



PALM BEACH COUNTY

Adoption Executive Summary/Table of Contents

A. PROPOSED TEXT AND MAP SERIES AMENDMENTS - *which did not receive objection or comment from DCA*

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.A.1 Waterfront Marine Service Amendment	This proposed amendment will amend the FLUE, ROSE and CME to incorporate policies consistent with the requirements of House Bill No. 955 (Chapter 2005-157, L.O.F.) and BCC direction to establish a “no net loss” policy of commercial waterfront lands in unincorporated Palm Beach County.	Planning: Approval . LPA: Approval (9-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
2.A.2 Library Services Element Amendments	This proposed amendment will amend Library Services Element (LSE) policies and update Map LS 1.1 in the Palm Beach County Comprehensive Plan Map Series	Planning: Approval . LPA: Approval (13-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
2.A.3 Map Series Updates	This proposed amendment will amend the Map Series to: delete a duplicate map from the Comprehensive Plan Map Series titled “ICE 1.1 Western Northlake Boulevard Corridor Planning Area;” add the Palm Beach County/Greenacres/ Atlantis Study and revise the name of the “Revitalization & Redevelopment Overlay” to the “Revitalization & Redevelopment Infill Overlay on maps as necessary.”	Planning: Approval . LPA: Approval (13-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
MOTION: To adopt an ordinance amending the Future Land Use Element, Library Element, Coastal Management Element, Recreation and Open Space Element and Map Series pursuant to the proposed Agenda Items 2.A.1 through 2.A.3, passed in a unanimous 6-0 vote (Comm. Newell absent) at the August 21, 2006 Public Hearing.		

B. PROPOSED TRANSPORTATION AMENDMENTS - *which did not receive objection or comment from DCA*

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.B.1 Congress Avenue Intersection CRALLS Modification	The proposed amendment will amend the Transportation Element to modify the existing Constrained Roadways at a Lower Levels of Service (CRALLS) designation at the intersection of Congress Avenue at Summit Boulevard exclusively for the purposes of concurrency for the Realtors Association of Palm Beach project.	Planning: Approval . LPA: Approval (8-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.B.2 General TIM Map Amendment	This proposed amendment will amend the Map Series by modifying the TIM reducing ROW for lands that are not owned by Palm Beach County: Lyons Road from 120 feet to 100 feet between Southern Boulevard and Okeechobee Boulevard and Congress Avenue from 110 feet to 80 feet from north of Northlake Boulevard to Alternate A1A.	Planning: Approval . LPA: Denial (7-4). BCC: Transmit with Modification (7-0). The modification included language that no ROW would be reduced in areas that were owned by Palm Beach County.
2.B.3 Coral Ridge Drive TIM and 2020 Map Amendments	The proposed amendment will amend the Transportation Element (TE), the Future 2020 Roadway System by Number of Lanes Map (TE-1.1) and the Thoroughfare Right of Way Identification Map or TIM (TE-14.1) to remove Coral Ridge Drive from Lox Road to Glades Road and move the connection between Coral Ridge Drive and Glades Road to a point west of Riverside Drive from the TIM and from the 2020 Roadway System Map.	Planning: Approval . LPA: Denial (9-1). BCC: Transmit (5-2 with Comm. Aaronson and Comm. Greene dissenting). The Board's comments and concerns concerned how the removal of the road to allow construction of a CERP impoundment on Site 1 would impact the ability to develop parcels located south of the site. The Board encouraged the SFWMD and the landowners of those parcels to evaluate different alternatives that would allow for the prompt construction of the Impoundment project while still permitting the future development of the parcels to the South of Lox Road.
2.B.4 State Road 7 – 2020 Map Amendment	The proposed amendment will amend the Future 2020 Roadway System by Number of Lanes Map (TE-1.1), which will widen State Road 7 from Clint Moore Road to County Line from 6 lanes to 8 lanes.	Planning: Approval . LPA: Approval (10-0). BCC: Transmit (5-0, with Comm. Greene and Comm. Koons absent). At the hearing, there was minimal Board discussion and no public comment on this item.
MOTION: To adopt an ordinance amending the Transportation Element & Map Series pursuant to the proposed Agenda Items 2.B.1 through 2.B.4, passed in a unanimous 6-0 vote (Comm. Newell absent) at the August 21, 2006 Public Hearing.		

C. PROPOSED COUNTY INITIATED SITE SPECIFIC AMENDMENTS – To the Future Land Use Atlas, which did not receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.C.1 Belvedere Heights District: 2	This County Initiated amendment to Future Land Use Atlas (FLUA) proposes to change the future land use designation from Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5) for the Belvedere Heights Subdivision, totaling approximately 44.68 acres, located on the west side of Florida Mango Road, approximately 700' north of Belvedere Road.	Planning: Approval LPA: Approval (10-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
2.C.2 Boca Rio Road Property District: 5	This County Initiated amendment to the Future Land Use Atlas (FLUA) proposes to change the future land use designation for a 10.07 acre property from Medium Residential, 5 units per acre (MR-5) to Commercial High Intensity – Office Only, with an underlying alternative designation of 5 units per acre (CH-O/5). The property is located on the west side of Boca Rio Road approximately 0.50 mile south of Palmetto Park Road.	Planning: Approval LPA: Approval (10-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Agenda Items 2.C.1 through 2.C.2, passed in a unanimous 5-0 vote (Comm. Newell & Comm. Koons absent) at the August 21, 2006 Public Hearing.		

D. PROPOSED TEXT AND MAP SERIES AMENDMENTS - which did receive comments from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.D.1 Workforce Housing Program (Inclusionary Zoning)	The proposed amendment will amend the Housing, Transportation & Future Land Use Elements that would revise language to establish and recognize a mandatory workforce-housing program.	Planning: Approval . LPA: Denial (8-0). BCC: Transmit (7-0). Board discussion focused on the need for affordable housing in the County. One member of the public spoke with concerns regarding the density bonuses and traffic exemptions given under the proposed program.
<p>DCA COMMENTS: ORC Objection - The amendment allows for exemptions to the adopted Level of Service Standard inconsistent with Florida Statutes regarding level of services standards and de minimus facilities. The County in its data and analysis has failed to demonstrate what impacts the allowed increases in density would have on public facilities for which the County has adopted a level of service standard; and the inclusion of workforce housing into the Exurban Tier and the Rural Tier appear to be inconsistent with and not compatible with the purposes of the tiers. Both the Exurban and Rural tiers are not designated to receive urban services.</p>		
<p>STAFF RESPONSE: Applying the de minimus standards to Workforce Housing units would be in conflict with the intention of the section 380.0651 to incentivize Workforce Housing. Therefore, the de minimus standards shall not be applicable to Workforce Housing. It is not practical to assume all residential properties will seek and be approved for the maximum bonus density allowed in the Workforce Housing program. An analysis has been performed with three scenarios that estimate the total number of units and the Workforce Housing units that may be produced on vacant or underutilized developable residential parcels should the proposed Workforce Housing program be adopted. Each scenario addresses the potential for new residential developments of 10 units or greater located in the Urban/Suburban (including the Glades area) Exurban and Rural Tiers. (See Exhibit 4: Workforce Housing Analysis Spreadsheet in staff report)</p>		
<p>MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed amendment, passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing with a text modification to define the term of affordability in the Unified Land Development Code (ULDC) instead of in a Comprehensive Plan policy.</p>		

E. PROPOSED TRANSPORTATION AMENDMENTS - which did receive comments from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.E.1 EAR Related Transportation Updates	The proposed amendment will amend the Future Land Use Element by updating Policy 2.4-d with a timeframe that allows for development of Transportation Oriented Development (TOD) guidelines; and the Transportation Element for consistency with changes to Rule 9J-5, F.A.C. and Chapter 163 F.S.	Planning: Approval . LPA: Approval (8-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
<p>DCA COMMENTS: A comment was provided by DCA with the recommendation that the County should revise its Transportation Element goals, objectives and policies, and related Future Land Use Element policies, to bring it up-to-date with the current rule requirements and the need to reference the most recent version of the MPO's Long Range Transportation Plan/Model. This should include the 2030 model so that needed improvements can be coordinated with the MPO's 2030 Long Range Cost Feasible Plan.</p>		
<p>STAFF RESPONSE: The County is committed to update its long range planning horizon to year 2025 (interim year which was to be developed by the MPO as part of its 2030 Plan) per County's EAR. However, the MPO's currently adopted 2030 Plan includes Scripps related development and associated network at the Mecca site. LU Policy 3.5-d was, therefore, modified (and was found in compliance by DCA) in Round 04-2 specifically to use 2025 Plan dated March 2002 (which does not have Scripps related development at the Mecca site and the associated network) so that the land use amendments do not prematurely rely on the Scripps related network. MPO is now updating its 2030 Plan and is anticipated to address the changes associated with the move of Scripps to Abacoa and the Brigger Tract located in the northeastern Palm Beach County. The MPO has agreed to provide an interim 2025 (County's long range planning horizon for all the Plan elements pursuant to the EAR) Plan that will then be used by the County to update its 2020 network.</p>		

EAR Related Transportation Updates continued...

MOTION: To ***adopt an ordinance*** amending the Future Land Use Element and Transportation Element pursuant to the proposed amendment, passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.E.2 Lower LOS for Hospitals	The proposed amendment will amend the Transportation Element (TE) Policy 1.2-d, permitting 130% of Level of Service D for hospitals on roadway segments and intersections.	Planning: Approval . LPA: Approval with modifications (7-6). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.

DCA COMMENTS: An objection was raised with a recommendation that the County create the new LOS consistent with 9J-5. Also, the County should define impact areas, what the impacts would be, and whether capital improvements would be available to meet deficiencies.

STAFF RESPONSE: Pursuant to recently adopted changes to F.S. Chapter 163.3180(10), local governments shall adopt a Level of Service (LOS) standard established by the Florida Department of Transportation by Rule. This amendment complies with the statute, thus resolving the major concern identified by DCA. Regarding specific impacts of particular hospitals, the impact will not be quantified until a specific hospital project comes through the concurrency system for specific approvals.

MOTION: To ***adopt an ordinance*** amending the Transportation Element pursuant to the proposed amendment, passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.E.3 Congress Avenue South CRALLS	The proposed amendment will amend the Future Land Use element to the Utilities/Transportation Designation of the Comprehensive Plan to recognize approved Airport Master Plans and additional uses on Airport Properties and will amend the Transportation Element and Map Series to designate segment and intersection of Congress Ave as CRALLS for Lantana airport and those projects conditioned on widening of Congress Avenue.	Planning: Approval . LPA: Approval (8-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.

DCA COMMENTS: A comment was provided with the recommendation that the County should discourage local trips on Strategic Intermodal System (SIS) facilities and establish strategies that encourage local traffic to use alternatives to SIS, such as parallel roadways, to protect its interregional and intrastate functions.

STAFF RESPONSE: The widening of Congress Avenue to 6 lanes from Lantana Road to Melaleuca Lane is programmed for construction in Fiscal Year 2007, which is anticipated to provide some relief to I-95 (an SIS facility). There are no other known options that would add capacity, other than the modifying the existing lane configurations for the subject intersections. There is currently no right-of-way available for any intersection improvements. Palm Beach County is currently pursuing potential right-of-way acquisition to further improve the intersections in order to enhance the capacity of this parallel alternative roadway to I-95.

MOTION: To ***adopt an ordinance*** amending the Future Land Use Element, Transportation Element and Map Series pursuant to the proposed amendment, passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.E.4 Jog Road TIM Map Amendment	The proposed amendment will amend the Transportation Element and Map Series to reduce the right-of way for Jog Road from Hood Road to approximately 3500 feet north of Hood Road (up to the northern edge of Old Marsh Property) in the Thoroughfare Right-of-Way Identification Map (Figure TE-14.1), from 100 feet to 60 feet. 2), and to change the Right-of-Way width of this section from 100 feet to 60 feet in the condition specified in Policy TE 1.4-u (6).	Planning: Approval . LPA: Denial (12-1). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
<p>DCA COMMENTS: An objection was raised with a recommendation that the County should demonstrate how the reduction of R-O-W ensures that existing and future rights-of-way are protected from building encroachments. Additionally, the County should include data and analysis that supports the amendments with justification for the changes and which shows that these proposed TIM changes would not adversely affect the local and regional roadway network, or otherwise affect hurricane evacuation.</p>		
<p>STAFF RESPONSE: According to Transportation Element Policy 1.4-u.6, Jog Road is restricted to two lanes from Hood Road to Donald Ross Road and hence the County feels that 60 feet ROW is sufficient for this laneage. Also data in Exhibit 2 of this staff report indicates that the projected volume to capacity ratio for this segment will only be 0.65 in the year 2025. Hence there is no future need for widening of this segment. Also this segment is not a Hurricane Evacuation route.</p>		
<p>MOTION: To adopt an ordinance amending the Transportation Element and Map Series pursuant to the proposed amendment, passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.</p>		
ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.E.6 Orange Grove Boulevard TIM and 2020 Map Amendment	The proposed amendment will amend the Map Series by modifying the TIM and 2020 Map adding 60 feet and 2 lanes for Orange Grove Boulevard between Royal Palm Beach Boulevard and State Road 7.	Planning: Approval . LPA: Denial (10-1). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.
<p>DCA COMMENTS: An objection was raised with a recommendation that the County should demonstrate how the reduction of R-O-W ensures that existing and future rights-of-way are protected from building encroachment. Additionally, the County should include data and analysis that supports the amendments with justification for the changes and which shows that these proposed TIM changes would not adversely affect the local and regional roadway network, or otherwise affect hurricane evacuation.</p>		
<p>STAFF RESPONSE: There is no R-O-W reduction involved in the proposed amendment. In fact, Orange Grove Boulevard is proposed to be a new future connector between Royal Palm Beach Boulevard and State Road 7. Orange Grove Boulevard is not currently depicted the Thoroughfare-Right-of Way Identification map (TIM) or the Future 2020 Roadway System map. Inclusion of Orange Grove Boulevard in the TIM and 2020 maps will reflect the importance of this proposed connection.</p>		
<p>MOTION: To adopt an ordinance amending the Map Series pursuant to the proposed Orange Grove Blvd TIM & 2020 Map amendment passed in a unanimous 6-0 vote (Comm. Masilotti absent) at the August 21, 2006 Public Hearing.</p>		

