



Adoption Executive Summary/Table of Contents

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ROUND 08-1**

Adopted on: Monday, August 21, 2008

2.A. Related Text and Site Specific Amendments to the Future Land Use Atlas

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.A.1 Callery Judge – Agricultural Enclave (LGA 2008-011)</p> <p>District: 6</p> <p>Staff Report and Exhibits 1,2,3 and 5</p> <p>Exhibit 4 Conceptual Plan</p> <p>Exhibit 6 to 9</p> <p>Exhibits 10 to 14</p> <p>Exhibits 15 to 18</p> <p>Exhibit 19</p> <p>Exhibit 20</p> <p>Exhibit 21</p>	<p>Request: RR-10 to Agricultural Enclave Size: 3745.58 acres Location: East and West of Seminole Pratt Whitney Blvd., South of 60th St. N and North of 50th St. N. and Sycamore, East of Mead Hill Dr and 44th St North, East of 190th Terrace North, and West of 140th Ave North</p> <p>Text & Map Series Amendments: To amend the Introduction & Administration, Future Land Use and Transportation Elements and the Map Series to:</p> <ul style="list-style-type: none"> • Establish definitions relating to Ag Enclaves and new urbanism; • Establish the Agricultural Enclave future land use designation within the Rural Tier; • Add policies to implement the Agricultural Lands And Practices Act; Section 163.3162, F.S.; • Designate Agricultural Enclaves as Limited Urban Service Areas; • Exempt the Callery-Judge Grove Agricultural Enclave from Policy 3.5-D Traffic Provisions; • Designate Persimmon Boulevard, from 140th Avenue North to Seminole Pratt Whitney Road, and 140th Avenue North, from Persimmon Boulevard to 60th Street North, as Rural Parkways; • Modify the Future 2020 Roadway System By Number Of Lanes Map TE 1.1 to expand: <ul style="list-style-type: none"> ○ Persimmon Blvd, from Seminole Pratt Whitney Rd to 140th Avenue North, from 2 Lanes to 4 Lanes; and ○ Southern Blvd, from Big Blue Trace to Forest Hill/Crestwood Blvd, from 6 Lanes to 8 Lanes; • Modify Thoroughfare Right Of Way Identification Map TE 14.1 to update notes regarding Rural Parkways; and • Modify Service Areas Map LU 2.1 to establish the Callery-Judge Grove Agricultural Enclave as a Limited Urban Service Area. 	<p>Staff: Approval with a Modification to not expand Persimmon Blvd from 140th Ave North to RPB</p> <p>LPA: Approval of Staff's Recommendation (8-3, with Mr. Lipp, Ms. Murray & Mr. Shannon dissenting).</p> <p>BCC: Motion to transmit by Comm. Santamaria, seconded by Comm. Aaronson passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>

2.A.1 Callery Judge – Agricultural Enclave (LGA 2008-011) continued....

DCA OBJECTIONS & STAFF RESPONSE:

There were seven objections concerning this amendment raised by DCA in the ORC Report. To address the objections, Planning staff and the applicant revised several components of the proposed amendment and provided additional data/analysis and discussion (see Exhibit 21 for the complete Response to ORC Report). Planning Staff and the applicant have met with DCA to present these changes/information, and based upon these discussions, the ORC Response Report and amendment changes (summarized below) should resolve the DCA's concerns.

1 – The ORC questioned whether there were 1,000 people per square mile at build-out within a 1 mile perimeter of the site, and stated that the density/intensity should also be 'consistent' with the density/intensity within 1 mile. The ORC Response highlights that a 1 mile standard is not articulated in the Statute, the applicant provided additional data/analysis to demonstrate that the enclave does meet the 1,000 people per square mile test and that the density requested was also consistent with density within 1 mile. The non-residential intensity is necessary to provide additional new urbanism components.

2 – The ORC included concerns regarding traffic exemptions in FLUE Policy 3.5-d exemption and the availability of water/sewer facilities. The ORC Response states that the exemption to 3.5-d does not exempt the project from concurrency, which will need to be obtained at the time of rezoning. At the request of DCA, a condition was added to limit development on the site to 115 units over the first 5 years. A letter was added from Seminole Improvement District to commit to any water/sewer resources needed.

