deed to Palm Beach County the additional right-of-way required to provide for a one hundred twenty (120) foot right-of-way for Military Trail (S.R. 809) and the forty (40) feet for a limited access road. The total of the right-of-way being one hundred (100) feet from the centerline of Military Trail (S.R. 809). (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

3. The petitioner shall comply with all previous conditions of approval unless expressly modified herein, except for condition No. 2. of Resolution No. R-73-0816, which shall hereby be amended to require sixty-seven (67) feet, rather than one hundred (100) feet from centerline at Military Trail, at no cost to Palm Beach County. Prior to site plan approval, this property owner shall reimburse Palm Beach County for any funds previously paid for this right-of-way. (ONGOING: ENGINEERING - Engineering) [Note:



COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2002-1237, Control No.1973-00216)

4. The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. This requirement shall apply to any existing drainage problem as well. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the code Enforcement Board for enforcement. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2002-1237, Control No.1973-00216)

5. Condition E5 of Resolution 90-58, Petition 73-21 6(A) which currently states: The property owner shall pay a Fair Share Fee in the amount and manner required by the Fair Share Contribution for Road Improvements Ordinance as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$3,402.00 (127 trips x \$26.79 per trip).

**Is hereby deleted.** [Reason: code requirements] (Previous ENGINEERING Condition 5 of Resolution R-2002-1237, Control No.1973-00216)

6. Condition E5 of Resolution 90-58, Petition 73-21 6(A) which currently states In addition the Developer shall contribute the amount of \$340.00 as established in Article V Section 3 (Insignificant Project Standard) of the Traffic Performance Standards Code. These funds of \$340.00 shall be paid prior to the issuance of the first building permit.

**Is hereby deleted.** [Reason: code requirements] (Previous ENGINEERING Condition 6 of Resolution R-2002-1237, Control No.1973-00216)

7. Condition E7 of Resolution 90-58, Petition 73-21 6(A) which currently states If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount of \$340.00 shall be credited toward the increased Fair share Fee.

**Is hereby deleted.** [Reason: code requirements] (Previous ENGINEERING Condition 7 of Resolution R-2002-1237, Control No.1973-00216)

8. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2025, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

9. The Property Owner shall construct a new in-only entrance on Military Trail at the current restricted median opening fronting the project as well as construction of an internal one-way in-only roadway stretching between the new entrance and Tall Pines Rd, as shown on the approved site plan or as approved by the County Engineer. 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. Beginning May 1, 2023 and continuing every 6 months thereafter until the total enrollment exceeds 100 children, the Property Owner shall submit total Daycare enrollment numbers to the Traffic Division and Monitoring Section. (ONGOING: ENGINEERING - Engineering)

b. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPM: LAND DEVELOPMENT - Land Development)

c. Construction shall be completed prior to Daycare enrollment for more than 100 children. (ONGOING: MONITORING - Engineering)

10. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

11. Prior to the recordation of the plat, the Property Owner shall record an access easement over the new driveway alignment to provide access to the outparcels. The easements shall be approved by the County Attorney and Land Development prior to recordation. (PLAT: ENGINEERING - Engineering)

## **ENVIRONMENTAL**

1. All existing native vegetation depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation has been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (ONGOING: ERM-ERM) (Previous ENVIRONMENTAL Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

## **HEALTH**

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted to the site. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

## **LANDSCAPE - GENERAL**

1. Fifty-percent (50%) of trees to be planted in the perimeter buffer shall be native canopy trees and meet the following minimum standards at installation:

- a. Tree height: Fourteen (14) feet;
- b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade;
- c. Canopy diameter: Seven (7) feet - diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length;
- d. Credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: LANDSCAPE - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

2. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Palm heights: twelve (12) feet clear trunk;
- b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and,
- c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

3. All shrub or hedge materials shall be planted in continuous masses and in a meandering and naturalistic pattern, consisting of a minimum of three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:

- a. eighteen (18) to twenty-four (24) inches - groundcover and small shrub;
- b. twenty-four (24) to thirty-six (36) inches - medium shrub;
- c. forty-eight (48) to seventy-two (72) inches - large shrub; and,
- d. this condition does not apply to the five (5) foot wide compatibility buffer. (CO: LANDSCAPE - Zoning) (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2002-1237, Control No.1973-00216)

4. All trees and palms shall be planted in a meandering and naturalistic pattern. (CO: LANDSCAPE - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2002-1237, Control No.1973-00216)

## **LANDSCAPE - INTERIOR-INTERIOR FOR THE 5 ACRE PARCEL ONLY**

5. A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (CO: LANDSCAPE - Zoning) (Previous LANDSCAPE - INTERIOR Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

