

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR/WORKSHOP

1. **CALL TO ORDER:** May 22, 2001, at 9:33 a.m., in the Palm Beach County Governmental Center, West Palm Beach, Florida.

1.A. **ROLL CALL**

MEMBERS AND OFFICERS PRESENT:

Chair Warren H. Newell
Vice-Chair Carol A. Roberts - Absent
Commissioner Burt Aaronson
Commissioner Addie L. Greene
Commissioner Mary McCarty
Commissioner Karen T. Marcus
Commissioner Tony Masilotti
County Administrator Robert Weisman
Assistant County Attorney Robert P. Banks
Recording Clerk Judith Crosbie
Condensing Clerk Linda C. Hickman

2. **AGENDA APPROVAL**

2.A. **ADDITIONS, DELETIONS, SUBSTITUTIONS**

County Administrator Weisman noted the Agenda changes as follows:

PAGE ITEM

1 6B-1 **ADD-ON:** Staff recommends motion to adopt: a Resolution approving the issuance of not to exceed \$6,255,000 Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Refunding Bonds Series 2001A (Country Lake Apartments Project) ("the Bonds") within the meaning of Ordinance 79-3 as amended and providing an effective date. **SUMMARY:** This resolution requests approval by the Board of County Commissioners for the Housing Finance Authority to issue the Bonds, in an aggregate amount not to exceed \$6,255,000. The Bonds shall be payable solely from the rents from a 192 unit multifamily housing project located on Shenandoah Boulevard, west of Haverhill Road and south of Forest Hill Boulevard ("the Project"). Neither the taxing power nor the faith and credit of the County, nor any County funds shall be pledged to pay principal or, redemption premiums, if any, or interest on the Bonds. District 2 (PFK) (Co Atty)

1 6C-1 ** **ADD-ON & WAITING FOR BACKUP:** Staff recommends motion to approve:

A) Budget Transfer of \$79,331 from the Transportation Improvement Fund in Reserves for District 1 to the Abacoa Community Transportation account; and

2.A. - CONTINUED

PAGE ITEM

B) a Funding Agreement with the Abacoa Town Center Master Property Owners Association, Inc., to provide shuttle services to the general public within the Abacoa development located in Northern Palm Beach County.

SUMMARY: This agreement enables Abacoa to provide, on an annual basis, shuttle service free of charge and without restriction to the general public. The hours of service, routes, and areas to be served must be approved by the County. District 1 (MRE) (Eng) (Added at the request of Commissioner Marcus)

2.B. ADOPTION

MOTION to adopt the agenda as amended. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 6-0. Commissioner Roberts absent.

- 3. **9:30 A.M. - SECTOR PLAN UPDATE** - See pages 5-21.
- 4. **2:00 P.M. - INCLUSIONARY ZONING** - See pages 23-27.
- 5. **3:00 P.M. - MULTIPLE LAND USE DESIGNATION** - See pages 27-30.
- 6. **REGULAR AGENDA** - See pages 2-4 and 21-22.
- 7. **UNSCHEDULED ITEM** - See page 4.
- 8. **ADJOURNMENT** - See page 30.
- 6. **REGULAR AGENDA**
- 6.A. **CLERK**
- 6.A.1.

WARRANT LIST DATED MAY 21, 2001. APPROVED 5-22-2001

COMPUTER CHECKS	\$ 9,874,875.51
WIRE TRANSFERS	106,370,637.72
MANUAL CHECKS	437,857.84
EFT TRANSFER	<u>390.86</u>
	\$116,683,761.93

MOTION to approve the warrant list. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Roberts absent.

6.A.2.

CONTRACTS ON CONTRACT LIST EXECUTED BY THE PURCHASING DIRECTOR:

a.

TERM CONTRACT WITH PEEK TRAFFIC SYSTEMS, INC., FOR TRAFFIC SIGNAL CONTROLLERS AND ACCESSORIES FROM JULY 1, 2001, THROUGH JUNE 30, 2004, FOR \$1.2 MILLION. APPROVED 5-22-2001

REGULAR AGENDA - CONTINUED

6.A.2. - CONTINUED

b.

TERM CONTRACT WITH FLORIDA DEPARTMENT OF MANAGEMENT SERVICES FOR OFFICE FURNITURE FROM MAY 22, 2001, THROUGH MARCH 31, 2004, FOR \$420,000. APPROVED 5-22-2001

c.

TERM CONTRACT WITH DON OAKES GENERAL CONTRACTOR AND COUNTYWIDE MAINTENANCE & MANAGEMENT, INC., FOR COUNTYWIDE LOT CLEARING AND CLEANING SERVICES FROM JULY 18, 2001, THROUGH JULY 17, 2002, FOR \$200,500. APPROVED 5-22-2001

MOTION to approve the contracts on the contract list. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Roberts absent.

(CLERK'S NOTE: Commissioner McCarty left the meeting.)

6.B. COUNTY ATTORNEY

6.B.1.

DOCUMENT R-2001-0805

RESOLUTION AUTHORIZING THE ISSUANCE OF HOUSING FINANCE AUTHORITY MULTIFAMILY HOUSING REVENUE REFUNDING BONDS SERIES 2001 FOR THE COUNTRY LAKE APARTMENTS PROJECT IN AMOUNT NOT TO EXCEED \$6.255 MILLION. THE BOND SHALL BE PAYABLE SOLELY FROM THE RENTS FROM A 192-UNIT MULTIFAMILY HOUSING PROJECT LOCATED ON SHENANDOAH BOULEVARD, WEST OF HAVERHILL ROAD AND SOUTH OF FOREST HILL BOULEVARD. NEITHER THE TAXING POWER NOR THE FAITH AND CREDIT OF THE COUNTY, NOR ANY COUNTY FUNDS SHALL BE PLEDGED TO PAY PRINCIPAL OR REDEMPTION PREMIUMS, IF ANY, OR INTEREST ON THE BONDS. ADOPTED 5-22-2001

MOTION to adopt the resolution. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 5-0. Commissioners McCarty and Roberts absent.

Commissioner Marcus recommended that the board at a future date redefine the duties of the Housing Finance Authority (HFA). She recalled that earlier Commissioner Newell had suggested that the BCC become the HFA. The board informally agreed to have an item be placed on a future workshop agenda.

(CLERK'S NOTE: Commissioner McCarty rejoined the meeting.)

Commissioner Aaronson stated that it would be best to place an item on a future workshop agenda after the conclusion of all investigations including the State Attorney's investigation concerning the HFA. Commissioner Marcus said she was not interested in the investigations, only the makeup of the authority and what other counties were doing within the state regarding the HFA. Commissioner Masilotti agreed with the review of the duties of the authority.

REGULAR AGENDA - CONTINUED

6.B.1. - CONTINUED

STAFF WAS DIRECTED TO:

- Place an item on an August 2001 workshop agenda.
- The County Attorney to submit copies of all legislation that was approved by the board and by state statute concerning the Housing Finance Authority.
- The County Attorney to submit her opinions regarding the restructure of the Housing Finance Authority.
- Submit information about how other counties within the state structure their Housing Finance Authority.

6.C. ENGINEERING AND PUBLIC WORKS

6.C.1.

a.

BUDGET TRANSFER 2001-0926 IN THE TRANSPORTATION IMPROVEMENT FUND FOR \$79,331 FROM RESERVES FOR DISTRICT 1 TO THE ABACOA COMMUNITY TRANSPORTATION ACCOUNT TO PROVIDE SHUTTLE SERVICE FOR THE PUBLIC WITHIN THE ABACOA DEVELOPMENT FOR 23 HOURS EACH WEEKEND STARTING FRIDAY EVENING AND ENDING SUNDAY EVENING. POSTPONED UNTIL 2:00 P.M. TODAY -- 5-22-2001

b.

FUNDING AGREEMENT WITH ABACOA TOWN CENTER MASTER PROPERTY OWNERS ASSOCIATION, INC., TO PROVIDE SHUTTLE SERVICES FOR THE PUBLIC WITHIN THE ABACOA DEVELOPMENT FOR 23 HOURS EACH WEEKEND STARTING FRIDAY EVENING AN ENDING SUNDAY EVENING. POSTPONED UNTIL 2:00 P.M. TODAY -- 5-22-2001

County Administrator Weisman requested that the item be postponed until 2:00 p.m.

MOTION to POSTPONE item 6.C.1. until 2:00 p.m., to be considered before the workshop items. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Roberts absent.

(CLERK'S NOTE: For continued discussion of item 6.C.1., see pages 21-22.)

7. UNSCHEDULED ITEM

7.A.1.

PROPOSED AMENDMENT TO ORDINANCE 93-8 (AFFORDABLE HOUSING) PROVIDING FOR THE CREATION OF THE LOCAL HOUSING ASSISTANCE TRUST FUND NAMED THE ROBERT PINCHUCK MEMORIAL TRUST FUND AND THE ESTABLISHMENT OF THE LOCAL HOUSING PARTNERSHIP. DISCUSSED WITH DIRECTION 5-22-2001

Commissioner Greene asked the board to consider an amendment to Ordinance 93-8 in order to make it consistent with Resolution R-95-1806. The ordinance established the Commission on Affordable Housing, and Resolution R-95-1806 established uniform policies and procedures for advisory boards, commissions, and committees.

REGULAR AGENDA - CONTINUED

7.A.1. UNSCHEDULED ITEM - CONTINUED

Ms. Greene stated that during an attempt to nominate her senior aide for an appointment to the Commission on Affordable Housing, she had consulted the board's policies and procedures handbook. The handbook indicated that commissioners' aides may serve on boards. She subsequently heard there was an ordinance that prohibited county employees from serving on advisory boards, commissions, and committees. She spoke with the County Attorney's Office and had been informed that the only way the appointment could occur was to amend the ordinance to be consistent with the policies and procedures handbook and Resolution R-95-1806.

Commissioner Greene said that two readings of the proposed amendment would be necessary to make it consistent with the current policy. She suggested the first reading be scheduled for June 5, 2001, and the second June 19, 2001. That would allow for the nomination of her aide to coincide with the expiration of the term of the person currently in that position. County Administrator Weisman clarified that Ordinance 93-8, which established the Commission on Affordable Housing, prohibits any county employee from becoming a member, and it would have to be amended to allow Commissioner Greene's aide to become a member. Resolution R-95-1806 allowed commissioners' aides to serve on boards as compared to regular county employees. Therefore, the ordinance and resolution were inconsistent regarding the appointment of county employees.

Commissioner Masilotti commented that it was clearly the intent of the board to allow commissioners' aides to sit on boards if they were appointed by the district commissioner. He recommended that the board consider the proposed amendment as soon as possible to accommodate Commissioner Greene's desired nomination of her aide to the Commission on Affordable Housing. Commissioner Newell suggested that an item be placed on a regular agenda.

No backup submitted.

STAFF WAS DIRECTED TO:

- Place an item on a regular agenda as soon as possible to amend Ordinance 93-8.

WORKSHOP ITEMS

3. 9:30 A.M. - SECTOR PLAN UPDATE. DISCUSSED WITH DIRECTION 5-22-2001

Planning Director Frank M. Duke commented that:

- The process for a Sector plan was different than a typical planning process.
- Last week staff had attended a meeting with the Department of Community Affairs and the local governments concerning Sector plans statewide.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- During that meeting, it had been determined that the greatest difficulty was helping the public to understand that the sector planning process was different from the typical planning process. It required staff to be very conceptual initially and the details that the public were used to receiving during a Comprehensive Plan amendment were initially unavailable for sector planning.
- In order to be consistent with current legislation, the board needed to give direction on how staff would take a very conceptual scenario and turn it into a plan that would begin to have the level of detail that the board was used to seeing.
- The board would review alternatives recommended by the consultants and would give them direction on how to proceed.
- In accordance with prior board direction, the consultants would present their recommendations after having had discussions with staff, the public, and property owners.