F. PRIVATELY INITIATED SITE SPECIFIC AMENDMENTS – To the Future Land Use Atlas, which did receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.F.1 Northlake Res/Coconut – NE II District: 1 Agent: Land Design South</p>	<p>Request: RR-10 to LR-1 and inclusion into the Urban/Suburban Tier Size: 97.55 acres Location: Approximately ¼ mile east of Coconut Boulevard on the north side of Northlake Boulevard</p>	<p>Planning: Denial. LPA: Approval (10-1). BCC: Transmit (7-0). At the hearing, Board discussion focused on the lack of affordable housing in the vicinity. One member of the public spoke in opposition to the proposal.</p>
<p>DCA COMMENTS: A.1.a - ORC Objection: Internal Inconsistency: With tier redesignation, LOS, BCC directives and neighborhood studies. A.1.b - ORC Objection: Public Facilities: The amendments do not demonstrate ability of the County to meet and maintain the County’s adopted LOS through the 5-Year period. A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The proposed amendment is not based upon the most recent available data in the MPO’s adopted 2030 Long Range Transportation Plan. A.1.d - ORC Objection: EAR-Related Issue: The proposed amendments are not consistent with the findings of the recently adopted EAR which indicated that the western boundaries of the coastal tiers do not need to be expanded further west in order to accommodate growth beyond the 2025 planning horizon.</p> <p>STAFF RESPONSE:</p> <p>A.1.a - ORC Objection: Internal Inconsistency: Staff performed a tier/land use analysis of the area and its surroundings as the study to support the proposed tier change. The application, all data and analysis and the staff report, and ORC response must be considered as the study in support of the tier change. Neighborhood studies are considered in the development review process, but are not mandatory. LOS standards are the basis for concurrency determinations and for the issuance of development orders. Concurrency is not analyzed at the land use amendment process. A more detailed response to DCA’s objection A.1.a is provided in the staff report.</p> <p>A.1.b - ORC Objection: Public Facilities: Short-term roadway failures are addressed through a very comprehensive concurrency system in place in Palm Beach County. The framework of the Concurrency System is mandated, in detail, within the Transportation Element policies. In the short range, a project can only proceed to obtain a development order if the policies of the Transportation Element are met. In addition, the short-term requirements to obtain development orders include procedures to secure funding through the 5-Year Road Program and/or conditions in the development order, which are secured by performance security documentation.</p> <p>A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The County is committed to update its long range planning horizon to year 2025 (interim year which was to be developed by the MPO as part of its 2030 Plan) per County’s EAR defined planning horizon. It will then be used by the County to update its 2020 network. The MPO’s currently adopted 2030 Plan includes Scripps related development and associated network at the Mecca site. With the purpose of preventing land use amendments to prematurely rely on the Scripps related network LU Policy 3.5-d was modified (and found in compliance by DCA) to specifically to use 2025 Plan dated March 2002 (which does not have Scripps related development at the Mecca site and the associated network) New MPO updates to its 2030 Plan are anticipated to address these issues. The MPO has agreed to provide an interim 2025 (County’s long range planning horizon for all the Plan elements pursuant to the EAR)</p> <p>A.1.d - ORC Objection: EAR-Related Issue: One of the recommendations of the EAR is to “maintain the tier boundaries with minor adjustments to address changed conditions in a few areas of the County” (EAR Chapter 2 Issues – Page 8). This area is one of the several areas where adjustments were envisioned. The statement that the “western boundaries of the coastal tiers do not need to be expanded further west” refers mostly to the need to protect the EAA from the encroachment by urban suburban developments. This proposal should be considered as one of the minor adjustments anticipated for the tier boundaries to reflect changed conditions. A more detailed ORC response is provided in the staff report.</p>		
<p>MOTION: To adopt an ordinance amending the Future Land Use Atlas and the boundary of the Urban/Suburban Tier pursuant to the proposed Northlake Residential/Coconut – NE II Site-specific amendment passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.F.2 Lantana/SR 7 Residential</p> <p>District: 3</p> <p>Agent: Kilday & Associates, Inc.</p>	<p>Request: RR-10 to LR-1 and inclusion into the Urban/Suburban Tier</p> <p>Size: 26.23 acres</p> <p>Location: Approximately 1,500 feet west of State Road 7 (US 441) on the south side of Lantana Road</p>	<p>Planning: Denial.</p> <p>LPA: Approval (10-1).</p> <p>BCC: Transmit (7-0). At the hearing, Board discussion focused on the need for workforce housing units, whether smaller lots could be clustered on the east portion of the subject site to provide for those workforce units, and the appropriateness of the current Tier boundary in this area. The applicant indicated that under the current requirements, two workforce housing units would be required. One member of the public spoke in opposition to the amendment.</p>
<p>DCA COMMENTS: A.1.a - ORC Objection: Internal Inconsistency: With tier redesignation, urban sprawl policies, LOS, and BCC directives. A.1.b - ORC Objection: Public Facilities: The amendments do not demonstrate ability of the County to meet and maintain the County's adopted LOS through the 5-Year period. A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The proposed amendment is not based upon the most recent available data in the MPO's adopted 2030 Long Range Transportation Plan. A.1.d - ORC Objection: EAR-Related Issue: The proposed amendments are not consistent with the findings of the recently adopted EAR which indicated that the western boundaries of the coastal tiers do not need to be expanded further west in order to accommodate growth beyond the 2025 planning horizon.</p>		
