



Adoption Executive Summary/Table of Contents

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ROUND 07-1**

**Adopted on:
Monday, August 27, 2007**

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

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.A.1 Wildfire Mitigation	This proposed amendment will 1) Create an Objective and add Policies 1.3-a through 1.3-e in the Conservation Element to prevent the occurrence and mitigate the impacts of wildfires. 2) Add Polices 1.3-g & 1.4-f in the Fire-Rescue Element to promote wildfire prevention and mitigation among Fire-Rescue Services	Staff: 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 FLUA Amendment Requirements	This proposed amendment will Delete text from the Introduction and Administration Element that requires amendments to the Future Land Use Atlas (FLUA) to be based on one or more justification factors. Language will remain in the Element that requires that FLUA amendments are guided by the requirements of Florida Statutes and administrative codes. A justification statement and demonstration of need will remain a requirement for FLUA amendments within the FLUA amendment application. The proposed amendment will result in more concise staff reports which will focus on the merits of the amendment in relation to its consistency with State requirements and the Comprehensive Plan, compatibility with the surrounding area, and impacts on public facilities.	Staff: 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.3 Capital Improvement Element Addition	The proposed amendment to the Capital Improvement Element will: (1) add a new revenue policy that will account for "proportionate fair-share" contributions; a subsequent policy will be renumbered. (2) provide general text revisions to the CIE, Public School Facilities, Utilities, and Transportation Elements that will refer to 5 year capital improvement schedule.	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>MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Items 2.A.1 through 2.A.3. Motion by Commissioner Marcus, seconded by Commissioner Kanjian passed in a 4-0 vote (with Commissioners Aaronson, Koons and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-010)</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.A.4 Rural Service Area Policy Corrective Text	This proposed amendment will delete Policy 1.4-g, in the Capital Improvement Element to maintain consistency with the Service Delivery Policy Revisions and Utility Updates amendment (04-1).	Staff: Approval LPA: Approval (8-0). BCC: Transmit (7-0) at the April 18, 2007 Public Hearing.
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Item 2.A.4. Motion by Commissioner Marcus, seconded by Commissioner Koons passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-010)		
2.A.5 COM/IND Lot Criteria Clarification (Table 2.2.2-1)	This proposed amendment will Revise text in Part F of Table 2.2.2-1 in the Future Land Use Element (FLUE) of the Comprehensive Plan regarding the ability of a property to be zoned with a commercial or industrial zoning district in its entirety, if it was partially or entirely zoned as such prior to August 4, 1980. The amendment's purpose in revising the affected wording is to have Part F only address a situation where a portion of the property is zoned commercial or industrial prior to the 1980 date.	Staff: Approval LPA: Approval (8-0). BCC: Transmit (7-0) at the April 18, 2007 Public Hearing.
2.A.6 Infill Maximum Density Exemption (Policy 1.2.2-a)	This proposed amendment will Add text to policy 1.2.2-a in the Future Land Use Element (FLUE) of the Comprehensive Plan regarding the ability of a property determined to be an infill property under the requirements of policy 1.2.2-a to be developed at the maximum density of its land use designation, despite not meeting the minimum frontage and/or depth requirements in the county's Unified Land Development Code (ULDC) for development as a Planned Unit Development (PUD.)	Staff: Approval LPA: Approval (9-0). BCC: Transmit (7-0) at the April 18, 2007 Public Hearing.
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Items 2.A.5 through 2.A.6. Motion by Commissioner Marcus, seconded by Commissioner Kanjian passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-010)		
2.A.7 Transfer of Development Rights Program Revisions	This amendment will modify the Future Land Use Element (FLUE) language in Objective 2.6 and appropriate policies to include the objective of increasing the inventory of attainable housing, to establish that a minimum of 50% of Transfer of Development Rights (TDR) units are to be provided as workforce housing units and provided at no cost, and remove general compatibility language from the FLUE.	Staff: Approval LPA: Approval (8-1 with Mr. Zalkin dissenting) BCC: Transmit (7-0) Motion to Transmit at the April 18, 2007 Public Hearing.
2.A.8 Industrial Future Land Use Revisions	This proposed amendment will delete the text from the Future Land Use Element that allows three auto related uses be allowed to develop within the Industrial Future Land Use (FLU) designation as freestanding uses. This text, which was added to the Plan in 2002, has been deemed unnecessary as the types of uses permitted within FLUs are defined in detail in the Unified Land Development Code. Add language to clarify that there are freestanding Commercial uses, as permitted by the ULDC, that are appropriate in Industrial as they are considered quasi-industrial or cross over type uses.	Staff: Approval LPA: Approval (10-0) BCC: Transmit (7-0) at the April 18, 2007 Public Hearing.

