

ORDINANCE NO. 2020 - 015

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR A SITE SPECIFIC SMALL SCALE AMENDMENT **BURLINGTON SELF-STORAGE OF LAKE WORTH (SCA 2020-013)**, MODIFYING PAGE 82 OF THE FLUA FOR APPROXIMATELY 1.29 ACRES OF LAND, GENERALLY LOCATED ON THE WEST SIDE OF DE SOTO ROAD, APPROXIMATELY 633 FEET NORTH OF LANTANA ROAD, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5) TO INDUSTRIAL WITH AN UNDERLYING MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (IND/5) WITH CONDITIONS; AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Section 163.3187(2), Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

**WHEREAS**, a property owner has requested an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

**WHEREAS**, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearing on June 12, 2020 review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 30, 2020 to review the recommendations of the Local Planning Agency and to consider adoption of the amendment; and

**WHEREAS**, the Palm Beach County Board of County Commissioners has determined that the amendments comply with the requirements of the Community Planning Act.

1           NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3           **Part I. Amendments to the 1989 Comprehensive Plan**

4           Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to  
5 this Ordinance as Exhibit 1:

6           **A. Future Land Use Atlas page 82 is amended as follows**

7           **Application:**     **Burlington Self-Storage of Lake Worth (SCA 2020-013)**

8           **Amendment:**    From Medium Residential, 5 units per acre (MR-5) to Industrial with  
9                                   an underlying Medium Residential, 5 units per acre (IND/5),

10          **Location:**     West side of De Soto Road, approximately 633 feet north of  
11                               Lantana Road,

12          **Size:**           1.29 acres approximately,

13          **Conditions:**    See Exhibit 1;

14          **Part II. Repeal of Laws in Conflict**

15          All local laws and ordinances applying to the unincorporated area of Palm Beach  
16 County in conflict with any provision of this ordinance are hereby repealed to the extent of  
17 such conflict.

18          **Part III. Severability**

19          If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for  
20 any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not  
21 affect the remainder of this Ordinance.

22          **Part IV. Inclusion in the 1989 Comprehensive Plan**

23          The provision of this Ordinance shall become and be made a part of the 1989 Palm  
24 Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or  
25 re-lettered to accomplish such, and the word "ordinance" may be changed to "section,"  
26 "article," or any other appropriate word.

27          **Part V. Effective Date**

28          This amendment shall not become effective until 31 days after adoption. If challenged  
29 within 30 days after adoption, this amendment shall not become effective until the state land  
30 planning agency or the Administration Commission, respectively, enters a final order  
31 determining the adopted amendment is in compliance.

1                   **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach

2 County, on the 30th day of July, 2020.

3                   ATTEST: SHARON R. BOCK,                   PALM BEACH COUNTY, FLORIDA,  
4                   CLERK & COMPTROLLER                   BY ITS BOARD OF COUNTY COMMISSIONERS

5  
6                   By                    By   
7                   Deputy Clerk                   Dave Kerner, Mayor

8  
9  
10                  APPROVED AS TO FORM AND LEGAL SUFFICIENCY

11  
12                  By   
13                  County Attorney

14  
15  
16                  Filed with the Department of State on the 3rd day of August, 2020.



EXHIBIT 1

A. Future Land Use Atlas page 82 is amended as follows:

Amendment No:	Burlington Self-Storage of Lake Worth (SCA 2020-013)
Amendment:	From Medium Residential, 5 units per acre (MR-5) to Industrial with an underlying Medium Residential (IND/5)
Location:	West side of De Soto Road, approximately 633 feet north of Lantana Road
Size:	1.29 acres approximately
Property No:	00-42-44-36-09-013-0030
Conditions: Development under the Industrial future land use designation shall be limited to a self-storage facility.	

Legal Description

LEGAL DESCRIPTION OF:  
5857 DE SOTO ROAD, LAKE WORTH, FL, 33463

THE NORTH ONE-HALF (1/2) OF TRACT THIRTEEN (13), LESS THE EAST TWENTY-FIVE (E 25 FT) THEREOF FOR ROAD RIGHT OF WAY, AND LESS THE NORTH FIVE HUNDRED TEN FEET (N 510 FT) THEREOF IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA.

Containing 1.29 Acres



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

August 3, 2020

Honorable Sharon R. Bock  
Clerk and Comptroller  
Palm Beach County  
301 North Olive Avenue  
West Palm Beach, Florida 33401

Attention: Mr. Timothy Montiglio

Dear Ms. Bock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2020-015, which was filed in this office on August 3, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb