



AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING

Monday, January 30, 2017

9:30 a.m. 6th Floor

Jane M. Thompson Memorial Chambers

1. CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption of Agenda

3. PUBLIC HEARING – 17-A Adoption (Page 2 - 6)

4. PUBLIC HEARING – 17-B Transmittal (Page 7)

5. REGULAR AGENDA (Page 8)

6. COMMENTS (Page 9)

7. ADJOURNMENT (Page 9)

3. PUBLIC HEARING – Amendment Round 17-A Adoption

The Department of Economic Opportunity reviewed this amendment under the Expedited Review process and issued no objections or comments in their letter dated Dec. 1, 2016 (see front cover).

3.A. County Initiated Text Amendments

Name	Description
<u>3.A.1.</u> <u>Annual Capital Improvement Element Tables</u>	<p>This proposed amendment is to update the Comprehensive Plan to reflect the annual Capital Improvement Program and 5 Year Road Program.</p> <p><i>LPA and BCC Transmittal hearings are not required for this item. Annual CIE table updates only require one public hearing.</i></p>
	<p>Staff Recommendation: <i>Approval</i></p>
	<p>BCC ACTION: To <i>adopt an ordinance</i> to update the CIE Tables.</p>
<u>3.A.2.</u> <u>Mixed and Multiple Use</u>	<p>This proposed amendment would revise the Future Land Use Element provisions for mixed use and multiple use developments. Specifically, this amendment, proposes the following:</p> <ul style="list-style-type: none"> • Eliminate hindrances to mixed & multiple use, including deleting the requirement for vertical integration to achieve maximum residential density and non-residential intensity and reduce minimum internal trip capture; • Establish consistency across mixed & multiple uses, including eliminating redundancy, adding references to Multiple Use Planned Development and eliminating Lifestyle Commercial Center as a freestanding zoning district; • Delete the Economic Development Overlay since the land area has been annexed into the Village of Royal Palm Beach; and • Clarify language regarding the expired Residential High zoning district.
	<p>Staff Assessment: This amendment is largely a house keeping item to clarify text and eliminate redundancy. The policy changes are intended to establish consistency across the mixed and multiple land use planned development districts, while incentivizing these forms of development. Encouraging infill projects to develop with multiple uses will result in a more efficient use of land and add the ability for more housing opportunities in existing urban areas. This amendment will not require changes to the ULDC, other than to revise internal trip capture requirements for the Mixed Use Planned Development district.</p>
	<p>Staff Recommendation: <i>Approval</i></p>
	<p>LPA Recommendation: <i>Approval</i>, motion by James Brake, seconded by Lori Vinikoor, passed in a 8-0 vote at the October 21st public hearing. There was minimal discussion and no public comment.</p>
	<p>BCC Transmittal: <i>Transmit</i>, motion by Comm. Abrams, seconded by Comm. Vana passed in a 6-0 vote (with Comm. Valeche absent) at the October 26th public hearing. There was minimal board discussion and no public comment.</p>

Name	Description
3.A.2 Mixed and Multiple Use	Changes Since Transmittal: Following transmittal, language regarding calculating density for multiple use projects that had been proposed to be deleted was edited to be retained. A few approved Multiple Use Planned Developments have utilized this language and it was determined to be necessary to retain in the Plan for these sites to remain in compliance.
BCC ACTION: To <i>adopt an ordinance</i> for the Mixed & Multiple Use amendment.	
<u>3.A.3</u> <u>Equestrian Waste</u>	<p>This proposed amendment would revise the Future Land Use and Introduction and Administration Elements to establish language regarding equestrian waste to:</p> <ul style="list-style-type: none"> • Define Equestrian Waste and Recycling; • Allow a Equestrian Waste Recycling Pilot Project on Special Agriculture (SA) future land use designation in the Glades Tier; and • Clarify the types of agricultural related uses allowed within the SA designation. <p>Staff Assessment: Equestrian waste recycling represents a new management technique that is potentially better for the environment since it reduces nutrient run off (reducing water pollution) and creates recycled bedding and compost that reduces the need for raw material for shavings. Currently the County limits facilities that recycle equestrian waste to the Industrial future land use and zoning which are often located far from the equestrian areas. This amendment proposes to allow a Pilot Project for an equestrian waste recycling facility limited to the Special Agriculture future land use (SA FLU) in the Glades Tier Rural Svc. Area.</p> <p>Staff Recommendation: <i>Approval</i></p> <p>LPA Recommendation: <i>Approval with a modification</i>, motion by Lori Vinikoor, seconded by James Brake, passed in an 8-0 vote at the October 21st public hearing. The motion included an additional criterion to require that the ULDC be revised to provide separation distances from food processing facilities. Board discussion included a clarification of allowable uses in the SA FLU and the need to ensure that the use was separated from packing plants. A representative of COWBRA expressed concerns regarding ground water contamination and limiting the scope to the pilot project only. Two members of the public spoke in support citing the environmental benefits of recycling equine waste.</p> <p>BCC Transmittal: <i>Transmit with modifications</i>, motion by Comm. Burdick, seconded by Comm. McKinley passed in a 6-0 vote (with Comm. Valeche absent) at the October 26th public hearing. The modifications consisted of changes to the criteria including incorporating changes by the Planning Commission, to extend the date for the composting facility through Dec. 31, 2017, to expand the roadways to include all County and State Roadways, and to exclude the Urban Suburban Tier of the Glades Tier. The Board discussed the location criteria and the need to protect residents from potential odors from the use. Four members of the public spoke in support, including a representative of Equine EcoGreen who suggested revisions to expand opportunities. Two additional members of the public spoke.</p>

