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**BOARD OF COUNTY COMMISSIONERS ZONING HEARING  
AMENDMENTS TO THE AGENDA - ADDENDUM  
FEBRUARY 27, 2025**

**REGULAR AGENDA**

**C. Large Scale Plan Amendments with Concurrent Zoning & ULDC Applications**

**12. LGA-2024-00010 Rawlings Estates**

**AMEND – To add a Condition of Approval** as shown with the deleted text struck out and added text underlined:

3. The Zoning Development Order shall provide for a minimum 2.08-acre dedication to Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.

**14. CA-2024-00745 Rawlings Estates Subdivision (1996-30143)**

**AMEND – To modify Class A Conditional Use** Conditions of Approval in Exhibit C-2 as shown with the deleted text struck out and added text underlined:

**PROPERTY & REAL ESTATE MANAGEMENT**

1. Platting & Deed.

In accordance with Condition 3. of the concurrent Future Land Use (FLU) and Text Amendments (LGA 2024-010), the Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.08 acre or greater lot (net usable area - including minimum required perimeter landscape buffers), in the general location identified on the certified PSBP-1 as lots 52 and 53 and ~~form in a final configuration~~ acceptable to Facilities Development & Operations Department (FD&O) ~~by April 30, 2027 or other date that is mutually agreeable to the Property Owner and FD&O~~ prior to the issuance of a Certificate of Occupancy (CO) for the first residential unit. Property Owner to plat and dedicate the lot to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

a) Title

Property Owner to provide a title policy insuring marketable title to Palm Beach County for the lot and any easements that service the lot as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property &

Real Estate Management (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed lot or the contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24 month period. If an appraisal is required it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declaration of Covenants and Restrictions and restrictive covenants as they may apply to the subdivision and lot.

b) Concurrency

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the lot and recorded on the concurrency reservation for the entire subdivision. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the lot would support and the corresponding amount of trips. If no County use is applied to the lot, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the lot would support if it were residential.

c) Taxes

All ad valorem real estate taxes and assessments for the year of acceptance shall be prorated to include the day of acceptance.

d) Lot condition

Lot to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.

e) Retention and Drainage

Property Owner shall provide all retention, detention, and drainage required for any future development of the lot by the County. Property Owner shall specifically address the following issues:

- 1) The discharge of surface water from the lot into the Property Owner's water retention basins.
- 2) An easement across Property Owner's property from the lot to the retention basins, if required.

f) On-Site Inspections

By acceptance of these conditions Property Owner agrees to allow the County to perform any on-site inspections and testing deemed appropriate to support the acquisition of the lot.

~~g) Vegetation Permit~~

~~Property Owner to perform a tree survey and obtain a vegetation clearing permit. If it is determined by PREM that clearing is not required at time of conveyance, the cost of such clearing shall be paid to the County.~~

~~h) Buildable Grade~~

~~Prepare the lot to buildable grade under the direction of the FD&O Department. Lot shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (at the discretion of FD&O), all of which shall be to the satisfaction of FD&O. The buildable grade elevation required will generally be the highest crown of road adjacent to the lot, unless~~

~~otherwise determined by PREM. Proposed County Critical Care Facilities may require higher elevations as determined by County, at County's sole discretion. Property Owner to provide: 1) In-place density test (density requirements as determined by PREM), 2) Soil placement monitoring report, 3) Test of materials used in the soil placement monitoring report, 4) Final survey to include topo results.~~

~~i) Water, Sewer and Reclaim Water~~

~~Property Owner to provide water, sewer, reclaim water stubbed out to the property line and other required utilities as determined by PREM.~~

~~j) Irrigation~~

~~Property owner to provide an easement across Property Owner's property, from the lot to available retention basins, if requested by PREM.~~

~~(DATECO: MONITORING - Property Real Estate Management)~~

## 2. Survey

The Property Owner shall provide the County with a survey certified to Palm Beach County of the lot ~~by October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O~~prior to the issuance of a Building Permit for the first residential unit. Survey shall reflect the boundary and topographical areas of the lot and the surveyor shall use the following criteria:

a) The survey must meet the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in rule 5J-17.050-.052, Florida Administrative Code, pursuant to section 472.027, Florida Statutes and Countywide PPM CW0-058.

b) If this lot is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.

c) The survey, conceptual engineering plan or equivalent deemed acceptable to PREM should include a location of any proposed water retention area that will border the lot and the proposed drainage easement area for storm water outfall from the lot to the development's storm water management system.

Survey is also subject to the County's approval of any proposed or existing easements within the lot and all title exceptions are to be shown on the survey.

~~(DATEBUILDING PERMIT: MONITORING - Property Real Estate Management)~~

## 3. Environmental Survey

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the lot ~~by October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O~~prior to the issuance of a Building Permit for the first residential unit. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County's sole discretion.

The assessment will include but not be limited to the following:

- a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the lot.
- b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the lot will be required. The review shall include, but not be limited to, Palm Beach county Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the lot or any bordering property is on the following lists:

- 1) EPA's National Priorities list (NPL)
  - 2) Comprehensive Environmental Response compensation and Liability Act system List (CERCLA)
  - 3) Hazardous Waste Data Management System List (HWDMS).
- c) Review of current and historical aerial photographs of the lot. Provide a recent aerial showing the lot and surrounding properties.
  - d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.
  - e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone.

(~~DATE~~BUILDING PERMIT: MONITORING - Property Real Estate Management)

#### ~~4. Cash-Out~~

~~The Property Owner may request to exchange the required on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval when the County has established that the cash or off-site land is the more viable option and enhances or supports a County property, facility or function in the general vicinity of the subdivision. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 1, 2 & 3 above will also apply. If the land off-site is of less cash value than the on-site dedication the Property Owner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal process and be at the cost of the Property Owner. If off-site land or cash contribution is accepted by Palm Beach County, the Property Owner shall be deemed to have satisfied the intent of the ULDC and PREM conditions herein.~~

~~5. Prior to Technical Compliance of the Plat for the subdivision, the Property Owner shall grant a Perpetual Access Easement to the County in a form, manner and configuration deemed appropriate and acceptable to PREM to serve the lot. (TC: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)~~

~~64.~~ The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, and related Subdivision Plans and Site Plans a disclosure statement identifying and notifying prospective homeowners that the subdivision includes the lot for a future fire-rescue facility. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the

Monitoring Section of Planning, Zoning and Building beginning on October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all residential lots have been sold. (DATE: MONITORING - Property Real Estate Management)

75. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, and related Subdivision Plans and Site Plans a disclosure statement identifying and notifying prospective homeowners that the estimated fire and emergency medical response time to the subdivision is higher than is standard, and estimated at 10 minutes and 30 seconds or greater depending upon time of day and operating conditions, which will continue until such time as a future fire-rescue facility is delivered to serve the subdivision and surrounding service zone. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all residential lots have been sold. (DATE: MONITORING - Property Real Estate Management)