6. Foundation planting or grade level planters shall be provided along the front and side facades of all structures to consist of the following:

- a. The minimum width of the required landscape areas shall be eight (8) feet;
- b. The length of the required landscaped areas shall be no less than fifty percent (50%) of the total length of each side of the structure; and,
- c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building facade and appropriate ground cover. (CO: LANDSCAPE - Zoning) (Previous LANDSCAPE - INTERIOR Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

## **LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF MILITARY TRAIL ONLY)**

7. Landscaping and buffering along the east property line shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip;



b. one (1) native canopy tree for each thirty (30) feet of the property line; c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation; e. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and, f. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: LANDSCAPE - Zoning) (Previous LANDSCAPING - EASTERN PROPERTY LINE Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

## **LIGHTING**

1. Previous LIGHTING Condition 1 of Resolution R-2002-1237, Control No.1973-00216, which currently states:

All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets.

**Is hereby deleted.** [REASON: Code Requirement]

2. All outdoor, freestanding lighting fixtures shall not exceed twenty- five (25) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

3. All outdoor, freestanding lighting fixtures be setback fifty (50) feet from the north and west property lines. (CO: BLDG - Zoning) (Previous LIGHTING Condition 3 of Resolution R-2002-1237, Control No.1973-00216)

4. All outdoor lighting shall be extinguished no later than 10:30 p.m. excluding security lighting only. (ONGOING: CODE ENF-Zoning) (Previous LIGHTING Condition 4 of Resolution R-2002-1237, Control No.1973-00216)

5. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF-Zoning) (Previous LIGHTING Condition 5 of Resolution R-2002-1237, Control No.1973-00216)

## **SIGNS**

1. There shall be no off premise sign permitted on site. (ONGOING: ZONING – Zoning) (Previous SIGNS Condition 1 of Resolution R-2002-1237, Control No.1973-00216)

2. Proposed Freestanding point of purchase signs fronting on Military Trail shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - ten (10) feet;
- b. maximum sign face area per side - 100 square feet;
- c. maximum number of signs - one (1);
- d. style - monument style only; and,
- e. location - within 50 feet of the access point on Military trail.
- f. Signs shall be limited to identification of tenants only. (CO: BLDGZoning) (Previous SIGNS Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

3. The existing wood signs shall be removed from the site prior to the final DRC certification of the site plan. (DRC: LANDSCAPE - Zoning) [NOTE: Completed] (Previous SIGNS Condition 3 of Resolution R-2002-1237, Control No.1973-00216)

## **USE LIMITATIONS**

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2002-1237, Control No.1973-00216, which currently states:

Use of the site shall be limited to a church with accessory school (K- 12), Sunday School and a family life care center.

**Is hereby deleted.** [REASON: the removal of the school and addition of the daycare use makes this no longer applicable.]

2. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF-Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2002-1237, Control No.1973-00216)

3. Vehicle parking shall be limited to the parking spaces designated on the site plan. There shall be no parking in landscape areas, rights-of-way or interior drives. (ONGOING: CODE ENF-Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2002-1237, Control No.1973-00216)

### **COMPLIANCE**

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

### **DISCLOSURE**

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

## CONDITIONS OF APPROVAL

### Exhibit C-2 –

#### Class A Conditional Use – General Daycare

##### ALL PETITIONS

1. The approved Preliminary Site Plan is dated August 22, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

##### LANDSCAPE GENERAL

1. The daycare shall be subject to the Landscape Conditions as noted for the Place of Worship. (ONGOING: ZONING – Zoning)

##### LIGHTING

1. All outdoor, freestanding lighting fixtures shall not exceed twenty-five (25) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning)

2. All outdoor, freestanding lighting fixtures be setback fifty (50) feet from the north and west property lines. (CO: BLDG - Zoning)

3. All outdoor lighting shall be extinguished no later than 10:30 p.m. excluding security lighting only. (ONGOING: CODE ENF-Zoning)

4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF-Zoning)

##### SIGNS

1. The daycare shall not have a freestanding sign. (ONGOING: ZONING – Zoning)

##### USE LIMITATIONS

1. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF – Zoning)

2 Vehicle parking shall be limited to the parking spaces designated on the site plan. There shall be no parking in landscape areas, rights-of-way or interior drives. (ONGOING: CODE ENF – Zoning)

##### COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

##### DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.



Figure 1 - Land Use Map

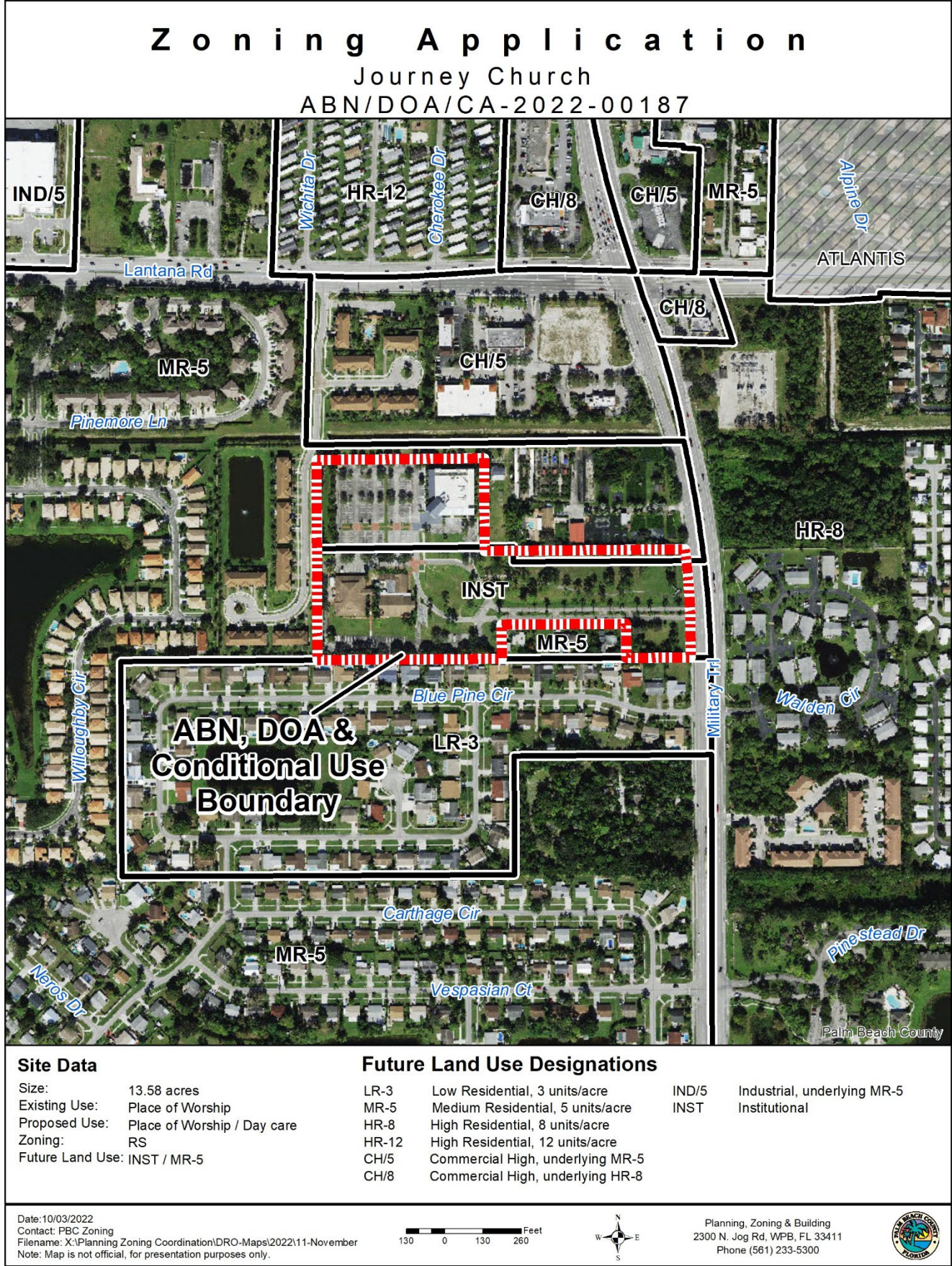
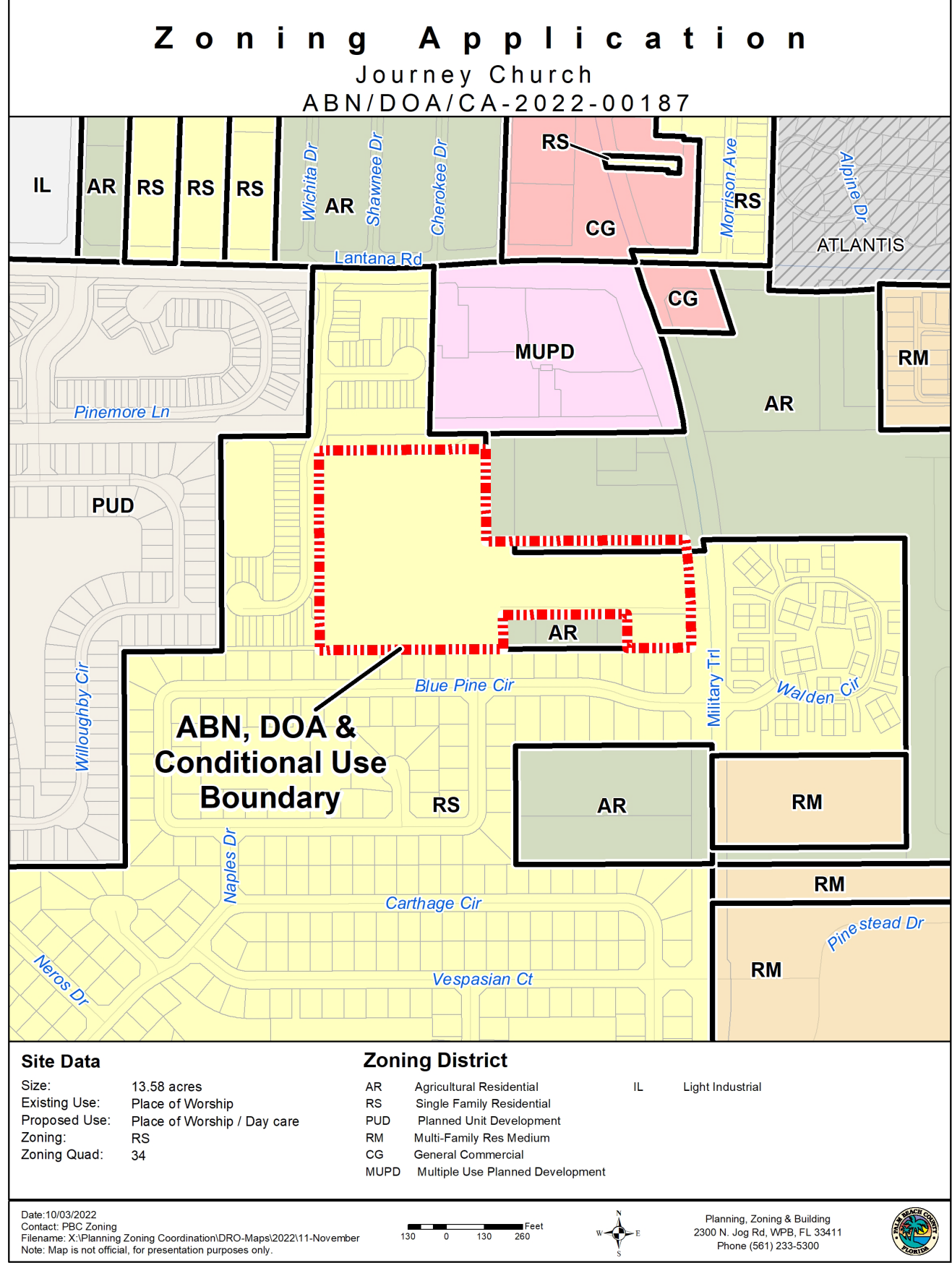
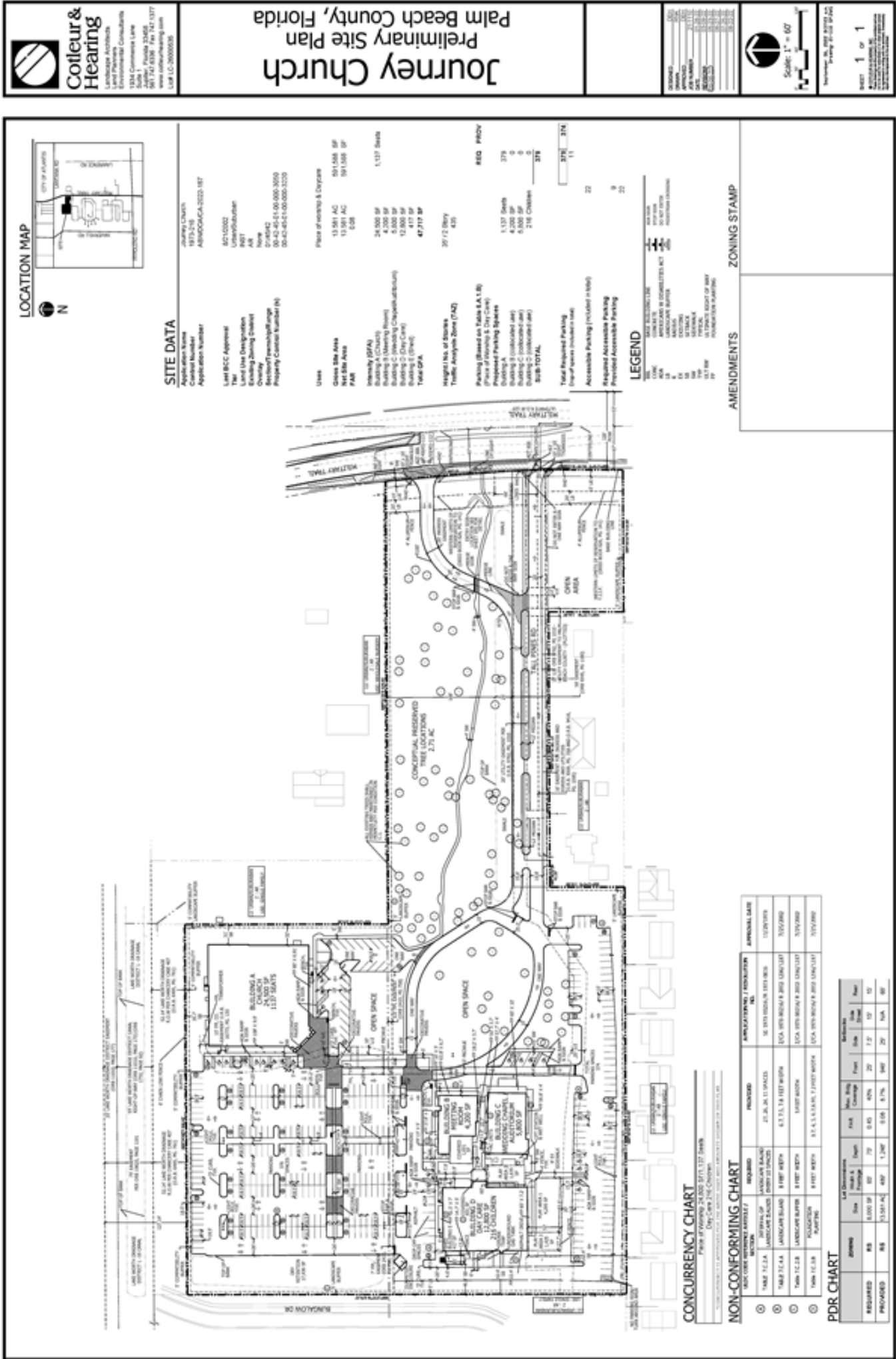