3.A.3 Equestrian Waste Continued	Changes Since Transmittal: Following transmittal, the Pilot Program policy was revised to replace the specific site requirements with language that limits the maximum number to four sites and requires concurrent zoning approval. These changes were partially suggested by the Village of Wellington, and also reflect the intent of the Board to limit the number of sites approved while ensuring that each site demonstrates consistency with ULDC regulations that are being developed concurrently with this amendment.
BCC ACTION: To <i>adopt an ordinance</i> for the Equestrian Waste amendment.	

3.B. Proposed Private Future Land Use Atlas Amendments

Name	Description
<u>3.B.1.</u> <u>Seneca Commercial (LGA 2017-001)</u> District 5	<p> Current: Agricultural Reserve (AGR) Proposed: Commercial Low with an underlying Ag. Reserve (CL/AGR) Size: 4.51 acres Location: South of Atlantic Avenue, east of Lyons Road </p> <p> Staff Assessment: This year the BCC adopted changes to the Comprehensive Plan to allow private commercial future land use amendments to be reviewed on a case by case basis in the AGR Tier, and increased the cap on commercial retail and office uses from 750,000 s.f. to 980,000 s.f. Subsequently, the Board has adopted 319,232 s.f. and transmitted 32,020 s.f. of additional commercial in the Tier under the revised policies this year for a total of 941,462 s.f. approved in the Tier. The location is suitable for commercial uses. The applicant has demonstrated that the site meets adopted policy requirements, and has proposed a condition of approval to cap the development at the remaining 38,538 square feet of commercial uses. Any additional commercial land use requests in the Tier will require a text amendment to increase the maximum 980,000 s.f. allowed. </p> <p> Staff Recommendation: <i>Approval with conditions</i> </p> <p> LPA Recommendation: <i>Approval with conditions</i>, motion by Lori Vinikoor, seconded by Roberta Levitt-Moccia, passed in an 8-0 vote (with Katherine Murray abstaining) at the September 9th public hearing. There was minimal Board discussion and no public comment. </p> <p> BCC Transmittal: <i>Transmit with conditions</i>, substitute motion by Comm. Abrams, seconded by Comm. Taylor passed in a 4-2 vote (with Comm. Burdick and Comm. McKinley dissenting, and Comm. Valeche absent) at the October 26th public hearing. The initial motion by Comm. Burdick, seconded by Comm. McKinley was for denial. The Board discussion included comments regarding the site's location in proximity to other commercial uses, and the need for additional commercial to accommodate current and future residents. Four members of the public spoke in opposition. </p>
MOTION: To <i>adopt an ordinance</i> for the Seneca Commercial amendment with conditions.	