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING  
AMENDMENTS TO THE AGENDA  
FEBRUARY 27, 2025**

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. Postponements**

**3. ZV/PDD-2024-01280 El Carwash Boca (1974-00122)**

**AMEND – To modify the Agenda** to move to the Postponements/Remands/Withdrawals Agenda per applicant’s letter requesting request postponement ([attached](#)) and to modify the motion as shown with the deleted text struck out and added text underlined:

**MOTION:** To postpone to March 27, 2025 ~~To adopt a resolution approving~~ item 3.a.

**C. Withdrawals**

**15. SCA-2024-00009 Haverhill Recovery Facility (2017-00059)**

**AMEND – To modify the Agenda** to move to the Postponements/Remands/Withdrawals Agenda per applicant’s letter withdrawing the application ([attached](#)) and to modify the motion as shown with the deleted text struck out and added text underlined:

**MOTION:** No motion necessary ~~To adopt an Ordinance approving item 15.~~

**16. ABN/Z-2024-00519 Haverhill Recovery Facility (2017-00059)**

**AMEND – To modify the Agenda** to move to the Postponements/Remands/Withdrawals Agenda per applicant’s withdrawal of 15 and to modify the motion as shown with the deleted text struck out and added text underlined:

**MOTION:** No motion necessary ~~To adopt a resolution approving item 16.a and 16.b.~~

**CONSENT AGENDA**

**B. Zoning Applications**

**3. ZV/PDD-2024-01280 El Carwash Boca (1974-00122)**

**AMEND – To modify Development Order Amendment** Conditions of Approval in Exhibit C-1 as shown with the deleted text struck out and added text underlined:

**ENVIRONMENTAL**

~~1. A preserve Management Plan and form of recordation such as Conservation Easement, Restrictive Covenant or Plat, shall be approved by ERM prior to final site plan approval. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT – Environmental Resources Management)~~

1. Prior to building permit approval, in a form approved by and acceptable to ERM and the County Attorney's Office, the Property Owner shall submit and record an amendment to the Conservation Easement recorded in Official Record Book 17150 Page 1170 to include the areas depicted as "Additional Easement Area" in Conservation Easement B as indicated on the Site Plan. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final approval by the Development Review Officer (DRO), a Preserve Management Plan shall be provided to ERM for review and approval for the area depicted as Conservation Easement B as shown on the Site Plan, which includes the Additional Easement Areas. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

**4. Z/DOA-2024-01026 Palm West Hospital Expansion (1984-00054)**

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

LANDSCAPE - PERIMETER

5. Previous LANDSCAPE - PERIMETER Condition 9 of Resolution R-2011-1673, Control No.1984-00054 which currently states:

Landscaping and buffering along the north and west property lines shall be upgraded to include:

a. a minimum twenty-five (25) foot wide landscape buffer strip. ~~(TC: ZONING – Zoning) (Previous LANDSCAPE – PERIMETER Condition 9 of Resolution R-2011-1673, Control No.1984-00054)~~

Is hereby amended to read:

The Type 2 Incompatibility buffer along the east 873 feet of the north property line and along the north 834 feet of the west property line shall be upgraded to include:

a. a minimum width of twenty-five feet. (BLDGPMT/ONGOING: ZONING – Zoning)

COMPLIANCE

~~2. Failure to comply with any of the Voluntary Commitments 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 Voluntary Comm (ONGOING: MONITORING – 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: MONITORING - Zoning)

**6. CA-2024-00609 Celtic Multifamily (2017-00009)**

**AMEND – To modify the Agenda and Staff Report** to revise the “Request” for to indicate 16 Workforce Housing Program Bonus Units rather than ~~17~~ Workforce Housing Program Bonus Units as depicted.

## REGULAR AGENDA

### **B. Large Scale Plan Amendments with Concurrent Zoning Applications**

#### **11. Z-2024-01037 Reserve at Eagles Landing (2024-00099)**

**AMEND – To modify the Agenda and Staff Report** to revise the “Request” for to indicate 26.24 acres rather than 2.24 acres as depicted.

### **C. Large Scale Plan Amendments with Concurrent Zoning & ULDC Applications**

#### **13. Loxahatchee Estates Overlay (LEO), ULDC Permission to Advertise**

**AMEND – To modify the Agenda Staff Recommendation and Motion** as shown with the deleted text struck out and added text underlined:

**Staff Recommendation:** Staff recommends

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 permission to advertise for first reading and adoption of an Ordinance at the BCC Zoning Hearing on March 27, 2025

**Motion:** To approve staff recommendation ~~for item~~ 13.a and 13.b

#### **14. CA-2024-00745 Rawlings Estates Subdivision (1996-30143)**

**AMEND – To modify Class A Conditional Use** Conditions of Approval in Exhibit C-1 as shown with the deleted text struck out and added text underlined:

##### ENVIRONMENTAL

1. Prior to the final approval by the Development Review Officer, the Applicant shall update the Final Subdivision Plan and Regulating Plan to indicate a 20-foot-wide Tree Preservation Area along 180<sup>th</sup> Avenue North for the north parcel. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for the 20-foot-wide Tree Preservation Area ~~provided~~ for the northern parcel along 180<sup>th</sup> Avenue North. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

**AMEND – To modify Class A Conditional Use** Conditions of Approval in Exhibit C-2 as shown with the deleted text struck out and added text underlined:

##### PROPERTY & REAL ESTATE MANAGEMENT

1. Platting & Deed.

In accordance with Condition ~~43~~ of the concurrent Future Land Use (FLU) and Text Amendments (LGA 2024-010), the Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.08 acre or greater lot (net usable area - including minimum required perimeter landscape buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by April 30, 2027 or other date that is mutually agreeable to the Property Owner and FD&O. Property Owner to plat and dedicate the lot to Palm Beach County prior to conveying

### **E. ULDC Revisions**

#### **17. Affordable Housing Program Parking Waiver, ULDC Permission to Advertise**

**ADD – To add a Motion** for the BCC to receive and file the Business Impact Estimate.

**MOTION:** To receive and file the Business Impact Estimate for this item.

**D. Monitoring, Status Reports, and Planning Items**

**20. Workforce Housing Program – Potential Changes**

**ADD – To add the following correspondence:**

- [Gold Coast Builders Association Letter](#)
- [Housing Leadership Council of PBC Letter](#)

**21. Countywide Transportation Master Plan (CTMP) Resolution**

**DELETE – To delete this item from the agenda**

Lisa Amara  
Zoning Director  
Palm Beach County Planning, Zoning & Building Department  
2300 N Jog Rd.  
West Palm Beach, FL 33411  
[lamara@pbc.gov](mailto:lamara@pbc.gov)  
561-233-5334

February 25, 2025

**Subject: Request for Postponement – El Carwash Boca (ZV/PDD-2024-01280)**

Good morning, Lisa,

I hope you're doing well.

On behalf of El Car Wash, LLC please accept this correspondence as the applicant's formal request for a postponement for El Carwash Boca (ZV/PDD-2024-01280) from the Board of County Commissioners (BCC) hearing scheduled for February 27, 2025, to March 27, 2025, BCC hearing. This request is to provide the applicant with the opportunity to meet with the district commissioner to discuss the details of the proposed development plan prior to it is presented to the board.

We appreciate your time and assistance with this matter. Please let us know if you require any additional information or documentation to process the postponement request. We thank you and look forward to presenting the project on March 27, 2025, BCC hearing.

Sincerely,



Jeanne Ducharme  
Senior Planner  
Cotleur and Hearing  
1934 Commerce Lane  
Suite 1  
Jupiter, FL 33458  
[jducharme@cotleur-hearing.com](mailto:jducharme@cotleur-hearing.com)  
561-406-1005



February 24, 2025

To: Thuy Shutt, Planning Director  
Palm Beach County PZB, Zoning  
2300 Jog Road  
West Palm Beach, FL 33411

From: Stephen Feccia, PLA  
Jessamine Design Build  
5427 Oak Terrace Dr  
Orlando, FL 32839

**Re: Letter of Withdrawal for Haverhill Recovery Facility  
SCA 2024-009**

Dear Thuy,

Please accept this letter behalf of the Property Owner, Haverhill ALF LLC and the Applicant, Haverhill Road Holdings, LLC for a formal withdrawal of the above referenced application of consideration for the following:

Future Land Use Amendment from MR-5 (Medium Residential) to INST (Institutional)

Thank you in advance for your consideration. Please contact Stephen Feccia with any questions or concerns at 508-736-6897 or [steve@jessaminedb.com](mailto:steve@jessaminedb.com)

Sincerely,

  
Stephen M. Feccia, PLA



February 24, 2025

To: Lisa Amara, Zoning Director  
Palm Beach County PZB, Zoning  
2300 Jog Road  
West Palm Beach, FL 33411

From: Stephen Feccia, PLA  
Jessamine Design Build  
5427 Oak Terrace Dr  
Orlando, FL 32839

**Re: Letter of Withdrawal for Haverhill Recovery Facility  
ABN/Z-2024-519**

Dear Lisa,

Please accept this letter behalf of the Property Owner, Haverhill ALF LLC and the Applicant, Haverhill Road Holdings, LLC for a formal withdrawal of the above referenced application of consideration for the following:

Zoning Amendment from PUD (Planned Unit Development) to IPF (Institutional and Public Facilities)  
Abandonment of Type III CLF Conditional Use

Thank you in advance for your consideration. Please contact Stephen Feccia with any questions or concerns at 508-736-6897 or [steve@jessaminedb.com](mailto:steve@jessaminedb.com)

Sincerely,

  
Stephen M. Feccia, PLA



GOLD COAST BUILDERS ASSOCIATION  
MEMBERS WORKING WITH MEMBERS

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February 24, 2025

Thuy Shutt, AIA, FRA-RA, Planning Director  
Palm Beach County Planning, Zoning and Building Department  
2300 North Jog Road  
West Palm Beach, FL 33411-2741

RE: Potential Changes to Workforce Housing Program

CC: Mayor Maria G. Marino, Vice Mayor Sara Baxter, Commissioner Gregg K. Weiss, Commissioner Joel Flores, Commissioner Marci Woodward, Commissioner Maria Sachs, Commissioner Bobby Powell, Jr., County Administrator Verdenia Baker, Deputy County Administrator Patrick Rutter, Planning, Zoning and Building Director Whitney Carroll, AICP

All:

The Gold Coast Builders Association (GCBA) has reviewed the agenda backup for the February 27, 2025, BCC Agenda Item 20 (Workforce Housing Program) and offers the following comments and suggestions. As you may be aware, the GCBA has historically been and continues to be involved with the regulations pertaining to the Palm Beach County Workforce Housing Program. We were disappointed to learn, quite by accident, that this matter was being discussed at the end of a regular monthly Zoning Agenda after last having been brought up for review and discussion in June-August of last year. The actual notice only arrived the morning of February 21, 2025, less than a week ahead of the meeting.

Importantly, as far as GCBA is aware, the County has not conducted and does not plan to conduct a study to demonstrate how the WFH Program, or any proposed changes to it, fully offsets the WFH obligations set forth in the Program in order to demonstrate compliance with Florida Statutes Chapter 125.01055 and/or the requirements of both a nexus and rough proportionality for any exaction, whether by condition or code provision. The statement in the Staff Report "For any changes directed by the Board, staff will draft proposed code changes and request economic feasibility analysis by the County's economic consultant for workforce housing to ensure that project profitability remains at acceptable levels" misses the mark as it considers the incorrect standard.

As to the proposed staff recommendations, we comment as follows:

- (1) Tier Applicability: This is a policy decision by the BCC. If the BCC were to make this change, existing densities (standard and PUD, as applicable) before the application of the WFH bonus in the Exurban, Rural and AGR Tiers should remain vested with no WFH obligation on the vested

densities. This would avoid the County inappropriately violating the requirement of Florida Statutes Chapter 125.01055 to "fully offset" the WFH obligation imposed.

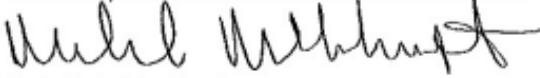
- (2) Voluntary WFP for < 10 units: GCBA concurs with the staff recommendation.
- (3) Affordability Periods: GCBA does not support any change from the current program and supports leaving as currently adopted for-sale as 15-year recurring and rental as 30-year non-recurring. The proposed change directly impacts financing opportunities and ultimately hurts the ability to provide housing, which is contrary to the intent of the requirements.
- (4) Annual Eligibility Determination: GCBA cannot make a recommendation on this matter at the present time as we need to have actual language to review. The concept may be a good one, but we need to better understand the implications of this change before we can make a formal determination. We look forward to discussing this further with you and the BCC.
- (5) In-Lieu Fees: GCBA does not support the elimination of the In Lieu Fee option and recommends the BCC leave the In Lieu Fee Option as currently adopted (adjust annually with CPI-U). GCBA's Builder members clearly heard the direction from the County Commission to utilize the In-Lieu Fee as the option of the last resort and have responded and acted accordingly. But removing a disposition option removes flexibility, and we do not support changes which remove flexibility.
- (6) Limited Incentive Density Option: GCBA strongly objects to the recommendation to eliminate the Limited Incentive Option. The County has not produced a single study proving that Palm Beach County has met the standards of Florida Statutes Chapter 125.01055 to "fully offset" the WFH obligation imposed on projects which utilize ONLY standard or PUD density (i.e. request no bonus density). By removing the Limited Density Incentive option, projects that request no density bonus will effectively have their current WFH obligation doubled without a single off-set being provided by the County. We believe that clearly violates Florida Statutes Chapter 125.01055.
- (7) Exchange Options: GCBA supports leaving the Exchange Program as currently adopted. While the "uncommitted" sub-option is not being used (which proves the Exchange is working), the concept of flexibility is key; removing the "uncommitted" sub-option is removing another layer of flexibility.
- (8) Default Disposition of WFH units: GCBA supports leaving the disposition option as currently drafted and therefore does not support the disposition of "on site" becoming subject to a BCC waiver. The current code already requires the disposition to be declared as part of the zoning approval and therefore the proposed disposition is known to the BCC at the time the development order is approved so no additional burdens are necessary.
- (9) On-site, For-Sale WHP Units: GCBA supports further incentives being offered to encourage on-site WFH construction. GCBA GA does not support a change to "like for like" as most Exchange Program projects convert detached to attached units with a 1.5 times conversion factor, resulting in more WFH units being built.
- (10) Separate MF/TH/SF Pricing: GCBA supports leaving pricing structure as currently adopted.
- (11) WH Rent/For-sale Pricing Schedules: GCBA (1) supports adding a lower bracket (40-60%) as an option, but not an obligation particularly given the increased need to offset those losses as required by Florida Statutes Chapter 125.01055; (2) leaving current HUD derived rental rates; (3) leaving Middle category for rentals; and, (4) putting back (reinstating) the Middle category for for-sale projects.