3 – The ORC questioned the new urbanism components of the project and requested that the project include all 4 components mentioned in the Statute (clustering, mixed-use, rural villages, transfer of development rights). Additional discussion was provided to demonstrate that the project included all of these components. In addition, the project was revised to increase the percentage of units in the most 'walkable' zone, the Neighborhood Center, to a minimum of 20% of the units on a maximum of 10% of the land area.

4 – The ORC included concerns regarding the impacts on school facilities. In response, additional data and analysis is provided, including a letter from the School District stating that the applicant's inclusion of a potential school site on the Conceptual Plan is sufficient at this time, and a statement assuring DCA that school concurrency must be obtained at the zoning level.

5 – The ORC included concerns regarding environmentally sensitive lands and open space. In response, additional discussion is provided to demonstrate that there are no environmentally sensitive lands on the site and that the Conceptual Plan meets the open space requirements of the ULDC. In addition, the amendment was revised to clarify language regarding the location and linkages of open space throughout the project and its accessibility for passive recreation, and to limit the Natural Transect credit for rural parkways to only the greenspace portions.

6 – The ORC recommended that the County adopt the Conceptual Plan as part of the Comprehensive Plan Map Series. In response, a statement is provided to assure DCA that the Conceptual Plan will be adopted by ordinance as part of the site specific amendment, and can only be revised through a FLUA amendment.

7 – The ORC recommended that the density assigned to Agricultural Enclaves be removed, and that language be added to state that the density of each Ag Enclave must be consistent with the provisions of the Statute on a case-by-case basis. The amendment was revised accordingly.

MOTION: Motion by Comm. Koons, second by Comm. Kanjian to **adopt with conditions** passed in a 6-1 vote at the August 21, 2008 Public Hearing (Commissioner Santamaria dissenting) amending the Future Land Use Atlas, Introduction & Administration, Future Land Use and Transportation Elements and the Map Series pursuant to the proposed Agenda Item 2.A.1. (Ord. 2008-019)

2.B. Privately Initiated Amendments to the Future Land Use Atlas - which received objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.B.1 Military/Hypoluxo Commercial (LGA 2008-004) District: 3</p>	<p>Request: MLU & MR-5 to CH/5 Size: 24.02 acres Location: Northeast corner of Military and Hypoluxo Road.</p>	<p>Staff: Approval with 4 Conditions LPA: Approval of Staff's Recommendation (10-0) BCC: Motion to transmit by Comm. Kanjian, seconded by Comm. Koons passed in a 5-0 vote (with Comm. Marcus and McCarty absent) at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: I.A.3 - The objection to this amendment is related to the how conditions limiting development to a certain size, use, or intensity are documented to ensure that future development approvals on the site do not exceed the conditioned maximum of intensity/density. Therefore, DCA has recommended that site-specific amendments also include an amendment to the Future Land Use Element (FLUE) that would create a policy for each proposed land use change. This policy would create a duplicate record of an amendment's development limitations and conditions. DCA also wanted to confirm that the Future Land Use Atlas (FLUA) include the appropriate notation to clearly indicate that development limitations apply to the sites.</p>		
<p>STAFF RESPONSE: PBC Planning Staff has always agreed with the importance of documenting and monitoring conditions on land use amendment to ensure level of service protection. The County's official Future Land Use Atlas is GIS based (I&A Element, Section C) and through the County's ePZB and Geographic Information Systems the County ensures that conditions are identified during the development review process. This system permits Planning Staff to view adopted future land uses, adopted amendments, conditions, and ordinances for any property in unincorporated County, and to ensure that conditions are carried forward through the development order, and ultimately that the development of subject sites are limited to adopted amendment conditions. This process ensures that there is no risk of impacts on public facilities that would result in any level of service to drop below adopted standards.</p>		
<p>MOTION: Motion by Comm. Kanjian, second by Comm. McCarty to adopt with conditions passed in a 5-0 vote at the August 21, 2008 Public Hearing (Commissioners Aaronson & Greene absent) amending the Future Land Use Atlas pursuant to the proposed Agenda Item 2.B.1. (Ord. 2008-020)</p>		