3.C. Proposed Private Text and Future Land Use Atlas Amendment & Prop Share

Name	Description
<p><u>3.C.1.</u> <u>Delray Linton Groves</u> <u>IOTA</u> <u>(LGA 2016-029)</u> District 6</p>	<p>Current: Rural Residential, 1 unit per 10 acres</p> <p>Proposed: Western Communities Residential (WCR) for up to 0.80 dwelling units per acre (1,030 units) and up to 112,000 s.f. of commercial uses, and up to 112,123 s.f. of community uses.</p> <p>Size: 1,287.96 acres</p> <p>Location: West of 190th Avenue North, north of 60th Avenue North</p> <p>Private Text Amendment Summary: To revise the Future Land Use, and Transportation Elements, and the Map Series to add the Delray Linton Groves site to the Western Communities Residential Overlay (WCRO), specifically to:</p> <ul style="list-style-type: none"> • Revise WCRO policies and the WCR FLU designation to include the site; • Expand the list of identified Rural Parkways in TE Policy 1.4-q; and • Modify the Map Series to: <ul style="list-style-type: none"> ○ Revise Managed Growth Tier System Map LU 1.1 to show the boundaries of the site as a Limited Urban Service Area (LUSA); ○ Revise Service Areas Map LU 2.1 to change the site from the Rural Service Area and to a LUSA; ○ Revise Special Planning Areas Map LU 3.1 to include the site within the boundaries of the WCRO; and ○ Revise Thoroughfare Right of way Identification Map TE 14.1 to add 60th Street North as a 100-foot right-of-way from 190th Street North to the westernmost project entrance; to add Orange Boulevard as an 80-foot right-of-way from 190th Street North to the access points into the site; and to add references to rural parkways to the notes. <p>Staff Assessment: The proposed amendment allows for meaningful and predictable standards ensuring that the project is consistent with the Comprehensive Plan and is generally consistent with the planning concepts from the Sector Plan Remedial Amendment, the Managed Growth Tier System, the Western Communities Residential Overlay, service policy requirements, and associated policies. There are demonstrable and quantifiable public benefits not just for the future residents of the proposed project, but those that benefit residents outside of the project in the Central Western Communities. Furthermore, the amendment would be part of the WCR Policy 3.5-d to address impacts to roadway levels of service for many facilities within central western Palm Beach County, as these impacts can be addressed through specific improvements to the roadway network.</p> <p>Staff Recommendation: <i>Approval with conditions</i></p> <p>LPA Recommendation: <i>Approval with conditions</i>, motion by Lori Vinikoor, seconded by Kiley Harper-Larsen, passed in a 6-1 vote (with Katherine Murray dissenting) at the October 21st public hearing. Board discussion included questions regarding whether the open space set aside will be used for drainage purposes and how the workforce housing requirement was calculated. Two representatives of the Indian Trail Improvement District (ITID) spoke regarding the drainage benefit to ITID, but also that the project would use district roads.</p>

Name	Description
<p>3.C.1</p> <p><i>Delray Linton Groves IOTA (LGA 2016-029)</i></p> <p><i>Continued</i></p>	<p>BCC Transmittal: <i>Transmit with conditions</i>, motion by Comm. Taylor, seconded by Comm. Abrams passed in a 4-2 (with Comm. Burdick and Comm. McKinley dissenting, and with Comm. Valeche absent) vote at the October 26th public hearing. A substitute motion by Comm. McKinley, seconded by Comm. Burdick, for denial failed in a 2-4 vote. The Board discussion centered on the amount of residential approved in the Central Western Communities, impacts to schools, and the public benefits provided by the project. Three members of the public spoke in opposition citing too much development in the area, loss of rural character, and traffic concerns. One member of the public spoke in support citing the benefits from addressing flooding concerns and the increase in land value for adjacent properties.</p> <p>State Agency Review Comments: The Department of Economic Opportunity (DEO) issued a letter dated December 1, 2016 stating that the agency had <i>“identified no comment related to important state resources and facilities within the Department’s authorized scope of review that will be adversely impacted by the amendment if adopted.”</i> However, the letter identified three technical assistance comments consistent with Section 163.3168(3), F.S. that are <i>“technical in nature and designed to ensure consistency with the provisions of Chapter 163, F.S.”</i> and that the comments will not form the basis of a challenge. In addition, comments were provided by the Florida Department of Transportation and Treasure Coast Regional Planning Council. See staff report for discussion.</p> <p>Changes Since Transmittal: Subsequent to transmittal, the applicant revised the Conceptual Plan to consolidate the civic sites from three to two locations in response from a request from Property and Real Estate Management, and to relocate the equestrian trail from a location within the development to the western edge of the parcel.</p>
<p>MOTION: To <i>adopt an ordinance</i> for the Delray Linton Groves amendment with conditions</p>	
<p><u>3.C.2</u></p> <p><u>Delray Linton Groves IOTA Proportionate Share Agreement</u></p>	<p><i>Note - This is not a proposed Plan Amendment</i></p> <p>Summary: Approval of this agreement will commit the developer to pay, at a minimum, its proportionate share associated with the impacts of the Indian Trails Grove development. The proportionate share payment allows the applicant to proceed with the development notwithstanding a failure or potential failure of transportation facilities level of service by contributing their proportionate share to one or more mobility improvements that will benefit a regionally significant transportation facility.</p>
<p>Staff Recommendation/ MOTION:</p>	<p>To <i>approve and authorize</i> the Mayor to Execute Proportionate Fair Share Agreement</p>