During the discussion that ensued it was brought out that:

- The consultants were going to talk about existing conditions and trends in the sector planning area, a trend plan they had developed which showed build-out conditions, alternative build-out scenarios they had developed, common elements they recommended to be included in the sector plan regardless of what options were selected by the board, guiding principles, and two options they would like the board to consider for the preferred development scenario.
- Stage 1 of the process was development of the community profile whereby information was gathered on the planning area.
- It was imperative to understand the relationship between the sector plan and the development around it.
- The sector plan was surrounded by natural preserves.
- There were approximately 58,000 acres within the plan area.
- There were four large agricultural properties within the plan area.
- There was a lot of existing residential development within the area.
- Sixty-four percent of the study area was already developed or committed to a specific residential pattern.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- There was an estimated population of 39,000 currently in the plan area.
- There was very little retail or commercial services in the area.
- There was minimal opportunities for employment.
- The existing community facilities were inadequate.
- The area was the typical example of urban sprawl which created problems of traffic congestion; fiscal imbalance whereby the land use pattern did not pay for itself; and the loss of agricultural land and open space over time.
- The consultant had developed a trend plan which was actually a picture of build-out as it could occur under the current Comprehensive Plan designations, plans, policies, and programs.
- If the area was built out as currently planned, the population could increase from the estimated 39,000 to approximately 63,000. Of that growth, 56,000 of those people would be within the existing communities.
- No agriculture would be retained under the ultimate development scenario because the large properties were currently approved for one unit per 10 acres.
- The traffic congestion and fiscal imbalance would get worse.
- The current Comprehensive Plan allowed for the development of two traditional marketplace centers and two village centers which would provide neighborhood-servicing retail uses.
- Stage 2 of the planning process consisted of the formation of a series of alternative development scenarios.
- The first alternative development scenario was agricultural retention. It was a reduced development scenario that would accommodate less development than the current plan.
- Scenarios 2A and 2B were reviewed by the Peer Review Committee. The committee had determined that there was little difference between the two and recommended that staff focus on 2B.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- Staff had used in all of the scenarios, including the preferred options, the commercial needs study as a guide to determine the amount of neighborhood, community, regional, and industrial uses that would be needed in the area.
- The area was dominated by a water control system that mainly consisted of a canal structure. It was constructed around the mid-century to support agriculture and urban development.
- A joint study between South Florida Water Management District, the City of West Palm Beach, and Indian Trail Improvement District began in 1985. The study resulted in the Comprehensive Water Management Plan for the northern area of the county. It clearly identified the need for additional water storage.
- One of the key features in the development of the plan was to ensure that the county retain appropriate land areas that could be used for water storage.
- Another common element was improved interconnectivity of the secondary or collector roads within the area.
- The proposed greenways and equestrian trail system was a very important common element that advanced a number of important policies within the Comprehensive Plan. It was intended to create a 72-mile system within the area.
- The proposed greenways and equestrian trail system was intended to connect the environmental areas and provide multipurpose connectivity for pedestrian bicycle and equestrian use.
- An important feature associated with the greenways and equestrian trail system was the concept of an equestrian center.
- The inclusion of rural centers was important.
- Staff recommended three types of mixed-use centers and employment centers that would serve the existing communities as well as any new residential development.
- Rural town was the largest of the three mixed-use centers. The other two were very similar in their characteristics but were smaller.
- Every small town needed a town center.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- All town centers should have a focal point or gathering place and a full mix of uses.
- Streetscape and open space were very important to a town center. The design of parking and streets were equally important.
- Staff recommended that there be a variety of housing types and architectural styles for the residential fringe near the town center, and that it all be clustered.
- The residential fringe should contain the necessary community facilities including churches, community centers, elementary schools, middle schools, high schools, parks, and recreation opportunities.
- The last component of the rural town was the clear edge that forms a boundary between the town and the rural area beyond. Staff recommended that the greenways and equestrian trails be used to form the clear edge.
- Staff recommended that beyond the clear edge, there be agricultural and natural preserves and the development of equestrian communities.
- The employment centers had to be master planned, mixed use, highly landscaped with signage control, bicycle-and-pedestrian friendly, and internally connected to the central western communities.
- The two most important principles were the balance of rural character, agricultural preservation, and the sustainable communities. The way to accomplish that was to find the right balance between how much agriculture to be preserved and how much development that would be allowed.
- The two options were agriculture preservation and rural land stewardship.
- The agricultural preservation option assumed that the current 16,000 acres of agricultural land would be preserved through either fee simple acquisition or purchase of development rights.
- Under the agricultural preservation option the total population would be 50,000.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- The Agricultural Preservation - option 1 would require a lot of money to implement it.
- The Rural Lands Stewardship - option 2 was patterned after the rural land stewardship program that was recommended by the Growth Management Study Commission.
- The rural land stewardship option assumed a build-out population of approximately 70,000. The total was derived by assuming that the owners of the undeveloped lands would be given rural land use credits of one dwelling unit per two acres.
- Rural land use credits would be conveyed within the existing communities on the undeveloped vacant lots in a number that would be consistent with the current rate.
- The rural land use credits could remain where they were in the existing community to provide incentives to have those credits transferred into two receiving zones which would be two rural towns.
- Those rural land use credits would have to be clustered within the large properties leaving a minimum of 70 percent of the existing agricultural land in agricultural use.
- Each of the rural towns would have an estimated population between 5,000 and 10,000, which would consist of the clustered residential fringe around a mixed use town center.
- The town center would provide neighborhood as well as community serving retail.
- Staff recommended that no regional commercial needs be met because regional commercial tended to draw people from outside the community.
- For option 2, staff recommended the board consider an increase in density from what is currently permitted.
- Any development under option 2 would be required to undergo specific area plan approval or some other similar approval.
- Seventy percent of the land would have to be preserved as natural open space and/or agriculture.
- All new development would have to be in centers.
- Rural design guidelines and standards would be applied.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- Roads and other transportation infrastructure would have to be provided by the development.
- Water management would have to be included along with public services and facilities including schools, libraries, and community centers.
- Option 1 targeted the purchase of the large agricultural properties which would retain 16,000 acres.
- Option 2 through the 70 percent retention of open spaces and 30 percent development would protect 11,500 acres without relying upon a buyout program.
- Transportation was the most perplexing issue considered.
- The County's 2020 long-range plan was the beginning point for the analysis of the Sector plan.
- The proposed new roads consisted of a State Road 7 Connector, a new connection from Seminole Pratt Whitney Road to Beeline Highway, an extension of Okeechobee Boulevard to Lion Country Safari and Southern Boulevard, and a connection through the Loxahatchee Groves area of 140th Street.
- The most perplexing problem was how to handle the traffic at the gateways which were the east-west routes out of the area. They consisted of Northlake Boulevard, Okeechobee Boulevard, and Southern Boulevard.
- Option 1 would have only slightly more population than called for in the 2020 plan and a greater amount of employment.
- No additional roadways would be required for option 1, and no roadways within the Sector plan area would need to be more than four lanes.
- Option 2 would have a population of approximately 70,000 people with a significant amount of non-residential development.
- It would serve both neighborhood retail and community retail, and provide employment.
- There would be fewer lanes on the northern part of the State Road 7 Connector and the northern part of the Seminole Pratt Whitney Road Connector to Beeline Highway.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- Staff recommended that Persimmon Boulevard, which was located in the center of the sector plan area, be increased to four lanes.
- Staff had reviewed how well the central and western communities perform in terms of average annual revenues and expenditures.
- Staff would move forward with stage 3 after the board selected a preferred development option and gave staff directions. Staff would detail the chosen option and prepare implementation strategies and rural design guidelines.
- The information presented today was discussed with the Peer Review Committee and presented at two community workshops.
- The overall concern expressed during the community workshops was keeping the roads small and keeping new roads on the periphery of the area.
- There was concern with protecting the equestrian character of the area.
- The major community concern about clustering was that the open space might not remain in perpetuity.
- The character of development was another community concern.
- The area residents also stated concern about the installation of bright lights that would take away from the rural atmosphere.
- There was concern about people who would come to a town center that might not have the same values as the area residents.
- Staff had made a presentation to the Land Use Advisory Board (LUAB) on April 26, 2001, who submitted a letter stating that:
 - Staff should utilize the Commercial Needs Study.
 - The LUAB was concerned that the proposed rural towns were too intense.
 - The LUAB recommended more scattered clusters throughout the community rather than rural towns.