2.B.2 Military/Hypoluxo Residential (LGA 2008-008) District: 3	Request: MR-5 to HR-8 Size: 20.63 acres Location: East side of Military Trail, 2/5th mile north of Hypoluxo Road	Staff: Approval with 1 Condition LPA: Approval with 2 Conditions (6-4) BCC: Motion to transmit by Comm. Kanjian, seconded by Comm. Koons passed in a 4-0 vote (with Comm. Greene, McCarty & Marcus absent) at the April 28, 2008 Public Hearing.
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DCA OBJECTIONS: I.A.3 - The objection to this amendment is related to the how conditions limiting development to a certain size, use, or intensity are documented to ensure that future development approvals on the site do not exceed the conditioned maximum of intensity/density. Therefore, DCA has recommended that site-specific amendments also include an amendment to the Future Land Use Element (FLUE) that would create a policy for each proposed land use change. This policy would create a duplicate record of an amendment's development limitations and conditions. DCA also wanted to confirm that the Future Land Use Atlas (FLUA) include the appropriate notation to clearly indicate that development limitations apply to the sites.

STAFF RESPONSE: PBC Planning Staff has always agreed with the importance of documenting and monitoring conditions on land use amendment to ensure level of service protection. The County's official Future Land Use Atlas is GIS based (I&A Element, Section C) and through the County's ePZB and Geographic Information Systems the County ensures that conditions are identified during the development review process. This system permits Planning Staff to view adopted future land uses, adopted amendments, conditions, and ordinances for any property in unincorporated County, and to ensure that conditions are carried forward through the development order, and ultimately that the development of subject sites are limited to adopted amendment conditions. This process ensures that there is no risk of impacts on public facilities that would result in any level of service to drop below adopted standards.

MOTION: Motion by Comm. McCarty, second by Comm. Koons to **adopt with conditions** passed in a 5-0 vote at the August 21, 2008 Public Hearing (Commissioners Aaronson & Greene absent) amending the Future Land Use Atlas pursuant to the proposed Agenda Item 2.B.2. (Ord. 2008-021)

2.B.3 Belvedere/Jog Industrial (LGA 2008-014) District: 2	Request: LR-3 to IND Size: 67.16 acres Location: Northwest Corner Jog Road & Belvedere	Staff: Approval with 1 Condition LPA: Approval with 1 Condition (10-0) BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. McCarty passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.
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DCA OBJECTIONS: I.A.3 - The objection to this amendment is related to the how conditions limiting development to a certain size, use, or intensity are documented to ensure that future development approvals on the site do not exceed the conditioned maximum of intensity/density. Therefore, DCA has recommended that site-specific amendments also include an amendment to the Future Land Use Element (FLUE) that would create a policy for each proposed land use change. This policy would create a duplicate record of an amendment's development limitations and conditions. DCA also wanted to confirm that the Future Land Use Atlas (FLUA) include the appropriate notation to clearly indicate that development limitations apply to the sites.

STAFF RESPONSE: PBC Planning Staff has always agreed with the importance of documenting and monitoring conditions on land use amendment to ensure level of service protection. The County's official Future Land Use Atlas is GIS based (I&A Element, Section C) and through the County's ePZB and Geographic Information Systems the County ensures that conditions are identified during the development review process. This system permits Planning Staff to view adopted future land uses, adopted amendments, conditions, and ordinances for any property in unincorporated County, and to ensure that conditions are carried forward through the development order, and ultimately that the development of subject sites are limited to adopted amendment conditions. This process ensures that there is no risk of impacts on public facilities that would result in any level of service to drop below adopted standards.

MOTION: Motion by Comm. McCarty, second by Comm. Kanjian to **adopt with conditions** passed in a 5-0 vote at the August 21, 2008 Public Hearing (Commissioners Aaronson & Greene absent) amending the Future Land Use Atlas pursuant to the proposed Agenda Item 2.B.3. (Ord. 2008-022)

2.B.4 Logger's Run Civic Parcel (LGA 2008-012) District: 5	Request: LR-1 to HR-12 Size: 6 acres Location: A square shaped parcel located on the northwest corner of Cobblestone Way and N Ponderosa Drive	Staff: Denial LPA: Approval with Conditions (11-0) BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. McCarty passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.
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DCA OBJECTIONS: I.A.3 - The objection to this amendment is related to the how conditions limiting development to a certain size, use, or intensity are documented to ensure that future development approvals on the site do not exceed the conditioned maximum of intensity/density. Therefore, DCA has recommended that site-specific amendments also include an amendment to the Future Land Use Element (FLUE) that would create a policy for each proposed land use change. This policy would create a duplicate record of an amendment's development limitations and conditions. DCA also wanted to confirm that the Future Land Use Atlas (FLUA) include the appropriate notation to clearly indicate that development limitations apply to the sites.