- (12) Reduced Development Costs and Obstacles: GCBA supports: (1) using In Lieu Fee proceeds to assist with development costs; (2) County offering County owned land for WFH units in the Urban/Suburban Tier whether by transferring ownership or long-term leases; and, (3) providing LDR relief by allowing WFH developments to establish their own specific LDRs/guidelines through the development approval process.
- (13) Reduced Parking Requirements: GCBA believes there is merit in this concept but needs data on the implications of this relative to adequately parking sites before taking a formal position on this proposal. One consideration, for example, could be the difference in the Urban/Suburban Tier where there is more opportunity for mass transit versus other areas of the County.

Representatives of the GCBA will be attending the meeting on February 27<sup>th</sup> should you have any questions.

Regards,

President, Gold Coast Builders Association

A handwritten signature in black ink, appearing to read "Michele L. Mockenhaupt". The signature is fluid and cursive, with the first name being the most prominent.

Michele L Mockenhaupt



February 24, 2025

Mr. Patrick Rutter  
Deputy Administrator  
Palm Beach County  
301 S. Olive St.  
West Palm Beach, FL 33401

Re: Comments on Proposed Changes to Palm Beach County Workforce Housing Program (WHP)

Dear Mr. Rutter:

The Housing Leadership Council of Palm Beach County, Inc. (HLC) is writing with regard to a series of proposed changes to the County Workforce Housing Program (WHP) that were first presented at a Board of County Commissioners (BCC) workshop on June 18, 2024. The County subsequently had an industry and stakeholder forum on August 14, 2024, after which it solicited and received comments through an online summary. Staff recommendations are now being presented at a BCC Zoning Meeting on February 27, 2025 for further BCC discussion and direction to County staff. We wanted to provide HLC's comments to you in advance of this meeting. We have attached for reference the complete table that was included in the Agenda package, providing a summary of current policy, possible changes for evaluation and staff recommendations for each of the covered areas.

It should be noted that, unlike the County Bond program, the WHP only applies to projects in unincorporated Palm Beach County. Also, unlike in the Bond program, no financial subsidy is being provided by the County. The County is imposing a workforce housing requirement as a condition of approval for a particular project to provide the necessary entitlements for the development of the project. As such, it is important for the County to assess the impact of any proposed changes on project economic feasibility, HLC has the following comments regarding the staff's proposed changes to the County WHP:

- 1) Extend the program to Exurban, Rural and AGR Tiers – we do not have an objection to this change.
- 2) Allow projects with <10 units to participate – as this would be a voluntary expansion of the program, we do not have an objection to this proposed change.
- 3) Extension of Affordability Periods – we do not support the recommendation to extend the affordability period for WHP projects to 50 years. Florida Housing Finance Corporation requires a 50-year affordability period for projects that are heavily subsidized in the form of housing tax credits, SAIL funds and tax-exempt bonds. Even so, many of these projects are recapitalized for rehabilitation with more subsidy during the affordability period. As noted,

WHP projects receive no financial subsidy. A perpetual affordability period on projects built on County-owned land may receive a subsidy through a lower land price, but it leaves unaddressed how to refinance and rehabilitate aging properties or how the County will define “perpetual.” We agree with the staff recommendation to maintain the current restriction period for for-sale units.

- 4) Require Annual Income Verification on WHP Units - we would need more detail on how this would work. If a resident in a WHP unit has had a raise and is now over income, do they have to leave the unit, and what is the term of the “grace period” proposed? Or is the unit reclassified as a market unit, and their rent increases to a market level? Is the next available unit classified as a WHP unit and rented to an income qualified household as the WHP rent for that category? Since the WHP is administered by the Planning Dept., who is responsible for reviewing annual compliance submissions by the owner and who pays for this compliance?
- 5) Elimination of In-Lieu Fees – there is already an incentive built into the WHP to encourage developers with a workforce housing obligation to use the Exchange Program so that funds can be matched with developers of workforce housing to produce units more quickly. Eliminating this option removes a source of funding for housing as well eliminates the backup mechanism for the Exchange Program. We are opposed to this change. We also believe it is unnecessary to revisit the level of in-Lieu Fees for the three types of housing, which are increased annually per the CPI.
- 6) Eliminate Limited Incentive Option – we believe the current system provides a distinction between those seeking less rather than more bonus density, while providing an incentive for lower AMI WHP units.
- 7) Eliminate the Uncommitted Exchange Sub-option – we oppose any change that would make the Exchange Program harder to utilize.
- 8) Set Default Disposition of WHP Units as “On Site,” require BCC Waiver for Other Options – we are opposed to any change that requires developer to build units on-site, which may be impractical and makes the WHP harder to use. The BCC waiver process would be cumbersome and painful, and should not be necessary.
- 9) Options for On-Site, For-Sale WHP Units – the staff initially proposed three changes. The first is to require that if the WHP obligation is for-sale housing, the units built to address it must also be for-sale (“Like for Like”). This was previously addressed in the Exchange Program, in which 1.5 rental units must be built for every 1 unit of WHP obligation that is for-sale. We don’t see a need to change this. The second is to provide an incentive by discounting the number of units required if the units built are for-sale and on-site. While not maximizing the number of WHP units produced, we don’t have an objection to this incentive option. We’re not sure how the staff recommendation of bedroom for bedroom equivalency squares with this. The third is to require WH units located on civic sites to be single family for-sale units. This does not address the lack of a permanent County source for second mortgage financing for for-sale purchases and may prove impractical in particular situations. We are not aware of prior staff proposals with regard to minimum rental unit sizes.