WORKSHOP ITEMS - CONTINUED

3.- CONTINUED

- There was concern that the centers were all small neighborhood retail centers that would not accomplish the same things as the rural towns.
- The LUAB suggested that the equestrian center on the greenways trail be moved closer to the J. W. Corbett Wildlife Refuge.
- The LUAB recommended timing and phasing criteria. Any new roads should be on the perimeter of the property.
- The Peer Review Committee had met with staff and the consultant in November 2000 and March 2001. The meetings had been positive.
- The Peer Review Committee recommended reduced density.
- The recommendations presented to the board were consistent with the overall recommendations which resulted from the two meetings between the Peer Review Committee, staff, and consultant.
- There was a meeting scheduled in August for the Peer Review Committee. The committee would submit another report to the board at that time and would later submit a full report regarding the Sector plan.
- The Sector plan was a build-out plan. The Metropolitan Planning Organization's plans were not directed toward land build-out.
- It had been difficult to explain the ultimate build-out plans to the area residents.
- It was very difficult to come up with a precise calculation of the cost per unit to provide fire-rescue, police, library, and school services in the eastern areas because it would differ dramatically based on the property's proximity to the service.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- Commissioner Newell stated that he did not want an increase in costs to the taxpayers in order to provide services to the sector plan communities.
- Commissioner McCarty commented that the development of the City of Boca Raton was very successful because much thought was given to the mix of uses to keep the tax base high and the support from the community low. She recommended that the county consider the same concept for development in the sector plan area.

PUBLIC COMMENT:

Erin Deady, representative of Audubon Society of Florida, stated that prior to the last workshop, the maps were unavailable for option 1 and option 2. One of the largest issues was the sector plan's compatibility with the comprehensive Everglades restoration plan. The Audubon Society was concerned with the proposed employment center location and that a density increase seemed to be the only incentive to get development in the appropriate locations. The alternative to density increase was a bond referendum. The Audubon Society requested a few more alternatives between a density increase and a land acquisition referendum. South Florida Water Management District was getting ready to embark on the second phase of the minimum flows and levels initiative. The Audubon Society wanted assurance that the Loxahatchee water-shed would be included during the planning of the minimum flows and levels initiative. The Audubon Society requested more indicators on habitat diversity and wetland acreage and function. The Audubon Society also wanted to see more diverse management of water resources indicators.

William Gurney, vice-president of Loxahatchee Groves Landowners Association, opposed the 140th Street and E Road Connector because of the adverse effect on the quality of the rural lifestyle. It would also allow commercial development at the intersection of 140th Street and Okeechobee Boulevard. Mr. Gurney wanted to know if there were plans to carry the extension of Okeechobee Boulevard beyond Lion Country Safari to State Road 80. If so, that would cause additional traffic to flow into Loxahatchee Groves. The current roads were adequate for the community and any additional roads would adversely affect the community. Commissioner Masilotti commented that 140th Street, Okeechobee Boulevard, and Southern Boulevard were not funded for construction. V. William Louda concurred with Mr. Gurney and noted that the current Comprehensive Plan pertaining to a managed growth tier plan stated that all roads should go to the peripheries of the plan area.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

Ken Soule requested no change to the current density for development of the Acreage and that there be no six-lane road to support development by large landowners. He supported the county's purchase of agricultural land for preservation.

Jean Bauer apologized for her comments the last time she was before the board. Ms. Bauer said that at the time she had received distorted information that there were two wells in the Fox Trail area that had salt water intrusion. It turned out there was one very deep well that had contained salt water before blasting had occurred in the area. Ms. Bauer cautioned that when horses, motorcycles, and bicycles were placed on a multipurpose trail many people and horses get hurt. The equestrian trail should be solely utilized by a horse and rider, she stressed. The area residents would be happy with minimal residential and commercial development and minimal paved roads. Commissioner Newell stated that the area attracted people on four-wheel vehicles and dirt bikes.

Jack Holman said the sector plan was a good concept. He said that the consultant encouraged clustering and commercial development which was in opposition to the sector plan. Mr. Holman discouraged increased density or zoning change.

Thomas F. Green requested that the rural lifestyle be sustained. Commissioner Newell said that for years there had been efforts to find recreation locations for owners of dirt bikes and four-wheel vehicles.