STAFF RESPONSE: PBC Planning Staff has always agreed with the importance of documenting and monitoring conditions on land use amendment to ensure level of service protection. The County's official Future Land Use Atlas is GIS based (I&A Element, Section C) and through the County's ePZB and Geographic Information Systems the County ensures that conditions are identified during the development review process. This system permits Planning Staff to view adopted future land uses, adopted amendments, conditions, and ordinances for any property in unincorporated County, and to ensure that conditions are carried forward through the development order, and ultimately that the development of subject sites are limited to adopted amendment conditions. This process ensures that there is no risk of impacts on public facilities that would result in any level of service to drop below adopted standards.

MOTION: Motion by Comm. Aaronson, second by Comm. Koons to **adopt with conditions** passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioner McCarty absent) amending the Future Land Use Atlas pursuant to the proposed Agenda Item 2.B.4. (Ord. 2008-023)

2.C. County Initiated & County Corrective Amendments to the Future Land Use Atlas - which did not receive objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
2.C.1 Tri-County Humane Society (LGA 2008-020) District: 5	Request: HR-8 to Institutional/8 Size: 14.53 acres Location: Southwest corner of Boca Rio Road and Via Ancho Road Justification: This proposed amendment will reflect the long term use of the site as an animal shelter.	Staff: Approval LPA: Approval (9-0). BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. Kanjian passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.

MOTION: Motion by Comm. Aaronson, second by Comm. Koons to **adopt** passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioners McCarty absent) amending the Future Land Use Atlas pursuant to the proposed Agenda Item 2.C.1. (Ord. 2008-024)

2.D. County Initiated Amendments to the Future Land Use Atlas - which did not receive objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.D.1 Santa Rosa Groves Subdivision (LGA 2008-022) District: 6</p>	<p>Request: RR-10 to RR-5 Size: 642 acres collectively Location: Approximately 3 miles west of Seminole Pratt-Whitney Road, south of Louise Street, north of Marie Court, west of Carol Street and east of Dennis Street Justification: The proposed amendment will reflect the existing lot pattern of the subdivision.</p>	<p>Staff: Approval LPA: Approval (11-0) BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Aaronson passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>MOTION: Motion by Comm. McCarty, second by Comm. Kanjian to adopt passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent) amending the Future Land Use Atlas pursuant to the proposed Agenda Item 2.D.1. (Ord. 2008-025)</p>		

2.E. Transportation Amendments - which received objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.E.1 E Road/140th Avenue North TIM & 2020 Removal</p>	<p>The proposed amendment was initiated at the request of the Town of Loxahatchee Groves, and will revise the Future 2020 Roadway System by Number of Lanes Map (TE-1.1) & the Thoroughfare Right of Way Identification Map (TE-14.1) to remove:</p> <ul style="list-style-type: none"> • All or segments of E Road/140th Avenue North; and • 40th Street North from Royal Palm Beach Boulevard to E Road/140th Avenue North 	<p>Staff: Approval with a Modification to only delete the portion of E Rd/140th Ave North from Persimmon Blvd to Southern Blvd. LPA: Approval (10-1 with Mr. Weiner dissenting) BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. Santamaria passed in a 5-0 vote (with Comm. Marcus & McCarty absent) at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: The proposed deletion of these roadways from TE Map Series exhibits (TE 1.1. and TE 1.14) are not consistent with the 2030 Cost Feasible Plan of the Metropolitan Planning Organization and the County has not included adequate data and analysis to demonstrate that the adopted level of service standards on the area's roadway network are maintained.</p>		
<p>STAFF RESPONSE: The removal of E Road/140th Ave will be reflected in the MPO's 2035 Long Range Transportation Plan. The staff report also included data and analysis to show that the deletions will cause no or minimal impact on the area's roadway network.</p>		
<p>MOTION: Motion by Comm. Aaronson, second by Comm. Kanjian to adopt passed in a 6-1 vote at the August 21, 2008 Public Hearing (Commissioner McCarty dissenting) amending the Map Series pursuant to the proposed Agenda Item 2.E.1. (Ord. 2008-026)</p>		