Figure 2 - Zoning Map



### Figure 3 – Preliminary Site Plan dated August 22, 2022





Zoning Commission  
Application No. ABN/DOA/CA-2022-0187



Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

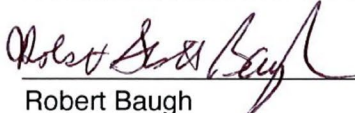
STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Robert Baugh, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- Affiant is the ☐ individual or ☒ President of Journey Church Lake Worth Inc [position - e.g., president, partner, trustee] of Journey Church Lake Worth Inc [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
- Affiant's address is: 6201 S Military Trail  
Lake Worth, FL 33463
- Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
- Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
Robert Baugh, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [x] physical presence or [ ] online notarization, this 2nd day of February, 2022 by Robert Baugh, as president (name of person acknowledging). He/she is personally known to me or has produced personally known (type of identification) as identification and did/did not take an oath (circle correct response).

Michelle Gangone  
(Name - type, stamp or print clearly)

  
(Signature)

My Commission Expires on: 7/13/2025

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"**

**PROPERTY**

PARCEL 1 The South half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, Less the East 41.25 feet of the South 116 feet thereof;

PARCEL 2 The South half of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, excepting therefrom the South 220 feet and the right of way for Military Trail;

PARCEL 3 The North 38 feet of the South 154 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the right of way for Military Trail;

PARCEL 4 The North 66 feet of the South 220 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the right of way for Military Trail;

PARCEL 5 The East 285.00 feet of the South 116.00 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the right of way for Military Trail;

PARCEL 6 The West half of the North half of the North half of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the East 98 feet thereof, and less the North 52.14 feet for Lake Worth Drainage District Canal L-16 pursuant to the Chancery Case No. 407 as recorded in Official Record Book 6495, page 761, Public Records of Palm Beach County, Florida.

SUBJECT TO easements, reservations, restrictions and rights of way of record, if any.  
Containing: 13.581 Acres, more or less  
Parcel ID Number: 00-42-45-01-00-000-3050 & 3220

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Not Applicable - Journey Church Lake Worth, Inc. is a	
non-profit therefore no individual has an ownership interest.	