- 10) Create a New WHP for-sale schedule, add a TH price and allow for lower prices for MF and higher prices for SF – we need more detail before we can comment on this.
- 11) WHP Rent/For-Sale Pricing Schedules – we concur with the staff recommendation of no changes in this area.
- 12) Reduce Development Costs and Obstacles – this range of options needs more detail before we can comment. We would note that the Housing for All Plan endorsed by the County Commission in early 2024 sets forth a number of recommendations for planning and regulatory relief.
- 13) Reduce Parking Requirements – we believe the County should revisit its existing parking regulations and be prepared to implement targeted reductions for certain categories of projects (e.g., transit-oriented developments).

While the BCC meeting package contains the results of the surveys submitted after the public workshop in August 2024, the matrix of proposed changes in the Board package is essentially the same as was presented to the BCC in June 2024, while the staff recommendations at the back of the Board package discount the public input and surveys that were received. There were a number of specific recommendations in the survey responses as to how the WHP could be improved:

- Bonus density for projects with a WHP obligation, especially for rental projects, should be provided as a **matter of right**, not through a separate approval process but through the approval of the project itself, and not require the purchase of TDRs at an additional cost above the land price. TDR purchases should be reserved for additional density above WHP bonus density, if otherwise permitted.
- County staff should, as a matter of policy, **not** be requiring a 25% WHP requirement on sites requiring a land use change, which is most sites in unincorporated Palm Beach County. This enhanced requirement, which is not in the WHP ordinance, blocks otherwise viable projects from moving forward, and also limits projects for which County bond proceeds can be used, since they can only be used for workforce housing units above entitlement minimum percentages (which would be > 25% WHP units in this case).
- The Housing for All Plan specifically calls for the funds collected from WHP In-Lieu Payments to be used for permanent second mortgage financing for home purchasers of homes constructed using bond program proceeds. Per County legal counsel with respect to for-sale units, the County Bond proceeds can only be used for construction of for-sale workforce homes, essentially limiting their use to a revolving construction loan fund. Developers of for-sale housing need to know that there is a steady and reliable source of takeout financing for purchasers of the homes they build. The in-Lieu funds are currently restricted to the purchase of for-sale housing produced under the WHP program; at last count, there were \$18 million in funds that had accumulated in the In-Lieu account.
- Funds from the purchase of TDRs should be used for housing purposes. For historic reasons – TDRs were generated from the development rights transferred from environmentally sensitive lands purchased with bond proceeds – and TDR sale

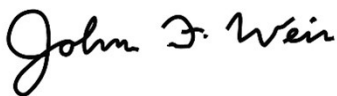
proceeds went to DERM. However, the bonds have long been retired, and DERM does not account for these proceeds in its budget. Going forward, TDR sale proceeds should be used for housing.

- We would be in agreement with eliminating the Middle-income tier for rental projects if the current complex multi-tiered AMI ladder system were eliminated. Instead of the current system with 8 tiers of AMI incomes and rents – maximums of 140%, 130%, 120%, 110%, 100%, 90%, 80%, 70% AMI – we would propose to eliminate the Middle income and rent tiers (140% and 130% AMI) and have three broader tiers – 61-80%, 81-100%, and 101-120%, with a third of the units in each.
- County staff has a policy of not allowing the use of WHP Exchange funds along with any other County subsidy. While the rationale for this policy is understandable, it does inhibit the production of for-sale units by non-profit sponsors. We believe that non-profit sponsors who may be utilizing civic land and other County resources to write down affordability should be able to request WHP Exchange funds on a case-by-case basis.

As you are aware, County inclusionary zoning programs are now subject to a state legislative standard that the costs incurred by developers of workforce housing under a mandatory scheme be “fully offset” by other benefits provided by the County, whether that be density bonuses, gap financing, fee waivers or tax abatements. Previously, the County has retained a consultant to determine that the County WHP met this standard. We would like to know if the County has retained, or plans to retain, a consultant to study the proposed changes and determine that they in fact meet the legislative standard.

The rise in construction costs, interest rates and insurance rates have all made the production of workforce housing harder. In light of these increases, we believe it is imperative that the County actively explore ways to improve the program so as to facilitate greater production of WHP units by developers. Given the nature of the staff recommendations, the lack of a consultant report as part of the BCC package, and the relatively short notice for an issue of this magnitude, we would recommend that the staff and BCC meaningfully explore ways to improve the WHP that will not have the unintentional effect of limiting workforce housing production.

Sincerely yours,



John Weir  
Chairman of the Board



Suzanne Cabrera  
President/CEO

cc: Mayor Maria Marino, Vice Mayor Sara Baxter, Commissioner Gregg Weiss, Commissioner Joel Flores, Commissioner Marci Woodward, Commissioner Maria Sachs, Commissioner Bobby Powell, County Administrator Verdenia Baker, PZB Director Whitney Carroll, Planning Director Thuy Shutt

### Workforce Housing Program Key Policy Issues – Staff Recommendations

Topics		Current Program	Possible Changes for Further Evaluation	Staff Recommendation
Applicability	Tier Applicability	<ul style="list-style-type: none"> <li>U/S Tier only</li> <li>Other tiers by BCC condition of approval; Essential Housing in the Ag Reserve</li> </ul>	<ul style="list-style-type: none"> <li>Extend program to Exurban, Rural and AGR Tiers</li> </ul>	Extend program to Exurban, Rural and AGR Tiers
	Voluntary WHP for < 10 units	NA	<ul style="list-style-type: none"> <li>Allow projects with &lt;10 units to participate</li> </ul>	Allow projects with <10 units to participate
	Affordability Periods	Rentals: 30 years For-sale: 15 year, recurring if sold within the 15 year period	<ul style="list-style-type: none"> <li>Per recommendations of the Florida Housing Finance Corporation:                             <ul style="list-style-type: none"> <li>Extend to 50 years for new rental projects</li> <li>Restrict in perpetuity on County-owned land</li> </ul> </li> </ul>	Implement case by case
			<ul style="list-style-type: none"> <li>Extend to 30 years for for-sale units</li> </ul>	No change to 15 year recurring
			<ul style="list-style-type: none"> <li>Require eligibility certification at lease renewal, to make available units when household income has exceeded income limits</li> </ul>	<ul style="list-style-type: none"> <li>Require recertification with grace period for households that become ineligible</li> <li>Will apply only to new projects</li> </ul>
Annual Eligibility Determination	Eligibility certification required only at initial lease; recertification at renewal at property manager's discretion	<ul style="list-style-type: none"> <li>Require eligibility certification at lease renewal, to make available units when household income has exceeded income limits</li> </ul>	<ul style="list-style-type: none"> <li>Require recertification with grace period for households that become ineligible</li> <li>Will apply only to new projects</li> </ul>	
Disposition Options	In-Lieu Fees	\$142,633 for single-family \$118,860 for townhouses \$89,145 for multi-family units.	<ul style="list-style-type: none"> <li>Eliminate In Lieu Fee option, OR</li> <li>Revise In Lieu Fee Structure to set fee based on differential between median market rate price and WH sales price, square footage or other measure</li> </ul>	Eliminate In Lieu Fee option
	Limited Incentive Option	Option available to developer-- reduces WHP obligation by 50%, if project does not exceed a 50% WH density bonus and provides all WH units in lowest 2 income categories	<ul style="list-style-type: none"> <li>Eliminate Limited Incentive option, so all projects contribute same percentage based on the land use; only projects using density bonus would have an addition, higher exaction</li> </ul>	Eliminate Limited Incentive option
	Exchange Options	Exchange option allows developers to pay another builder to provide WH units off-site. An "uncommitted" sub-option was included that offers extra time for developers with no exchange agreement in place by 1 <sup>st</sup> building permit.	<ul style="list-style-type: none"> <li>Eliminate the uncommitted exchange sub-option</li> </ul>	Eliminate the uncommitted exchange sub-option
	Default Disposition of WH Units	Developer declares selected disposition at project approval; any changes require approval through same process	<ul style="list-style-type: none"> <li>Set default disposition as "on site;" require BCC waiver to use other options</li> </ul>	<ul style="list-style-type: none"> <li>Set default disposition as "on site"</li> <li>Require BCC waiver to use other options</li> </ul>