4. PUBLIC HEARING – Amendment Round 17-B Transmittal

4.A. Proposed County Initiated Text Amendments

Name	Description
<u>4.A.1</u> <u>School Coordinated Planning</u>	<p>This proposed amendment will revise the Comprehensive Plan based on the Interlocal Agreement for Coordinated School Planning entered into by the School District and the County on December 15, 2015. Specifically, this amendment proposes to:</p> <ul style="list-style-type: none">• Relocate School Planning policies from the Public School Facilities Element (PSFE) to the Intergovernmental Coordination Element;• Delete school concurrency policies and the remainder of the PSFE;• Add, update or delete applicable definitions in the Introduction and Administration Element;• Change references within the Future Land Use and Capital Improvement Elements to be consistent with the new policies; and• Revise maps in the Map Series: the School Concurrency Service Areas Map PS 1.1, School Facility Locations Map PS 2.1, Planned Additional Capacity Map PS 3.1 and the Planned Additional Capacity Map PS 3.2. <p>Staff Assessment: The County has held an interlocal agreement with the School District to coordinate school facility planning since 2001 through school concurrency. The coordination has been largely based upon sharing information regarding development proposals and approvals, school siting, and population projections to effectively plan for future school needs. The County, District and municipalities entered into a new interlocal agreement in 2015 that places the emphasis on coordination and data sharing that have already been in place since 2001. The school level of service and concurrency aspect is no longer required by Florida Statutes and has not been carried forward. This amendment will incorporate the provisions of the new Interlocal Agreement into the Comprehensive Plan and eliminate language related to school concurrency.</p> <p>Staff Recommendation: <i>Approval - Transmit</i></p> <p>LPA Recommendation: <i>Approval</i>, motion by Sandra Greenberg, seconded by Katherine Murray, passed in a 9-0 vote at the November 18, 2016 public hearing. There was minimal discussion and no public comment. Staff stated that there would be a change in the Map Titles to reflect the Intergovernmental Coordination Element (ICE) in the title rather than the Public School Facilities Element (PSFE).</p>
BCC ACTION: To <i>transmit</i> the School Coordinated Planning amendment.	

5. REGULAR AGENDA

Name	Description
<u>5.A.</u> <u>Palm Springs</u> <u>Enclave Interlocal</u> <u>Agreement</u> District 3	<p>Summary: Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves with fewer than 110 acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2016-81 adopted on December 15, 2016, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of one enclave consisting of one parcel totaling 2.43 acres, as identified in Exhibit A of the Interlocal Agreement. The annexation has been processed through the County's review Departments, including Fire Rescue; Engineering; Planning; Zoning; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Village has provided written notice to the property owner within the enclave. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan.</p>
Staff Recommendation/ MOTION:	To approve an Interlocal Agreement with the Village of Palm Springs providing for the annexation of one enclave, generally located on the west side of Congress Avenue, south of Melaleuca Lane.
<u>5.B.</u> <u>Consent for</u> <u>Annexation of a</u> <u>County Owned</u> <u>Parcel</u> District 1	<p>Summary: The City of Palm Beach Gardens is requesting the County's consent for a County-owned parcel as part of a proposed referendum annexation of the Carleton Oaks-Osprey Isles area. County-owned properties must receive consent from the Board of County Commissioners prior to annexation into a municipality. This property is a preserve area and the Department of Environmental Resources Management provided staff approval for the property to be considered for annexation.</p>
Staff Recommendation/ MOTION:	To approve consent for annexation.
<u>5.C.</u> <u>Amendment</u> <u>Round 17-D</u> <u>Initiation</u>	<p>Summary: The item before the Board is to consider the initiation of proposed County Initiated amendments to the Comprehensive Plan. The initiation process allows the Board to consider staff proposed changes to the Comprehensive Plan, and to provide direction on approaches to these amendments and/or to add new amendments for consideration. The complete analysis and staff report for each amendment will return to the Board for action at subsequent transmittal and adoption public hearings. Initiation does not obligate the Board to future action. Also included in the Initiation Document is a list of the privately proposed Future Land Use Atlas and text amendments. The privately proposed items are provided for reference only and do not require action by the Board.</p>
Staff Recommendation/ MOTION:	To initiate the proposed County Initiated amendments.

6. COMMENTS

- A. County Attorney
- B. Planning Director
- C. Zoning Director
- D. Executive Director
- E. Assistant County Administrator
- F. Commissioners

7. ADJOURNMENT

Be advised that anyone choosing to appeal any action with respect to any matter discussed by the Board of County Commissioners will need a record of the proceedings, and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

T:\Planning\AMEND\17-A\Reports-Agendas\4-BCCAdopt\Agenda-BCC-January-2017.docx