<p>STAFF RESPONSE:</p> <p>A.1.a - ORC Objection: Internal Inconsistency: Staff performed a tier/land use analysis of the area and its surroundings as the study to support the proposed tier change. The application, all data and analysis and the staff report, and ORC response must be considered as the study in support of the tier change. The proposed request for a Tier Redesignation from Rural to Urban/Suburban and Future Land Use Amendment from RR-10 to LR1 are reasonable and consistent with the surrounding land uses, thus not contributing to the proliferation of urban sprawl. The subject property and the next property to the east, with an approved urban commercial zoning district, both located north of the "hiatus" should incorporated into the Urban/Suburban Tier and the USAB. LOS standards are the basis for concurrency determinations and for the issuance of development orders. Concurrency is not analyzed at the land use amendment process. A more detailed response to DCA's objection A.1.a is provided in the staff report.</p> <p>A.1.b - ORC Objection: Public Facilities: Short-term roadway failures are addressed through a very comprehensive concurrency system in place in Palm Beach County. The framework of the Concurrency System is mandated, in detail, within the Transportation Element policies. In the short range, a project can only proceed to obtain a development order if the policies of the Transportation Element are met. In addition, the short-term requirements to obtain development orders include procedures to secure funding through the 5-Year Road Program and/or conditions in the development order, which are secured by performance security documentation.</p> <p>A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The County is committed to update its long range planning horizon to year 2025 (interim year which was to be developed by the MPO as part of its 2030 Plan) per County's EAR defined planning horizon. It will then be used by the County to update its 2020 network. The MPO's currently adopted 2030 Plan includes Scripps related development and associated network at the Mecca site. With the purpose of preventing land use amendments to prematurely rely on the Scripps related network LU Policy 3.5-d was modified (and found in compliance by DCA) to specifically to use 2025 Plan dated March 2002 (which does not have Scripps related development at the Mecca site and the associated network) New MPO updates to its 2030 Plan are anticipated to address these issues. The MPO has agreed to provide an interim 2025 (County's long range planning horizon for all the Plan elements pursuant to the EAR)</p> <p>A.1.d - ORC Objection: EAR-Related Issue: One of the recommendations of the EAR is to "maintain the tier boundaries with minor adjustments to address changed conditions in a few areas of the County" (EAR Chapter 2 Issues – Page 8). This area is one of the several areas where adjustments were envisioned. The statement that the "western boundaries of the coastal tiers do not need to be expanded further west" refers mostly to the need to protect the EAA from the encroachment by urban suburban developments. This proposal should be considered as one of the minor adjustments anticipated for the tier boundaries to reflect changed conditions. A more detailed ORC response is provided in the staff report.</p>		
<p>MOTION: To <i>adopt an ordinance</i> amending the Future Land Use Atlas and the boundary of the Urban/Suburban Tier pursuant to the proposed Lantana/SR 7 Residential site-specific land use amendment passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.F.3 State Road 7 Funeral Home</p> <p>District: 3</p> <p>Agent: Miller Land Planning Consultants, Inc</p>	<p>Request: RR-10 to CL/RR-10 Size: 5.58 acres Location: Located on the northwest corner of State Road 7 and Heritage Farms Road</p>	<p>Planning: Denial. LPA: Approval (7-3). BCC: Transmit (7-0). At the hearing, Board discussion focused on the funeral home being an ancillary use to the proposed South Florida National Cemetery. Two residents of the adjacent neighborhood spoke in opposition to the proposed amendment and several other members of the public spoke in favor of the proposal.</p>
<p>DCA COMMENTS: A.1.a - ORC Objection: Internal Inconsistency: with LOS, BCC Directives, urban sprawl policies, the encroachment of incompatible land uses into a rural area, County's mid-block commercial policy and by encouraging piecemeal development. A.1.b - ORC Objection: Public Facilities: The amendments do not demonstrate ability of the County to meet and maintain the County's adopted LOS through the 5-Year period. A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The proposed amendment is not based upon the most recent available data in the MPO's adopted 2030 Long Range Transportation Plan.</p> <p>STAFF RESPONSE:</p> <p>A.1.a - ORC Objection: Internal Inconsistency: The Commercial Low land use is permitted land use in the Rural Tier (FLUE Policy 1.4-a). Therefore, the proposed land use change would not allow the encroachment of incompatible land uses in a rural area. Several changes that have altered the character of the area including the widening of State Road 7 from Boca Raton north through Royal Palm Beach, which address the land use compatibility concerns. Finally, the subject property was already granted Special Exception under the AG – Agricultural zoning district in 1980 to operate a Farm Credit Bureau service office. Although the property does not have frontage on an arterial and collector roadway, it was already developed as non-residential commercial use. The amendment would allow the site to continue its existing operation as a non-residential site. The applicant has indicated the proposed funeral home will not change the exterior of the site, and will renovate the interior of the existing building. LOS standards are the basis for concurrency determinations and for the issuance of development orders. Concurrency is not analyzed at the land use amendment process. A more detailed response to DCA's objection A.1.a is provided in the staff report.</p> <p>A.1.b - ORC Objection: Public Facilities: Short-term roadway failures are addressed through a very comprehensive concurrency system in place in Palm Beach County. The framework of the Concurrency System is mandated, in detail, within the Transportation Element policies. In the short range, a project can only proceed to obtain a development order if the policies of the Transportation Element are met. In addition, the short-term requirements to obtain development orders include procedures to secure funding through the 5-Year Road Program and/or conditions in the development order, which are secured by performance security documentation.</p> <p>A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The County is committed to update its long range planning horizon to year 2025 (interim year which was to be developed by the MPO as part of its 2030 Plan) per County's EAR defined planning horizon. It will then be used by the County to update its 2020 network. The MPO's currently adopted 2030 Plan includes Scripps related development and associated network at the Mecca site. With the purpose of preventing land use amendments to prematurely rely on the Scripps related network LU Policy 3.5-d was modified (and found in compliance by DCA) to specifically to use 2025 Plan dated March 2002 (which does not have Scripps related development at the Mecca site and the associated network) New MPO updates to its 2030 Plan are anticipated to address these issues. The MPO has agreed to provide an interim 2025 (County's long range planning horizon for all the Plan elements pursuant to the EAR)</p>		
<p>MOTION: To <i>adopt an ordinance</i> amending the Future Land Use Atlas pursuant to the proposed State Road 7 / Funeral Home site-specific amendment passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.F.4 Palms West Expansion</p> <p>District: 6</p> <p>Agent: Kilday & Associates, Inc.</p>	<p>Request: RR-10 to INST Size: 18.87 acres Location: Located on the north side of Southern Blvd. (SR 80), approximately 2,500 ft west of Crestwood Blvd</p>	<p>Planning: Approval LPA: Approval (13-0). BCC: Transmit (7-0). At the hearing, there was minimal Board discussion and no public comment on this item.</p>