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.E.2 Belvedere Road CRALLS</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>This proposed amendment will modify Policy TE 1.2-f.26 to amend the Constrained Roadway at Lower Level of Service (CRALLS) for roadway links on Belvedere Road from Jog Road to Military Trail exclusively for the purposes of concurrency for the following projects, Planet Kids, Duke Industrial (Belvedere/Jog Industrial), McCraney Property, Boys & Girls Club/PBC Workforce Housing Project (Linear Park).</p>	<p>Staff: Denial LPA: Approval with Modification (7-1 with Mr. Lipp dissenting). BCC: Motion to transmit by Comm. Kanjian, seconded by Comm. Koons passed in a 5-1 vote (with Comm. Santamaria dissenting and Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: The proposed change would effectively lower the level of service on Belvedere which has not been shown that the proposed development would not cause a shift of additional traffic onto nearby State Roads and SIS facilities while at the same time allowing additional development and their resulting traffic on nearby roadways, including SIS facilities. The County did not include a cumulative traffic analysis of this amendment with other development recently approved in the vicinity and other proposed development associated with amendments contained in this amendment cycle.</p> <p>STAFF RESPONSE: The proposed CRALLS is temporary which shall no longer be in effect after 2017 or if either of the corresponding segments of Southern Boulevard (SR 80), an SIS facility, or Okeechobee Boulevard operate below LOS D. A cumulative analysis with approved and proposed projects in the area is included in the report.</p>		
<p>MOTION: Motion by Comm. McCarty, second by Comm. Kanjian to adopt passed in a 4-2 vote at the August 21, 2008 Public Hearing (Commissioners Marcus & Santamaria dissenting and Commissioner Aaronson absent) amending the Transportation Element pursuant to the proposed Agenda Item 2.E.2. (Ord. 2008-027)</p>		

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.E.3 SR7/Southern BLVD Site-Specific CRALLS</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>This proposed amendment would modify Policy TE 1.2-f and update the map series to add designation of Constrained Roadway at Lower Level of Service (CRALLS) to the intersection of State Road 7 & Southern Blvd exclusively for the purposes of concurrency for the W & W V LLC Project.</p>	<p>Staff: Denial LPA: Denial (4-3 with Mr. Arnold, Mr. Koehler & Mr. Merin dissenting). BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Kanjian (with Comm. Santamaria dissenting, and Comm. Aaronson & Marcus absent) passed in a 4-1 vote at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: The proposed change to the Future Land Use Element and Transportation Element to authorize the new CRALLS would lower the level of service on a SIS facility for which the County has no authority.</p> <p>STAFF RESPONSE: Analysis presented in an August 11, 2008 from Kimley-Horn demonstrates that the intersection will operate without impacting the SR 80 east-west through traffic. Also, the Board of County Commissioners directed staff to discontinue the SR 7 Corridor Master Plan and therefore this CRALLS can no longer rely on completion of the SR 7 CMP. Furthermore, it is noted that this amendment meets the County Comprehensive Plan TE Policy 1.2-q, requiring the provision of mitigation measures for CRALLS designated after 2002.</p>		
<p>MOTION: Motion by Comm. Kanjian, second by Comm. Koons to adopt passed in a 4-2 vote at the August 21, 2008 Public Hearing (Commissioners Marcus & Santamaria dissenting and Commissioner Aaronson absent) amending the Transportation Element & Map Series pursuant to the proposed Agenda Item 2.E.3. (Ord. 2008-028)</p>		
<p>2.E.4 Functional Classification Map & References Update</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>This proposed amendment to:</p> <ul style="list-style-type: none"> • Update Future 2020 Functional Classification of Roads (Figure TE 3.1); and • Modify related policies to reflect changes in the references. 	<p>Staff: Approval LPA: Approval (10-0). BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. Kanjian passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: The proposed modifications to Figure TE 3.1 contain changes or dates that are not yet in effect thereby establishing the deletion of University and Riverside Drives prematurely, since the issues involving these roads has not been resolved. Therefore, the removal of these roads from the map is not appropriate because that amendment is not in effect.</p> <p>STAFF RESPONSE: Subsequent to the transmittal of this report, road labels are added to Riverside Dr. and University Dr. on Map TE 3.1 for clarification purposes, these roads were not removed from this map.</p>		
<p>MOTION: Motion by Comm. McCarty, second by Comm. Kanjian to adopt passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent) amending the Future Land Use Element, Transportation Element & Map Series pursuant to the proposed Agenda Item 2.E.4. (Ord. 2008-029)</p>		

2.F. Transportation Amendments - which did not receive objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.F.1 URA TCEA Modification</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>This proposed amendment will modify the adopted Urban Redevelopment Area (URA) Transportation Concurrency Exception Area (TCEA) surrounding the Congress Avenue corridor to:</p> <ul style="list-style-type: none"> • Modify the Congress Ave TCEA boundary to extend west at Forest Hill Blvd to accommodate potential industrial employment centers; • Increase the industrial use along Congress Ave to accommodate potential industrial employment; • Revise the TCEA & CRALLS Map (TE 15.1) and the URA Regulating Plan Map (LU 9.1); and • Create TCEA Map (TE 15.5) to depict the updated TCEA boundaries. 	<p>Staff: Approval LPA: Approval (11-0). BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Kanjian passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>2.F.2 LOS Transportation</p>	<p>The proposed amendment will update Tables TE 1a and 2a and clarify concurrency policies accordingly.</p>	<p>Staff: Approval LPA: Approval (7-2, with Mr. Shannon and Ms. Murray dissenting). BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Aaronson passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>2.F.3 Westgate TCEA Modification</p>	<p>This proposed amendment will revise the Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) Transportation Concurrency Exception Area (TCEA) to modify TE Policy 1.2-r, to:</p> <ul style="list-style-type: none"> • Indicate the existing land use totals; • Clarify the allowable daily traffic and the PM peak hour traffic trips; • Increase the allowable variance for hotel rooms; and • Eliminate the allowable land use ratios. 	<p>Staff: Approval LPA: Approval (7-0). BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. Koons passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>MOTION: Motion by Comm. McCarty, second by Comm. Kanjian to adopt passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent) amending the Transportation Element and Map Series pursuant to the proposed Agenda Items 2.F.1 – 2.F.3. (Ord. 2008-030)</p>		

2.G. Proposed Text And Map Series Amendments - which received objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.G.1 Water Supply Plan</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>This proposed amendment will modify the Utility, Capital Improvement, Intergovernmental Coordination, and Conservation Elements to:</p> <ul style="list-style-type: none"> • Adopt the County's 20-Year Water Supply Work Plan by reference and revise the Plan consistent with statutory requirements; • Clarify text to reflect new water concurrency requirements; and • Add Table 10A to the Capital Improvement Element. 	<p>Staff: Approval LPA: Approval (8-0). BCC: Motion to transmit by Comm. Aaronson, seconded by Comm. Kanjian, passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: The Objections, Recommendations, and Comments Report issued by DCA on July 11th, 2008, included several objections to this amendment. The majority of DCA's objections were focused on coordination or data sharing between the County and other water supply providers that service the County's unincorporated areas. Specifically, DCA requires additional data and analysis to demonstrate water service at adopted level of service standards through the 2025 planning period will be satisfied; the population projections utilized by the County are properly coordinated; and that a formal coordination process be established to coordinate future water supply and concurrency issues.</p> <p>STAFF RESPONSE: The County's response to DCA reaffirmed the previous coordination efforts undertaken with water supply providers throughout unincorporated Palm Beach County. The County also provided additional data and analysis to further quantify this extensive effort. Existing policies of the Intergovernmental Coordination Element and Utility Element were further revised to formalize the County's existing procedure for coordinating water supply planning with other providers.</p>		
<p>MOTION: Motion by Comm. Koons, second by Comm. Kanjian to adopt passed in a 7-0 vote at the August 21, 2008 Public Hearing amending the Utility, Capital Improvement, Intergovernmental Coordination, and Conservation Elements pursuant to the proposed Agenda Item 2.G.1. (Ord. 2008-031)</p>		