Penny Riccio, chair, of the Acreage Landowners Association Beautification Committee, said the board had an opportunity to project a plan to preserve a unique lifestyle to the country. There was a need for rural areas within the county. Ms. Riccio suggested the board purchase the land in perpetuity through a bond issue. The land should remain agricultural with the existing land use of one unit per 10 acres.

Rosa Durando said there had not been any acknowledgment of the geological constraints in South Florida nor the necessity to support the restoration of the Everglades. There was no reference that Unit 11 was located at the top of the sector plan area and that its function was to store and clean water. It was not supposed to be drained. The northern portion of the sector plan area should not be included in any development but made a part of Unit 11. Ms. Durando recommended a priority rating change to reflect: (1) water resources; (2) environmental sustainability; and (3) provision of adequate services and facilities.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

Joanne Davis, 1,000 Friends of Florida, commented that open space preservation was not the same as agriculture preservation. She stressed the need to preserve agriculture. Full-cost legislation was not limited to roads and schools, she said. Ms. Davis stated her concern with an employment center being considered as a single use.

Barbara Susco stated she did not want to pay more taxes to preserve land so that the Audubon Society members, the 1,000 Friends of Florida, and other environmental groups could hold weekend gatherings. She contended that land on Northlake Boulevard was supposed to remain natural but buildings were being constructed. Ms. Susco said she was adamantly against preservation. Many people wanted five-acre tracts in the sector plan area. She said that when people were placed in little sustainable communities like Abacoa traffic more than doubled in the area.

Discussion revealed the following information:

- Commissioner Masilotti was interested in looking at connectivity of the communities within the sector plan area.
- The highest priority for the current residents was the preservation of a rural lifestyle.
- Commissioner Masilotti did not totally agree with the 2020 plan.
- Commissioner Masilotti did not see any reason to construct Persimmon Boulevard through the Acreage.
- The sector plan area was approximately 26 square miles. The concept of busing elementary schoolchildren and providing adequate emergency services in such a large area was impractical.
- Commissioner Masilotti said that transferring development to a certain area in order to preserve farming on the majority of the land was preferable to 26 square miles of urban sprawl.
- It was feasible for the county to pay \$8,000 per acre to purchase land in the sector plan area which later could be leased at \$500 to \$600 per acre for farming.
- No actual costs would be passed on to the taxpayers because of the revenue that would be received from the lease of the property.
- Farming was a vital occupation in the central county.
- Commissioner Masilotti recommended changing the concept of stewardship to partnership in preserving agriculture.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- The county needed to consider supporting South Florida Water Management District to build a reservoir consisting of approximately 1,000 acres. The reservoir was needed to pump water into during the wet season instead of releasing it to the tide. During a drought, the water could be pumped out of the reservoir for consumption.
- Commissioner Masilotti recommended the focus be on a rural farming partnership, as well as a bond issue to acquire land with little or no cost to the taxpayers.
- It would be infeasible to try to provide services to one home every 10 acres within a 26-square-mile area.
- The three large property owners in the sector plan area had held off from moving forward with development.
- Commissioner Masilotti recommended the county offer some incentive for clustering and keeping the balance of the land for agriculture.
- The goal was to move forward with options that were reasonable to the residents from an economical and quality of life standpoint.
- Commissioner Marcus was disappointed in the sector plan because it did not address the existing residential characteristics and how to make those communities rural. There was no data to address the problems within the Acreage.
- Commissioner Marcus viewed the sector plan as a development plan for three orange grove owners.
- The board had made it clear that the sector plan should be different than the Agricultural Reserve Study; Commissioner Marcus said she did not see any difference.
- The towns described in the plan were not the rural towns the board had requested.
- The sector plan did not address water storage.
- The board had asked that the identification of water storage properties be expedited.
- The identification of water storage properties had not been presented in the sector plan.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- Commissioner Marcus recommended that the consultants not move forward until the acquisition of water storage properties had been concluded. She was concerned that the value of the property would be inflated.
- Ms. Marcus recommended that staff request South Florida Water Management District's schedule for the acquisition of water storage properties.
- A bond issue could be considered for the purchase of property within the sector plan area. There was time for a referendum by 2002.
- Consideration should be given to a public and private partnership.
- Staff should look into the cost for schools, the cost to add roads, and the cost for commuter time.
- The Glades residents were concerned that all of the water storage would be in their area.
- There was very productive agriculture in the Glades area.
- There was a desire for the county to be a model for the full-cost accounting concept.
- Commissioner McCarty had concern with the way the sector plan was progressing.
- There was a need for a sound basis of how much land could be purchased with bond money as well as what it would do to the mix of taxable and non-taxable property.
- Commissioner Aaronson stated concern on how a plan could be made for the Acreage when it was unknown how many units would remain undeveloped.
- Commissioner Aaronson recommended that staff evaluate the potential for the purchase of land in the Acreage and determine what development and agricultural preservation could be accomplished before going to the public.
- Indian Trail Improvement District (ITID) hired a consultant to discuss incorporation with the area residents.
- The ITID consultant told the residents that the county had approved three developments in the area. The consultant's plan was to strike fear into the residents so that when the residents incorporate they could take the three developments and make them their commercial tax base.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- The residents were receiving conflicting information from various consultants.
- Commissioner Masilotti stressed that the county had not approved the three developments as stated by the ITID consultant. He recommended that the county move forward and keep the lines of communication open between the county's consultants, planners, and the residents so they have confidence that the board had not made any decisions.
- Commissioner Aaronson said a bond issue would not hamper the 70 percent agriculture and 30 percent development concept.
- The Agricultural Reserve bond issue encouraged farming, and the same could be accomplished for the Acreage.
- Commissioner Aaronson recommended staff look into a bond issue to purchase land, taking into consideration the land value in the Acreage, and lease back for farming.
- The property proposed for purchase would not be taken off the tax rolls because the Agricultural Reserve property was not taken off the tax rolls.
- The loss in taxes on the existing agricultural property should be taken into consideration as well as other factors that impact the property.
- Focus should be on the quality of life for the current residents.
- Staff had met with South Florida Water Management District (SFWMD), who gave the general locations for the necessary water storage.
- SFWMD was unable to determine the extent of the storage requirements until the completion of their pilot study.
- If the county should purchase the property in the Acreage, SFWMD could purchase land from the county for water storage needs.
- The 140th Street and E Road Connector was in the long-range 2020 plan as being a needed road. It currently had not been funded.
- Commissioner Newell stated that if there were going to be a bond issue, the money should be used to redevelop coastal communities such as Schall Circle, Fruity Acres, and the Lake Worth Corridor which were located in the unincorporated areas and currently needed assistance. Those neighborhoods had not received funding in approximately 20 years.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- Bond money could be used for restoration of the environmentally sensitive properties the county currently owned.
- A lot of additional costs had been added to the Environmental Resources Management Department's budget in order to maintain the property the county currently owned.
- Commissioner Aaronson suggested that the purchase of property in the sector plan area and redevelopment of the coastal communities could be proposed as one bond issue if needed. The sector plan project was currently in operation, and the unincorporated coastal communities was another issue. The two issues should be separate.
- Commissioner Marcus pointed out that the agricultural properties were different from the environmentally sensitive properties the county currently owned.
- The county had been successful with the lease-back of agricultural property so it had an opportunity to support itself.
- There were markets and demands for agricultural products. It was a matter of making the land available for farming.
- The only thing that could be taxed on the leased-back property would be improvements.
- If the board did not move forward with the sector plan, development would occur in the sector plan area at one unit per 10 acres. There would be tremendous costs to provide necessary services in the area.
- The residents' biggest concern was that the majority of the property remain farmland.
- If the county purchased some of the land via a bond it would have to be held for 20 to 30 years and nothing could be done on the property by any future Board of County Commissioners. Otherwise, the land might be developed at two units to one acre.
- Purchasing the land would protect the residents to ensure a rural lifestyle.
- Commissioner Marcus was concerned that if the board moved forward with a plan, the price of the property would be inflated.