DCA COMMENTS: C.1- ORC Comment: The proposed amendment does not identify measures to maintain mobility in the long-range planning horizon, particularly needed because the amendments would increase densities or intensities of use or otherwise exempt various land uses from concurrency. Include mobility measures that would mitigate for increased traffic impacts throughout the long-range planning horizon. If these amendments affect FIHS/SIS facilities, make sure to gain the concurrence of FDOT.

STAFF RESPONSE:

C.1- ORC Comment: This amendment was reviewed against the Future Land Use Element (FLUE) Policy 3.5-d, which requires that all long-term traffic impacts from new developments be reviewed for both significant and negative traffic impacts. Even though one segment on Forest Hill Blvd. between Southern Blvd. and Wellington Trace had negative impacts, the project traffic on this segment was not significant. Hence this project was consistent with FLUE Policy 3.5-d and met our comprehensive plan requirements. Current site-specific mobility measures include an existing Palm Tran rapid transit bus stop (Route 40) located on the existing hospital facility. This project does impact Southern Boulevard, which is an FIHS facility, but the total traffic on this facility arising from this project will be well within the Level of Service capacity that FDOT has adopted for this roadway.

MOTION: To *adopt an ordinance* amending the Future Land Use Atlas pursuant to the proposed Palm West Expansion site-specific amendment passed in a unanimous 7-0 vote at the August 21, 2006 Public Hearing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.F.5 Southern/Jog – SE</p> <p>District: 6</p> <p>Agent: Land Design South</p>	<p>Request: LR-1 to MR-5 Size: 20.80 acres Location: Located on the southeast corner of Southern Boulevard and Jog Road.</p>	<p>Planning: Denial LPA: Denial (7-2). BCC: Transmit with an MR-5 land use designation (6-1 with Comm. Masilotti dissenting). At the hearing, Board discussion focused on the need to create more units in order to add to the inventory of affordable housing units within the County. Additionally, the Board directed that the applicant bring back a site plan at the adoption public hearing that shows larger lot single family lots on the border of the property as a buffer for the existing neighbors and that no units should be more than two stories tall. The Director of Planning and Zoning for the City of Greenacres spoke in opposition to the proposed amendment in addition to several residents of the adjacent neighborhoods that also spoke in opposition to the proposed change in land use.</p>

Southern/Jog – SE....continued

DCA COMMENTS: **A.1.a - ORC Objection: Internal Inconsistency:** With LOS, urban sprawl policies, BCC directives and why TDR's cannot be used for this site. **A.1.b - ORC Objection: Public Facilities:** The amendments do not demonstrate ability of the County to meet and maintain the County's adopted LOS through the 5-Year period. **A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation:** The proposed amendment is not based upon the most recent available data in the MPO's adopted 2030 Long Range Transportation Plan. **C.1- ORC Comment:** The proposed amendment does not identify measures to maintain mobility in the long-range planning horizon, particularly needed because the amendments would increase densities or intensities of use or otherwise exempt various land uses from concurrency. Include mobility measures that would mitigate for increased traffic impacts throughout the long-range planning horizon. If these amendments affect FIHS/SIS facilities, make sure to gain the concurrence of FDOT.