	<b>On-site, For-Sale WHP Units</b>	<ul style="list-style-type: none"> <li>Discounted WH obligation for projects that provide WH units as on site, for-sale, SF or TH</li> <li>1.5x multiplier (For-sale to off-site rental WH units)</li> </ul>	<ul style="list-style-type: none"> <li>Require "Like for Like" , OR</li> <li>Provide further discount obligation for providing WH units as for-sale, on-site.</li> <li>Require WH units located on civic sites to be SF, For-sale</li> </ul>	<ul style="list-style-type: none"> <li>Rentals: institute minimum unit size</li> <li>For-sale: require bedroom for bedroom equivalency</li> </ul>
	<b>Separate MF/TH/SF Pricing</b>	Single for-sale price schedule	<ul style="list-style-type: none"> <li>Create new WH for-sale price schedule, to add a TH price and allow for lower prices for MF and higher for SF</li> </ul>	Explore creation of new WH for-sale price schedule
	<b>WH Rent/For-sale Pricing Schedules</b>	<ul style="list-style-type: none"> <li>For-sale prices based on annual median income, for 60-80, 80-100, and 100-120% AMI; no 120-140% AMI</li> <li>Rental rates based on FHFC (HUD derived) Multi-family Rental Program price schedule; includes Middle income category for rentals at 120-140% of AMI</li> </ul>	<ul style="list-style-type: none"> <li>Identify different source, or use percentage of prices from current</li> <li>Include a lower bracket 40-60%</li> <li>Shift obligation distribution to require more units at lower end</li> <li>Eliminate "Middle" (highest) rent category; reinstitute it in the for-sale schedule</li> </ul>	No change to current approach
<b>Dev Process/Regulations</b>	<b>Reduced Development Costs and Obstacles</b>	<ul style="list-style-type: none"> <li>2022 Housing Bond</li> <li>Impact Fee Credit Program</li> </ul>	<ul style="list-style-type: none"> <li>Use some In Lieu Fee proceeds to assist with development costs</li> <li>Reduce land/development costs <ul style="list-style-type: none"> <li>Offer county-owned civic or other sites</li> <li>Provide Land Development Regulation relief</li> <li>Allow for other construction methods, provide ready plans</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Continue to offer county-owned civic or other sites</li> <li>Provide Land Development Regulation relief</li> <li>Explore model program with ready plans, other construction methods</li> </ul>
	<b>Reduced Parking Requirements</b>	NA	<ul style="list-style-type: none"> <li>Reduce Parking Requirements</li> </ul>	No change
<b>OTHER TOPICS</b>				From interested party survey: Explore Linkage Fees



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**BOARD OF COUNTY COMMISSIONERS**

**ZONING HEARING**

**Thursday, February 27, 2025**

**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**  
**February 27, 2025**

**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

## POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. Postponements
- B. Remands
- C. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA -

## CONSENT AGENDA

- A. Requests to pull items from Consent
- B. Previously Postponed Zoning Applications

1. [EAC-2024-01609 All Seasons Delray Beach \(2012-00424\)](#)

**Zoning Application of All Seasons of Delray Beach, LLC by WGINC**

**Location:** Northeast corner of Linton Boulevard and Lyons Road

**Project Manager:** Donna Adelsperger, Senior Site Planner

**BCC District:** 5

### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

**BCC Action:** The BCC postponed this application at the January 30, 2025 hearing.

- a. **Title:** an Expedited Application Consideration **Request:** to modify Conditions of Approval (Engineering 3 and Engineering 7) of Resolution R-2024-1035 on 14.729 acres.

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

- C. Zoning Applications

2. [Z/DOA-2024-01026 Palms West Hospital Expansion \(1984-00054\)](#)

**Zoning Application of Palms West Hospital Ltd. Partnership - Todd Maxwell by Urban Design Studio**

**Location:** North side of Southern Blvd, approx. 1,440 ft west of Crestwood Boulevard

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

**BCC District:** 6

### DISCLOSURES

**Staff Recommendation:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

- a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District in part and the Rural Services (RSER) Zoning District in part to the Institutional Public Facilities (IPF) Zoning District on 18.84 acres

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

- b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan for a previously approved Special Exception for a Medical Center to add land area (18.84 acres), square footage, and access points, and to modify Conditions of Approval on 65.79 acres

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

3. [ZV/PDD-2024-01280 El Carwash Boca \(1974-00122\)](#)

**Zoning Application of** El Car Wash, LLC, Christ Fellowship Church, Inc. by Cotleur & Hearing Inc.

**Location:** North side of Glades Road, approximately 430 feet west of Lyons Road

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

**BCC District:** 5

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

**Zoning Commission:** Recommended approval by a vote of 6-0-1.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 4.21 acres

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

4. [ABN/DOA-2024-00774 Shadowwood MUPD \(1973-00043\)](#)

**Zoning Application of** Main Associated, Shadowwood Edens, LLC, Rafael Peri, LLC by Urban Design Studio and Dunay Miskel and Backman LLP

**Location:** Northeast corner of Glades Road and State Road 7

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

**BCC District:** 5

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Development Order Abandonment **Request:** to abandon a Requested Use for an Indoor Theater under Resolution R-95-0523 and R-96-124

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

b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan; to add uses, square footage and to modify Conditions of Approval on 34.93 acres

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

5. [DOA-2024-01424 Arrigo MUPD \(1995-00022\)](#)

**Zoning Application of** MG WPB LLC, WPB J Automotive Management LLC by Dunay Miskel and Backman LLP

**Location:** Southwest corner of Okeechobee Boulevard and Florida Turnpike

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

**BCC District:** 2

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan, and Sign Plan, add and delete uses, add square footage, and to modify Conditions of Approval on 44.18-acres