WORKSHOP ITEMS - CONTINUED

3. - CONTINUED

- County Administrator Weisman recommended that staff report back with a program for a bond issue. During the interim, staff should not investigate other development alternatives.

STAFF WAS DIRECTED TO:

- Report back with a program for a bond issue. During the interim, do not investigate other development alternatives.

RECESS

At 12:14 p.m., the chair declared a recess.

RECONVENE

At 2:07 p.m., the board reconvened with Commissioners Aaronson, Greene, McCarty, Marcus, Masilotti, and Newell present.

(CLERK'S NOTE: For earlier discussion of item 6.C.1., see page 4.)

6.C.1.

a. BUDGET TRANSFER 2001-0926

BUDGET TRANSFER IN THE TRANSPORTATION IMPROVEMENT FUND FOR \$79,331 FROM RESERVES FOR DISTRICT 1 TO THE ABACOA COMMUNITY TRANSPORTATION ACCOUNT TO PROVIDE SHUTTLE SERVICE FOR THE PUBLIC FOR 23 HOURS EACH WEEKEND STARTING FRIDAY EVENING AND ENDING SUNDAY EVENING. APPROVED 5-22-2001

b. DOCUMENT R-2001-0806

FUNDING AGREEMENT WITH ABACOA TOWN CENTER MASTER PROPERTY OWNERS ASSOCIATION, INC., FOR \$79,331 TO PROVIDE SHUTTLE SERVICES FOR THE PUBLIC WITHIN THE ABACOA DEVELOPMENT FOR 23 HOURS EACH WEEKEND STARTING FRIDAY EVENING AND ENDING SUNDAY EVENING. APPROVED 5-22-2001

MOTION to approve the budget transfer and the agreement. Motion by Commissioner Marcus and seconded by Commissioner Aaronson.

Commissioner Marcus commented that there was no public transportation available north of PGA Boulevard because the bus ridership was so low. Termination of the Palm Tran route in that area resulted in a savings of \$500,000 for the county. There were efforts to explore whether a transit system such as a trolley would work. Since Abacoa was the only approved traditional neighborhood in the area, it was recommended to explore the alternative transit system there. The funding for the shuttle services would come from Ms. Marcus's landscape funds.

REGULAR AGENDA - CONTINUED

6.C.1. - CONTINUED

Commissioner Aaronson asked if the funds were exclusively for a trolley, and Commissioner Marcus stated it would be the same trolley system as used in downtown West Palm Beach. Commissioner Newell said he did not want to support the item because he was concerned that other private communities would seek funding for transportation within their areas. Commissioner Marcus interjected that it was uncertain if the proposal would work. It was a pilot project to see if people would use the system. If it did not succeed, it would not be used for other communities. The intent was to get people to use mass transit instead of driving their personal vehicles.

Commissioner McCarty said she did not see a problem with the project because the funds were coming out of Commissioner Marcus's funds. Commissioner Aaronson said the problem as stated by Commissioner Newell was that the project could set a precedent for other communities to request funding for similar use. He would support it as a pilot project for \$79,331 and with the caveat that there not be a precedent for funding other communities in the future. Should the project be successful, Abacoa and the Town of Jupiter should fund the project in the future.

Commissioner Marcus stated that because there was no public transportation north of PGA Boulevard the northern county municipalities had made an alternative transportation system a priority. If the pilot project were successful, long-term funding would have to be found. The long-term funds would not come from the county. Commissioner Masilotti said the Metropolitan Planning Organization (MPO) had funds in its budget to purchase 20 buses or trolleys to provide that type of service. Commissioner Marcus might be able to save some of her traffic funds if she applied for MPO funding, he said. Commissioner Marcus said she would confer with the northern county municipalities to pursue the MPO funds. She stated that the project would be monitored to see if people used the trolley. Commissioner Newell remarked that the concept was great but he did not believe the funding should come from the county.

UPON CALL FOR A VOTE, the motion carried 5-1. Commissioner Newell opposed. Commissioner Roberts absent.