STAFF RESPONSE:

A.1.a - ORC Objection: Internal Inconsistency: Based on the size of this amendment (approximately 20.8 acres), the impact on the County's level of service is insignificant. The need for the project is derived from the provision of affordable housing. The site does not exhibit signs of sprawl and is also located in the Urban/Suburban Tier. The applicant submitted the Large Scale Land Use Amendment (LGA) application while the county was developing its Interim Workforce Housing Program (WHP). The BCC accepted the applicant's proposal for increased density through the LGA subject to inclusion of WHP units and subject to final site plan approval for compatibility. The applicant addressed the compatibility issues associated with the proposed land use designation by agreeing to a staggered site design with additional buffers. Prior to final approval by the BCC, the applicant is required to produce a site plan that shows these required revisions. A more detailed response to DCA's objection A.1.a is provided in the staff report.

A.1.b - ORC Objection: Public Facilities: There are no short-term (five year planning period) roadway failures arising from this land use change. Short-term roadway failures are addressed through a very comprehensive concurrency system in place in Palm Beach County.

A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The County is committed to update its long range planning horizon to year 2025 (interim year which was to be developed by the MPO as part of its 2030 Plan) per County's EAR defined planning horizon. It will then be used by the County to update its 2020 network. The MPO's currently adopted 2030 Plan includes Scripps related development and associated network at the Mecca site. With the purpose of preventing land use amendments to prematurely rely on the Scripps related network LU Policy 3.5-d was modified (and found in compliance by DCA) to specifically to use 2025 Plan dated March 2002 (which does not have Scripps related development at the Mecca site and the associated network) New MPO updates to its 2030 Plan are anticipated to address these issues. The MPO has agreed to provide an interim 2025 (County's long range planning horizon for all the Plan elements pursuant to the EAR)

C.1 – ORC Comment: This amendment was reviewed against the Future Land Use Element (FLUE) Policy 3.5-d, which requires that all long-term traffic impacts from new developments be reviewed for both significant and negative traffic impacts. The traffic arising from this project did not have negative or significant impacts on any of the impacted roadways. Hence this project was consistent with FLUE Policy 3.5-d and met the County's comprehensive plan requirements. This project will not have driveway connections to Southern Boulevard, which is an FIHS facility, and hence the County does not anticipate any adverse impact to an FIHS facility.