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.G.2 SR 7 Economic Development Overlay</p>	<p>The proposed amendment will establish the State Road 7 Economic Development Overlay (EDO) on an area of large parcels with LR-2 future land use developed with low-density residential uses. The amendment will:</p> <ul style="list-style-type: none"> • Foster the conversion of this area to employment uses by allowing individual property owners to amend their FLU and zoning to employment uses. • Promote the development of office, warehouse, flex space and light industrial uses, • Establish an exception to FLUE Policy 3.5-d with regard to traffic requirements. 	<p>Staff: Approval LPA: Denial (5-3 with Ms. Daversa, Mr. Lipp & Mr. Koehler dissenting) BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Aaronson passed in a 5-0 vote (with Comm. Marcus and Kanjian absent) at the April 28, 2008 Public Hearing.</p>
<p>DCA OBJECTIONS: The Economic Development Overlay will authorize further development along the SR 7 Corridor without the benefit of the SR 7 Corridor Master Plan (CMP) contrary to TE Policy 1.1-n which states that “in corridors where the adopted LOS may not be achieved pursuant to the 2025 Transportation Plan for Palm Beach County Highway Component prepared by the Palm Beach MPO, the County will institute a process to develop individual Corridor Master Plans to address each projected corridor failure.”</p> <p>STAFF RESPONSE: The overlay does not authorize further development within its boundaries; the EDO is only the basic framework for Future Land Use amendments to occur, and does not grant any additional entitlements to the land, which remains designated as Low Residential with 2 dwelling units per acre (LR-2) in the County’s Future Land Use map. Traffic impacts will be determined and addressed as part of the development order process. While the SR7 Corridor Master Plan is not expected to be completed, Palm Beach County’s Comprehensive Plan does include several policies that ensure the proper monitoring and functioning of local roads. Exempting an application from policy 3.5-d does not exempt any of the area subject to the amendment from concurrency. Concurrency is regulated by Transportation Element Policy 1.1-b of the Comprehensive Plan and is demonstrated at the rezoning/development order stage, not the plan amendment stage. Policy 3.5-d is a local policy not required by chapter 163, and an exemption from that policy does not create an inconsistency with state concurrency requirements.</p>		
<p>MOTION: Motion by Comm. McCarty, second by Comm. Kanjian to adopt passed in a 4-2 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent and Commissioners Marcus & Santamaria dissenting) amending the Future Land Use Element and Map Series pursuant to the proposed Agenda Item 2.G.2. (Ord. 2008-032)</p>		

2.H. Proposed Text And Map Series Amendments - which did not receive objections and comments from the Department of Community Affairs

ITEM	DESCRIPTION	RECOMMENDATION
<p>2.H.1 URA Priority FLU Amendment</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>This proposed amendment will revise the Urban Redevelopment Area text in the Introduction and Administration and Future Land Use Elements to:</p> <ul style="list-style-type: none"> • Add definitions for Form-based Code, Green Building, Liner Building, New Urbanism, Transect, and Transect Zone; • Establish transect-based Future Land Use designations for the Priority Redevelopment Areas (PRAs): Urban Infill and Urban Center; • Include provisions to regulate density and intensity of the new designations, including new building types; • Direct the creation of a form-based code; and • Establish USGBC's LEED certification and/or the FGBG standards as a method for incentive density and intensity in the PRAs. • Amend Map Series Map LU 9.1 to show further detail • Clarify and revise other URA policies 	<p>Staff: Approval LPA: Approval (8-0). BCC: Motion to transmit by Comm. Koons, seconded by Comm. Kanjian, passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>MOTION: Motion by Comm. Kanjian, second by Comm. Koons to adopt passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent) amending the Future Land Use Element and Map Series pursuant to the proposed Agenda Item 2.H.1. (Ord. 2008-033)</p>		
<p>2.H.2 Commercial Location Policy Revisions</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>The proposed amendment will revise commercial location text in the Introduction & Administration and Future Land Use Elements, specifically to:</p> <ul style="list-style-type: none"> • Update the references to the roadway classifications that regulate the intensity and location of commercial land use with limits by Tier. • Clarify appropriate locations for commercial within the Urban/Suburban Tier into three patterns: <ul style="list-style-type: none"> ○ Commercial at intersection ○ Commercial expansion of existing nodes ○ Traditional commercial forms of development requirements. • Create a new Traditional Commercial Development Pattern called a Lifestyle Commercial Center. 	<p>Staff: Approval LPA: Approval (8-0) BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Koons passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>MOTION: Motion by Comm. Kanjian, second by Comm. Koons to adopt with modifications passed in a 5-1 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent and Commissioner Marcus dissenting) amending the Future Land Use Element and Map Series pursuant to the proposed Agenda Item 2.H.2. (Ord. 2008-033)</p>		