WORKSHOP ITEMS - CONTINUED

4. 2:00 P.M. - INCLUSIONARY ZONING. DISCUSSED WITH DIRECTION 5-22-2001

Staff reported that:

- This item resulted from an earlier discussion pertaining to rural development and alternative development patterns.
- Inclusionary zoning had been recommended as a tool to ensure dispersal of affordable housing when dealing with alternative development patterns.
- Inclusionary zoning was a mandatory requirement to reserve or provide a specific percentage of housing units for lower-income households in new residential developments.
- Staff had been asked to consider the establishment of an inclusionary zoning program as an amendment in Amendment Round 2001-2 Comprehensive Plan.
- Staff gave an overview of the concept of an inclusionary zoning program, noted several key issues associated with the program, and outlined the program parameters that had to be determined in establishing the program.
- Staff requested direction regarding establishment of an inclusionary zoning program. If directed to proceed, staff would continue with the Comprehensive Plan amendment to add an enabling policy with basic parameters into the Housing Element.

The following information was brought out during the discussion that followed:

- Commissioner McCarty stated her concern with inclusionary zoning being mandatory for all zoning.
- Dispersing affordable units throughout the community to provide an opportunity for low-income households to locate near existing family or other support structure was an important demographics component.
- The residency requirement was a key component for the proposed program.
- Commissioner McCarty said she was in favor of exempting the high saturation points of affordable housing in order to encourage affordable housing in areas that traditionally did not have it.
- Ms. McCarty stated that if a person could purchase a low-income unit and later sell it for a much higher price, it would be counterproductive to the program.

WORKSHOP ITEMS - CONTINUED

4. - CONTINUED

- Ms. McCarty stated that the mitigation option was an insufficient parameter for the program.
- An inclusionary zoning program was not a voluntary program.
- The county's Voluntary Density Bonus Program had some of the characteristics but it was not an inclusionary zoning program.
- Dispersal was accomplished by inclusionary zoning which required that every development of a certain size must provide a percentage of affordable housing units.
- Commissioner Masilotti expressed concern that it would be difficult to provide mass transportation services in an area where there was mixed-income housing.
- The very low income units would be located within a development where there was the ability to provide mass transit service.
- Mr. Masilotti expressed concern that an owner who purchased property at an affordable housing rate could not later sell the property at the current market value.
- The county's programs required that if a voluntary density bonus had been given, affordable property could not be resold for a period of time except at an affordable rate because the owner had received exemptions from the Traffic Performance Standards.
- Mr. Masilotti said that he viewed mitigation as a type of buyout which was not beneficial. Mitigation was a way for the county to collect fees under the precept that it was a way to integrate communities regardless of income levels.
- Commissioner Masilotti did not want rental property included in an inclusionary zoning program.
- The identity of inclusionary participants would not be made known to the other residents.
- Staff was working on a project under the Traffic Performance Standards exemption concerning a requirement that reduced development fees were to be repaid by any owner who purchased affordable housing property and later tried to sell the property at a price above the affordable housing range. Under the current code, there was a restriction that property sold prior to the 10-year period had to be sold within the affordable housing range to another affordable housing family.

WORKSHOP ITEMS - CONTINUED

4. CONTINUED

- The program should make home ownership a priority and make it difficult to have absentee landlords.
- Commissioner Aaronson found it disturbing that a house which cost \$72,000 with a mortgage of \$750 per month was labeled very low income. The people who purchased at that price did not consider it very low.
- Mr. Aaronson disagreed that \$48,000 per year should be referred to as low income which qualified a person for a home valued at \$124,000 with a \$1,200 per month mortgage.
- There were people of means who purchased homes valued at \$124,000 who were very insulted that they were referred to as low-income housing.
- Commissioner Aaronson said the inclusionary zoning program left much to be desired. He recommended that cooperative high rises be considered as a home ownership option; and that the inclusionary zoning program be incorporated into the home ownership versus rental study being spearheaded by Housing and Community Development Director Remar Harvin, and see what assistance the federal government would provide.
- Mr. Aaronson was concerned that if homeowners upgraded their property they would be restricted from selling the property at a price that would include the improvements.
- When there was an increase in property ownership, the tax base also increased.
- The problem of low-income housing being developed in one area of the county and high-income housing in another needed to be corrected so that both were developed in the same area.
- The inclusionary zoning program had worked in other areas of the country and should be undertaken by the county.
- The idea was to disperse people, wealth, and the employee base throughout the county.
- Schools were not integrated because developments did not include various income units.
- Inclusionary zoning could be encompassed into the county's point system. A current problem was that the size of property to be developed did not allow for the flexibility of mixed uses. Planned unit developments were larger in the past.

WORKSHOP ITEMS - CONTINUED

4. - CONTINUED

- It would be feasible to have more seniors mixed into other communities instead of only senior communities.
- There were no municipalities within the state that utilized inclusionary zoning. Every comprehensive plan, however, required a low-income element.
- Commissioner Marcus recommended that criteria be established whereby projects would have to include more new affordable family housing prices.
- Problems existed in the past because current residents protested the development of low-income housing in their neighborhoods.
- Commissioner Aaronson stressed that the current residents objected because the proposed units had been labeled low-income housing. It was not right for the units to be labeled low-income because anyone who could afford a \$1,800 per month mortgage was not in the low-income bracket.
- The builders wanted the low-income or affordable designation because they would receive breaks on money borrowed from the federal government.
- It was suggested that the county use the term new family housing.
- Commissioner Aaronson suggested the term moderate housing instead of low-income housing.
- If homes priced from \$79,000 to \$124,000 were constructed in a neighborhood without any income designation, the existing residents would not be upset.
- Commissioner Greene noted that some developers did not construct housing in certain areas of the county. She contended that any person that did not wish to develop countywide should not be chosen to do business with the county.
- The ownership versus rental study being conducted by the Housing and Community Development (HCD) Department would include cooperatives and condominiums.
- The study presented by HCD last year dealt with areas of need, not dispersal.
- The Housing Finance Authority and the Commission on Affordable Housing should be consulted to discuss the affordable housing need which would include a new family home ownership program through new development.