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

6. [CA-2024-00609 Celtic Multifamily \(2017-00009\)](#)

**Zoning Application of** Housing Partnership, Inc. by WGINC

**Location:** Northeast corner of the Melaleuca Lane and Davis Road

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

**BCC District:** 3

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Class A Conditional Use **Request:** to allow a combined density increase greater than 2 units per acre through the Workforce Housing (17 units) and Transfer of Development Rights (10 units) programs (total increase of 26 units) on 2.46 acres

**MOTION:** To adopt a resolution approving item 6.a.

7. [SV/CA-2024-00760 Constru American 4160 \(2023-00029\)](#)

**Zoning Application of** Constru American, LLC by Dunay Miskel and Backman LLP

**Location:** East Side of 42nd Avenue South, approx. 340 feet north of Selberg Lane

**Project Manager:** Matthew Boyd, Site Planner II

**BCC District:** 3

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Class A Conditional Use **Request:** to allow the Transfer of Development Rights in excess of 2 units per acre (5 TDRs) on 0.91 acre

**MOTION:** To adopt a resolution approving item 7.a.

8. [ZV/ABN/CA-2024-01219 Sunspire Health \(2014-00206\)](#)

**Zoning Application of** Gain Holdings Group, LLC, Diamond Behavioral Health Center PBG, LLC - Bradley Miller by Urban Design Studio

**Location:** West side of Lyndall Lane, approx. 485 feet south of Northlake Boulevard

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

**BCC District:** 1

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Development Order Abandonment **Request:** to abandon a Class A Conditional Use approval to allow a Type 3 Congregate Living Facility by Resolution R-2016-0002 on 1.28 acres

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

b. **Title:** a Class A Conditional Use **Request:** to allow a Skilled Nursing or Residential Treatment Facility on 1.28 acres

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

9. [EAC-2024-01427 Epiphany Lutheran Church \(1978-00198\)](#)

**Zoning Application of** Epiphany Evangelical Lutheran Church, Inc. by Land Research Management Inc.

**Location:** West side of Lyons Road, approx. 0.4 miles south of Lake Worth Road

**Project Manager:** Santiago Zamora, Site Planner II

**BCC District:** 6

**DISCLOSURES**

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

**Zoning Commission:** No recommendation required.

a. **Title:** a Development Order Amendment (Expedited Application Consideration)

**Request:** to modify the Special Exception for a Church, Meeting Hall, and School Building Conditions of Approval in R-1998-1784 to modify the maximum height of a freestanding sign on 4.74 acres.

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

**- END OF CONSENT AGENDA -**

**REGULAR AGENDA**

A. **Items Pulled From Consent**

B. **Large Scale Plan Amendments with Concurrent Zoning Applications**

10. [LGA-2024-00012 Reserve at Eagles Landing](#)

**Future Land Use Application of** Lantana Farm Associates, Inc - Thomas Mecca, Lantana Farm Associates, Inc - Gary Smigiel by Schmidt Nichols

**Title/Request:** To change a future land use designation from Rural Residential, 1 dwelling unit per 10 acres (RR-10) to Low Residential, 1 dwelling unit per acre (LR-1) with a Tier Change from the Rural Tier to the Urban/Suburban Tier

**Location:** South side of Lantana Road and approx. 0.33 miles west of State Road 7

**Project Manager:** Travis Goodson, Senior Site Planner

**Acres:** 25.17

**BCC District:** 6

**Staff Recommendation:** Approval with Conditions.

**Planning Commission Recommendation:** PLC recommended Approval with conditions in a 12 to 0 vote at the October 11, 2024 public hearing.

**BCC Transmittal Action:** Transmitted by a 5 to 0 vote at the November 6, 2024 hearing.

**MOTION:** To Adopt an Ordinance approving item 10.

11. [Z-2024-01037 Reserve at Eagles Landing \(2024-00099\)](#)

**Zoning Application of** Lantana Farm Associates, Inc. - Gary D. Smigiel, Lantana Farm Associates, Inc. - Thomas Mecca by Schmidt Nichols

**Location:** South side of Lantana Road, west of US 441

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

**BCC District:** 6

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and Conditions of Approval as indicated in Exhibit C

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to Single Family Residential (RS) Zoning with a Conditional Overlay Zone District on 2.24 acres

**MOTION:** To adopt a resolution approving item 11.

**C. Large Scale Plan Amendments with Concurrent Zoning & ULDC Applications**

**12. [LGA-2024-00010 Rawlings Estates](#)**

**Future Land Use Application of** Beverly Rawlings, Rawlings Estates, LLC - Yoni Bornstein by WGI

**Title/Request:** To change a future land use designation from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1) with conditions and to amend the Future Land Use Element of the Comprehensive Plan to establish the Loxahatchee Estates Overlay allowing for up to one unit per acre in the Rural Tier and to revise the Special Planning Areas Map LU 3.1 to depict the boundaries.

**Location:** West side of 180th Avenue N, approx. 0.3 miles south of Sycamore Drive

**Project Manager:** Travis Goodson, Senior Site Planner

**Acres:** 104.07

**BCC District:** 6

**Staff Recommendation:** Approval with conditions.

**Planning Commission Recommendation:** PLC Recommended Approval with conditions by an 8 to 4 vote at the October 11, 2024 public hearing.

**BCC Transmittal Action:** BCC Transmitted by a 5 to 0 vote at the November 6, 2024 public hearing.

**MOTION:** To adopt an Ordinance approving item 12.

**13. [Loxahatchee Estates Overlay \(LEO\), ULDC Permission to Advertise](#)**

**Summary:** The item before the Board is consideration of a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) to implement the LGA-2024-00010 Rawlings Estates Comprehensive Plan future land use and text amendment which establishes the Loxahatchee Estates Overlay (LEO). This ULDC amendment will establish property development regulations and access requirements to implement the new Overlay.

**Staff Recommendation:** Staff recommends approval of permission to advertise for first reading and adoption of an Ordinance at the BCC Zoning Hearing on March 27, 2025.

**MOTION:** To approve staff recommendation for item 13.

**14. [CA-2024-00746 Rawlings Estates Subdivision \(1996-30143\)](#)**

**Zoning Application of** Beverly Rawlings, Rawlings Estates, LLC by Dunay Miskel and Backman LLP and WGINC

**Location:** West side of 180th Ave N, approx. 0.33 miles South of W Sycamore Drive

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

**BCC District:** 6

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request, subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

**a. Title:** a Class A Conditional Use **Request:** to allow a Single Family Subdivision; a residential project with more than 50 acres pursuant to the Unified Land Development Code (ULDC), Table 4.A.9.B - Thresholds for Projects Requiring Board of County Commissioners Approval on 104.07 acres

**MOTION:** To adopt a resolution approving item 14.

**D. Small Scale Plan Amendments with Concurrent Zoning Applications**

**15. [SCA-2024-00009 Haverhill Recovery Facility \(2017-00059\)](#)**

**Zoning Application of** Haverhill Road Holdings, LLC - Michael Silverman, Haverhill ALF, LLC - Victoria Leggett by RDG Development Group

**Location:** Southwest corner of North Haverhill Road and Horseshoe Circle South

**Project Manager:** Peter Germain, Planner I

**Staff Recommendation:** Approval with conditions.

**Planning Commission Recommendation:** PLC Recommended Denial by an 9 to 0 vote at the November 8, 2024 public hearing.

**BCC District:** 7

**a. Title:** a Small Scale Future Land Use Amendment **Request:** To change the future land use designation from Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities with underlying Medium Residential, 5 units per acre (INST/5) with conditions.