<p>2.H.3 Manatee Protection Overlay</p>	<p>This proposed amendment will:</p> <ul style="list-style-type: none"> • Add a definition to the Introduction and Administration Element for Manatee Protection Plan (MPP), Boat or Marine Facility, and Boat Facility Siting Plan; • Revise Coastal Management Element Policy 1.1-m to incorporate by reference the MPP; • Revise CME Policy 1.4-a to show that the boat facility siting policies of the MPP will be used to determine appropriate location and design criteria for future boat facilities and expansion of existing facilities; and • Delete CME Policy 1.1-o. 	<p>Staff: Approval LPA: Approval (9-0). BCC: Motion to transmit by Comm. Kanjian, seconded by Comm. Aaronson passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>2.H.4 Definitions & References Update</p> <p>*Contains revisions not previously reviewed by DCA See Staff Report</p>	<p>To hold a public hearing on a proposed 'housekeeping' amendment to:</p> <ul style="list-style-type: none"> • Add definitions and language related to animal shelters; • Revise language regarding the Palm Beach International Airport (PBIA) Overlay to update references and clarify text; • Clarify language regarding maximum floor area ratio for institutional land uses; • Delete redundant language and clarify density provisions for special needs housing; and • Clarify language related to Ag Reserve Preserves 	<p>Staff: Approval LPA: Approval (8-0) BCC: Motion to transmit by Comm. Kanjian, seconded by Comm. McCarty passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>2.H.5 Level of Service Wastewater Update</p>	<p>This proposed amendment will update Utility Element Table 2 Level of Service Standards for Wastewater.</p>	<p>Staff: Approval LPA: Approval (9-0). BCC: Motion to transmit by Comm. Koons, seconded by Comm. Kanjian passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>2.H.6 Housing Data Update</p>	<p>This proposed amendment will update existing Housing Element Policy 1.1-a, as a result of the findings of the County's Affordable Housing Study (2006), in order to update the housing need projections for owned and rental housing countywide through the year 2010, and to add a table to the Element which contains this housing need projection data. In addition a new policy will be added to identify sites (County owned lands) adequate for workforce housing.</p>	<p>Staff: Approval LPA: Approval (9-0). BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Koons passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>2.H.7 Unincorporated Protection Area</p>	<p>This proposed amendment will:</p> <ul style="list-style-type: none"> • Add language to the Intergovernmental Coordination Element that identifies the Unincorporated Protection Area and Unincorporated Rural Neighborhoods pursuant to the adopted ordinance to establish the exclusive method of voluntary annexation. • Add a map to the Comprehensive Plan Map Series titled "ICE 1.1 Unincorporated Protection Area". 	<p>Staff: Approval LPA: Approval (7-0). BCC: Motion to transmit by Comm. McCarty, seconded by Comm. Koons passed in a 6-0 vote (with Comm. Marcus absent) at the April 28, 2008 Public Hearing.</p>
<p>MOTION: Motion by Comm. Kanjian, second by Comm. Koons to adopt passed in a 6-0 vote at the August 21, 2008 Public Hearing (Commissioner Aaronson absent) amending the Comprehensive Plan and Map Series pursuant to the proposed Agenda Items 2.H.3 - 2.H.7. (Ord. 2008-033)</p>		