WORKSHOP ITEMS - CONTINUED

4. - CONTINUED

- The countywide income level should be determined by staff, not some other source.
- There were many families that could not afford to buy a home.
- People in the Glades area did not have the income to afford \$79,000 or \$124,000 homes. Developers would not construct in the area and have 10 to 20 percent of low-/very low-income units because they would not be able to sell the other units.
- Commissioner Masilotti was concerned that the recommended term new family housing might be a hindrance to seniors who were having to rent because they could not afford to buy a house.
- There was a need to focus on the Planned Unit Development (PUD) Ordinance. The intent of the ordinance was to provide mixed use plan development. Some people had found loopholes in the rules and were not building developments that provided diverse housing opportunities.
- Diverse housing opportunities within subdivisions should be a priority.
- Under the PUD Ordinance, Zoning Code, and Unified Land Development Code, the board dictated the size of units proposed for construction, what the units would look like, landscaping, etc. The board did not dictate the type of units to be constructed, however. It was the consensus that the board should govern the type of units to be constructed within a PUD.

STAFF WAS DIRECTED TO:

- Not label affordable housing as low-income.
- Coordinate inclusionary zoning with the ownership versus rental study being spearheaded by Housing and Community Development Director Harvin.

5. **3:00 P.M. - MULTIPLE LAND USE DESIGNATION.** DISCUSSED WITH DIRECTION 5-22-2001

Staff reported that:

- This item was requested by Commissioners McCarty and Masilotti during the transmittal hearing of the last Comprehensive Plan amendment round.
- Staff had been directed to report back with the current provisions for the Multiple Land Use (MLU) land use designation and to provide additional options so the board could give directions as to changing the MLU designation.

WORKSHOP ITEMS - CONTINUED

5. - CONTINUED

- During the presentation there would be an overview of the land use designation, a review of the current MLU requirements, and discussion about issues about the land use designation.
- The distinction between multiple and mixed use projects was that multiple use projects required the horizontal integration of uses and mixed use projects required the vertical and horizontal integration of uses.
- The MLU category was the only land use amendment that required a site plan.
- The issues concerning the MLU designation were density bonuses, minimum acreage, design requirements, and predictability of proposed MLUs.

Commissioner Marcus recalled previous board discussion to devise a process whereby commercial property was constructed prior to or in conjunction with residential property during the formation of a mixed use development. The intent was to prohibit the residents from opposing commercial development in their neighborhood.

Commissioner McCarty said the current MLU designation requirement for minimum acreage was too low. Planning Director Duke responded that staff had suggestions for the revision of the minimum acreage category. One of the suggestions would be to implement a density bonus sliding scale.

Commissioner Newell maintained that a pathway system was ineffective to connect residential and commercial properties in a multiple use development. This use would be accomplished by having the residential above the commercial or the commercial with residences mixed around. That would prohibit any problem with gates and fences, he said. Staff recommended a requirement for mixed use developments instead of multiple use developments as an option to give the maximum bonus.

Commissioner Masilotti said that he was displeased with the minimum acreage and minimum zoning requirements. He stated concern with the recommended elimination of the densities. Commissioner McCarty said that signage and roof lines should be mandatory components of the design guidelines.

WORKSHOP ITEMS - CONTINUED

5. - CONTINUED

Commissioner McCarty stated that if the density bonuses were eliminated there would be no incentive for multiple use development. Commissioner Masilotti commented that the multiple use development could be accomplished under the minimum standards. Planning Director Duke recommended that if density bonuses were eliminated under the MLU designation, that the density bonus category also be eliminated because there would be no incentive for using it. Commissioner Marcus asserted that commercial development should be surrounded by residential development. Mr. Duke explained that the concept Commissioner Marcus suggested was the sliding scale whereby bonuses would be given depending on how a project was developed and integrated. Commissioner McCarty stated it was the consensus of the board to allow for a sliding scale for density bonuses based on integration.

Commissioner McCarty agreed that the minimum acreage was too small. Mr. Duke commented that an option was a sliding scale whereby the minimum acreage would be increased based on the residential designation, and provide for an exception within a revitalization overlay area to allow for a smaller project that may be 50 percent of the minimum required in other places.

Commissioner Aaronson said that he preferred to have each project considered individually rather than a sliding scale. Mr. Duke conveyed that the sliding scale for density bonuses would be appropriate. If a developer did not provide integration within a project he or she would not receive any bonus. In order to get the maximum density bonus there should be a mixed use project as opposed to a multiple use project. A small bonus could be given for a multiple use project.

Commissioner Masilotti recommended that the minimum acreage requirements be changed to 50 acres for property with a Low Residential (LR-1) through LR-3 designation and 25 acres for property with a Medium Residential (MR-5) designation or greater. Mr. Duke advised that staff would check to see if those figures might have to be reduced. Staff would return through the Comprehensive Plan amendment process with a minimum acreage figure for a revitalization area. He said there seemed to be a consensus from the board to require the concurrent rezoning as part of this whole process.

Commissioner Marcus suggested that commercial development occur on the outer perimeter of residential which would require 50 acres or more. If a person wanted to either have an increase in residential density or go from agricultural to residential density he or she should be required, based on a certain size, to include commercial within the boundaries of that project. The commercial and residential had to be built at the same time as part of the requirement. Commissioner Aaronson noted that there would have to be outside access to the development.

WORKSHOP ITEMS - CONTINUED

5. - CONTINUED

Commissioner Marcus said that consideration should be given to Portland, Oregon's design criteria. Commissioner McCarty asked that consideration be given to Portland's landscape requirements. It was the consensus of the board to incorporate more design requirements, require detailed landscape plans, and require concurrent zoning and timing to enhance the development predictability.

STAFF WAS DIRECTED TO:

- Allow for a sliding scale for density bonuses based on integration.
 - Change the minimum acreage requirements to 50 acres for property with an LR-1 through LR-3 designation and 25 acres for property with an MR-5 through High Residential (HR-18) designation or greater.
 - Require the concurrent rezoning as part of this process.
 - Consider Portland's design criteria and landscape requirements.
 - Consider roof lines and signage as mandatory components of the design guidelines.
 - Incorporate more design requirements.
 - Require detailed landscape plans to enhance the development predictability.
 - Require concurrent zoning and timing to enhance the development predictability.
- 6.** See pages 2-4 and 21-22.
- 7.** See page 4.
- 8. ADJOURNMENT**

The chair declared the meeting adjourned at 4:25 p.m.

ATTESTED:

APPROVED:

Clerk

Chair