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.A.9 Transit Oriented Development (TOD) Amendment	This proposed amendment will revise 1) Policy 1.2-d of the Transportation Element to allow Transit Oriented Developments to be approved when roads and intersections operate at up to 30% above a D Level of Service (LOS). 2) Policy 2.4-d of the Future Land Use Element to further define the elements that qualify a development as Transit-Oriented, including: site planning, parking, mix of uses, master planning, and certain uses. The specific proposed revisions are reflected in Exhibit 1, which will become the exhibit of the adopted ordinance.	Staff: Approval LPA: Approval (9-0) BCC: Transmit (4-0 with Comm. Santamaria, Comm. Greene, and Comm. Marcus absent) at the April 18, 2007 Public Hearing.
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Items 2.A.7 through 2.A.9. Motion by Commissioner Marcus, seconded by Commissioner Koons passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-010)		

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

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.B.1 General CRALLS	This proposed amendment will modify Policy TE 1.2-f to designate several roadway segments temporarily as CRALLS facilities exclusively for projects with insignificant (less than 1%) impact, and to update Map TE 15.1 to incorporate the proposed CRALLS designation.	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-1 with Comm. Marcus dissenting) at the April 18, 2007 Public Hearing.
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Item 2.B.1. Motion by Commissioner Koons, seconded by Commissioner Kanjian passed in a 4-1 vote (with Commissioner Marcus dissenting and Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-011)		
2.B.2 Okeechobee Blvd. TIM & 2020	This proposed amendment will amend the Map Series by widening the Okeechobee Blvd segment between State Road 7 & the future La Mancha Ave extension from 6 lanes to 8 lanes on the Future 2020 Roadway System by Number of Lanes (Map TE 1.1) & to increase the right of way from 120' to 200' on the Thoroughfare Right of Way Identification Map (Map TE 14.1).	Staff: Approval LPA: Approval (7 – 1 with Ms. Murray dissenting). BCC: Transmit (7-0) at the April 18, 2007 Public Hearing.
2.B.3 Strategic Intermodal System (SIS)	This proposed amendment will amend the Transportation Element, the Introduction and Administration Element, and Future Land Use Element by adding references to the Strategic Intermodal System (SIS).	Staff: Approval LPA: Approval (8-0). BCC: Transmit (7-0) at the April 18, 2007 Public Hearing.
2.B.4 De Minimis Policy	This proposed amendment will amend the Transportation Element (TE) Policy 1.2-n, revising the De Minimis Policy for consistency with 163.3180(6) F.S	Staff: Approval LPA: Approval with clarification (9-0). BCC: Transmit (7-0) at the April 18, 2007 Public Hearing
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Items 2.B.2 through 2.B.4. Motion by Commissioner Marcus, seconded by Commissioner Kanjian passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-011)		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.B.5 Hood Road Turnpike Interchange	This proposed amendment will amend the Future 2020 Roadway System by Number of Lanes Map (TE-1.1) & the Thoroughfare Right of Way Identification Map or TIM (TE-14.1), which will add an interchange at Hood Road and Florida's Turnpike.	Staff: Approval LPA: Approval (7-0). BCC: Transmit (6-0 with Comm. Greene was absent) at the April 18, 2007 Public Hearing
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Agenda Item 2.B.5. Motion by Commissioner Marcus, seconded by Commissioner Koons passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent and Commissioner Kanjian recusing himself) at the August 27, 2007 Public Hearing. (Ord. 2007-011)		