**MOTION:** To adopt an Ordinance approving item 15.

**16. [ABN/Z-2024-00519 Haverhill Recovery Facility \(2017-00059\)](#)**

**Zoning Application of** Haverhill ALF, LLC, Michael Silverman by RDG Development Group

**Location:** Southwest corner of North Haverhill Road and Horseshoe Circle South

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

**BCC District:** 7

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C

**Zoning Commission:** Recommended denial by a vote of 7-0-0.

**a. Title:** a Development Order Abandonment **Request:** to abandon a Class A Conditional Use for a Type 3 Congregate Living Facility approved by Resolution R-2018-1842 on 3.97 acres

**MOTION:** To adopt a resolution approving item 16.a.

**b. Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Planned Unit Development (PUD) Zoning District to Institutional and Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) on 3.97 acres

**MOTION:** To adopt a resolution approving item 16.b.

**C. ULDC REVISIONS**

**17. [Affordable Housing Program Parking Waiver, ULDC Permission to Advertise](#)**

**Summary:** The item before the Board are proposed revisions to the Unified Land Development Code (ULDC) as summarized below:

- To establish a Type 2 Waiver approved by the Board of County Commissioners (BCC) that would allow parking reductions for Affordable Housing Program (AHP) projects as an alternative to a Type 2 Variance approved by the Zoning Commission.

**Staff Recommendation:** Staff recommends approval of permission to advertise for first reading and adoption of an Ordinance at the BCC Zoning Hearing on March 27, 2025.

**MOTION:** To approve staff recommendation for item 17.

**D. Monitoring, Status Reports, and Planning Items**

**18. [Monitoring of Development Orders Workshop](#)**

**Title:** Planning Division staff will provide the BCC an overview of the Development Order process, specifically ULDC Article 2.E the Monitoring of Development Orders.

**Summary:** As a follow up to the January 30, 2025 BCC Zoning Public Hearing, staff has prepared a presentation on the background of Article 2.E Monitoring of Development Orders. The presentation will give an overview of the Development Order process including time limitations, building permit review, compliance with Conditions of Approval, and Commencement of Development. Staff will also review the procedures for compliance including Administrative Time Extensions, Status Reports, and Statutory Time Extensions.

**MOTION:** No motion required.

**19. [STR-2007-0064-001 \(Z/ABN-2025-00278\) Status Report - Gulfstream ACLF \(2007-00064\)](#)**

**Zoning Application of Palm Beach County**

**Location:** Southwest corner of Melaleuca Lane and Gulfstream Road

**Project Manager:** Melissa Michael, Senior Site Planner

**BCC District:** 3

**DISCLOSURES**

**Summary:** The site was approved in 2011 for a rezoning and Type 3 Congregate Living Facility (CLF) approval. The property received administrative and statutory time extensions requested by a former property owner. Commencement of development for the CLF never occurred subsequent to the time extensions. The current property owner does not wish to develop a CLF on the site and is requesting revocation of the CLF approval and a rezoning from the Residential Planned Unit Development (PUD) Zoning District back to the Multi-Family Residential (RM) Zoning District.

**Staff Recommendation:** Staff recommends approval of the Status Report and resolutions.

**Zoning Commission:** No recommendation required.

a. A Status Report recommending **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from Planned Unit Development (PUD) Zoning District to the Multi-family Residential (RM) Zoning District previously rezoned by R-2011-01671 on 6.49 acres

**MOTION:** To adopt a resolution approving item 19.a.

b. A Status Report recommending **Title:** a Development Order Abandonment **Request:** to abandon a Requested Use to allow a Type 3 Congregate Living Facility previously approved by R-2011-1672 on 6.49 acres

**MOTION:** To adopt a resolution approving item 19.b.

**20. [Workforce Housing Program – Potential Changes](#)**

**Title:** Planning Division staff will present potential changes to the Workforce Housing Program.

**Summary:** At a June 18, 2024 BCC workshop, staff presented a number of potential changes to the Workforce Housing Program. The Board provided preliminary comments and directed staff to gather industry and stakeholders' input before returning to the Board for direction. The industry and stakeholders forum was held on August 14, 2024. Following the forum, an online survey was provided for attendees and interested parties to provide written comments; comments received are provided in the backup. Staff recommendations for each topic are also provided. For any changes directed by the Board, staff will draft proposed code changes and request economic feasibility analysis

by the County's economic consultant for workforce housing to ensure that project profitability remains at acceptable levels.

**MOTION:** No motion required. Staff requesting BCC direction after the presentation.

~~21. [Countywide Transportation Master Plan \(CTMP\) Resolution](#)~~

~~**Title:** Planning Division staff will present the purpose of the resolution and provide an update on the CTMP Project, including the Request for Proposal (RFP) process, timetable, and outreach, as well as the estimated project completion after contract award.~~

~~**Summary:** On July 17, 2024, The Board selected the multimodal fees as its preferred funding system and directed County staff to coordinate with representatives from the 39 municipalities in the development and release of a Request for Proposal (RFP) to receive proposals from transportation professionals for the development of a CTMP. The RFP was released on December 12, 2024. Once a Consultant of national/international repute, with experience and capabilities in creating such a plan, is chosen, it will work with County staff and a core technical group of stakeholders regularly in the development of the CTMP. As part of the process, presentations to all stakeholders at key project milestones will be held in various geographical locations within Palm Beach County (PBC). The Consultant will be tasked with providing a methodology to build consensus through engagement with multiple public, private, and civic stakeholders and utilizing emerging technologies to develop an innovative CTMP to be considered and approved by the Board of County Commissioners (BCC).~~

~~**Staff Recommendation:** Staff recommends that the BCC adopt a Resolution encouraging municipalities, stakeholders, interested state agencies, and other taxing authorities to engage in a collaborative effort with each other for the successful development and adoption of a Countywide Transportation Master Plan (CTMP); supporting efforts of the municipalities, Palm Beach County City Managers Association (PBCCMA), Business Partners, and stakeholders to provide input to the consulting firm which will draft the CTMP; providing an effective date, and for other purposes.~~

~~**MOTION:** To adopt a resolution approving item 21.~~

**- END OF REGULAR AGENDA -**

**COMMENTS**

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

**ADJOURNMENT**