MOTION: To **adopt an ordinance** amending the Future Land Use Atlas pursuant to the proposed Southern/Jog - SE amendment passed in a 5-2 vote (Comm. McCarty & Comm. Masilotti dissenting) at the August 21, 2006 Public Hearing with the deletion of a ROW from the legal description and new conditions regarding workforce housing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.F.6 Southern/Jog- SW</p> <p>District: 6</p> <p>Agent: Land Design South</p>	<p>Request: LR-1 and CL/1 to HR-8</p> <p>Size: 19.62 acres</p> <p>Location: Located on the southwest corner of Southern Boulevard and Jog Road.</p>	<p>Planning: Denial</p> <p>LPA: Denial (6-3).</p> <p>BCC: Transmit (6-1 (with Comm. Masilotti dissenting). At the hearing, Board discussion focused on the existing Commercial Low land use designation being less compatible with the surrounding LR-1 land use designation than an HR-8 land use designation would be. The Board directed the applicant bring back a site plan incorporating quality design at the time of the adoption public hearing. The Director of Planning and Zoning for the City of Greenacres and a resident of the adjacent neighborhood spoke in opposition to the proposed amendment, several other members of the public spoke in favor of the proposal.</p>
<p>DCA COMMENTS: A.1.a - ORC Objection: Internal Inconsistency: With tier redesignation, LOS, BCC directives and neighborhood studies. A.1.b - ORC Objection: Public Facilities: The amendments do not demonstrate ability of the County to meet and maintain the County's adopted LOS through the 5-Year period. A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The proposed amendment is not based upon the most recent available data in the MPO's adopted 2030 Long Range Transportation Plan. C.1- ORC Comment: These FLUM amendment do not identify measures to maintain mobility in the long-range planning horizon, particularly needed because the amendments would increase densities or intensities of use or otherwise exempt various land uses from concurrency. Include mobility measures that would mitigate for increased traffic impacts throughout the long-range planning horizon. If these amendments affect FIHS/SIS facilities, make sure to gain the concurrence of FDOT.</p>		
<p>STAFF RESPONSE:</p> <p>A.1.a - ORC Objection: Internal Inconsistency: Based on the size of this amendment (approximately 19.62 acres), the impact on the County's level of service is insignificant. The need for the project is derived from the provision of affordable housing. The site does not exhibit signs of sprawl and is also located in the Urban/Suburban Tier. The applicant submitted the Large Scale Land Use Amendment (LGA) application while the county was developing its Interim Workforce Housing Program (WHP). The applicant was directed to produce a quality site plan that addressed compatibility concerns with perimeter units and the WHP units for approval by the BCC. The BCC accepted the applicant's proposal for increased density through the LGA subject to inclusion of WHP units and subject to final site plan approval for compatibility. A more detailed response to DCA's objection A.1.a is provided in the staff report.</p> <p>A.1.b - ORC Objection: Public Facilities: There are no short-term (five year planning period) roadway failures arising from this land use change. Short-term roadway failures are addressed through a very comprehensive concurrency system in place in Palm Beach County.</p> <p>A.1.c - ORC Objection: Lack of Adequate Data and Analysis/Transportation: The County is committed to update its long range planning horizon to year 2025 (interim year which was to be developed by the MPO as part of its 2030 Plan) per County's EAR defined planning horizon. It will then be used by the County to update its 2020 network. The MPO's currently adopted 2030 Plan includes Scripps related development and associated network at the Mecca site. With the purpose of preventing land use amendments to prematurely rely on the Scripps related network LU Policy 3.5-d was modified (and found in compliance by DCA) to specifically to use 2025 Plan dated March 2002 (which does not have Scripps related development at the Mecca site and the associated network) New MPO updates to its 2030 Plan are anticipated to address these issues. The MPO has agreed to provide an interim 2025 (County's long range planning horizon for all the Plan elements pursuant to the EAR)</p> <p>C.1 – ORC Comment: This amendment was reviewed against the Future Land Use Element (FLUE) Policy 3.5-d, which requires that all long-term traffic impacts from new developments be reviewed for both significant and negative traffic impacts. The traffic arising from this project did not have negative or significant impacts on any of the impacted roadways. Hence this project was consistent with FLUE Policy 3.5-d and met the County's comprehensive plan requirements. This project will not have driveway connections to Southern Boulevard, which is an FIHS facility, and hence the County does not anticipate any adverse impact to an FIHS facility.</p>		
<p>MOTION: To <i>adopt an ordinance</i> amending the Future Land Use Atlas pursuant to the proposed Southern/Jog – SW amendment passed in a 4-1 vote (Comm. Masilotti dissenting and Comm. Aaronson & Comm. Marcus absent) at the August 21, 2006 Public Hearing with new conditions regarding workforce housing.</p>		

G. PRIVATELY INITIATED SITE SPECIFIC AMENDMENT – To the Future Land Use Atlas, which did not receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.G.1 Delray Marketplace Residual District: 5</p> <p>Agent: Urban Design Studio</p>	<p>Request: AGR to CL/AGR Size: 0.97 acres Location: Located on the northwest quadrant of West Atlantic Avenue and Future Lyons Road.</p>	<p>Planning: Approval subject to two conditions: 1) There shall be no density or intensity allocated to this site. 2) Prior to the adoption public hearing for this proposed amendment, the applicant must submit a rezoning application for this parcel to the Traditional Marketplace Development (TMD) Zoning District. LPA: Approval subject to two conditions (13-0) BCC: Transmit with two conditions (6-0 with Commissioner McCarty absent) There was minimal Board discussion and no public comment on this item.</p>

MOTION: To *adopt an ordinance* amending the Future Land Use Atlas pursuant to the proposed Delray Marketplace Residual amendment with conditions passed in a 4-0 vote (Comm. Aaronson, Comm. Koons & Comm. Marcus absent) at the August 21, 2006 Public Hearing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>2.G.2 Congress/ Melaleuca Residential District: 3</p> <p>Agent: Cotleur & Hearing, Inc</p>	<p>Request: CH to HR-8 Size: 18.26 acres Location: Located on the west side of Congress Avenue, approximately 350 feet north of Malaleuca Lane.</p>	<p>Planning: Approval subject to a condition: 1) The applicant shall either utilize the Workforce Housing Program (WHP) or shall deed restrict the property for a minimum of 25 years to a minimum of 20% of the units built on the site for sale to and/or occupancy by moderate income households as defined by the Palm Beach County Comprehensive Plan LPA: Approval excluding condition (6-5) BCC: Transmit with condition (6-0, with Commissioner McCarty absent). At the hearing, there was minimal Board discussion and no public comment on this item.</p>

MOTION: To *adopt an ordinance* amending the Future Land Use Atlas pursuant to the proposed Congress/Melaleuca Residential amendment with a condition passed in a 5-0 vote (Comm Aaronson & Comm. Koons absent) at the August 21, 2006 Public Hearing.

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