2.C. PROPOSED CORRECTIVE & 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 Jog Road Property (LGA 2007-009) District: 2	Request: MR-5 to CH-O/5 Size: 1.44 acres Location: West side of Jog Road, approximately 656' south of Melaleuca Lane	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing
2.C.2 URA County Initiated Site-Specific Corrective Amendments (3 sites) (LGA 2007-010) District: 6	Request: LR-2 to HR-8 (Site 3) or HR-12 (Sites 1 & 2) Size: 17.86 acres (combined) Location: Bounded by the Lake Worth Drainage District L-4 Canal on the north; Wallis Road on the south; Haverhill Road on the east; and Holly Drive on the west	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing
2.C.3 Lantana Hills Golf Course (LGA 2007-011) District: 2	Request: LR-2 to PARK Size: 43.01 acres Location: SW corner of 95th Avenue South and Woodwind Lane, approximately 500' north of Lantana Road and .50 mile west of the Lantana Road/Lyons Road intersection	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing
2.C.4 Glades US Highway 441 Property (LGA 2007-012) District: 6	Request: IND to INST Size: 16.82 out of 607.46 acres Location: East side of US Highway 441, approximately 0.30 mile south of SR 80 and a mile-and-a-half north of the City of Belle Glade.	Staff: Approval LPA: Approval (9-0) BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing
2.C.5 Orange Ave. Circle Property (LGA 2007-013) District: 6	Request: AP to INST Size: 43.17 out of 289.10 acres Location: West of US Highway 441 via Poinciana Street and Orange Avenue Circle, approximately 0.30 mile south of Hooker Highway and a mile-and-a-half north of the City of Belle Glade.	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing

<p>2.C.6 Military Trail/Sunrise Blvd. Property (LGA 2007-014)</p> <p>District: 5</p>	<p>Request: MR-5 to CH-O/5 Size: 0.19 acre Location: SW corner of Military Trail and Sunrise Boulevard, approximately two (2) miles north of Atlantic Avenue.</p>	<p>Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing</p>
<p>2.C.7 Summer Street Property (LGA 2007-008)</p> <p>District: 3</p>	<p>Request: HR-8 to HR-12 Size: 2.60 acres Location: 0.15 mile south of the intersection of 10th Avenue North and Summer Street in the SE quadrant of 10th Avenue North and Congress Avenue</p>	<p>Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing</p>
<p>2.C.8 Natural Area Additions (Six separate Natural Areas) (LGA 2007-007)</p> <p>Districts: 1 & 6</p>	<p>Request: LR-1, HR-8, RR-10 and AP to CON Size: 692 acres collectively Location: Six separate locations Justification: This proposed amendment to the Future Land Use Atlas (FLUA) will change the future land use designation on the environmentally sensitive lands purchased by the County to Conservation.</p>	<p>Staff: Approval LPA: Approval (8-0). BCC: Transmit (6-0 with Comm. Santamaria absent) at the April 18, 2007 Public Hearing</p>
<p>MOTION: To <i>adopt an ordinance</i> amending the Future Land Use Element pursuant to the proposed Agenda Items 2.C.1 through 2.C.8. Motion by Commissioner Marcus, seconded by Commissioner Koons passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-012)</p>		

2.D. PROPOSED TRANSPORTATION AMENDMENTS - which did receive comments from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.D.1 University / Riverside Dr. TIM & 2020	This proposed amendment will amend the Transportation Element (TE), the Future 2020 Roadway System by Number of Lanes Map (TE-1.1) & the Thoroughfare Right of Way Identification Map or TIM (TE-14.1) which will: 1) Remove University Dr. & Riverside Dr. from Lox Road to Palmetto Park Road from the TIM & from the 2020 Roadway System Map.2) Revise Policy 1.1-n to designate adversely impacted roadways as in need of a corridor master plan.	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-1 with Comm. McCarty dissenting) at the April 18, 2007 Public Hearing.
<p>DCA OBJECTIONS: I.A.a. – Inconsistency with the adopted Palm Beach Metropolitan Planning Organization’s (MPO) 2030 Cost Feasible Long Range Transportation Plan (LRTP) & Florida Department of Transportation Five Year Work Program. Data and analysis reflecting the deletion of the roadways and the impact on level of service standards on the surrounding road network must be provided. Alternative measures to ensure mobility and the achievement of adopted level of service standards on the impacted roadways must be adopted. I.A.b. - Internal inconsistency with Palm Beach County Transportation Element Policy 1.13-b which reads “The County shall continue to use the Metropolitan’s Planning Organization’s transportation planning process as the County’s main mechanism for long range transportation planning and coordination with the MPO’s TIP and the FDOT District IV Adopted Work Program.” The recommendations for this objection are the same as the previous objection.</p>		
<p>STAFF RESPONSE: I.A.a – Inconsistency with MPO & FDOT – This amendment has been coordinated with FDOT & MPO both in the preparation of this amendment prior to the Board of County Commissioners Transmittal Hearing and in ongoing activities following the receipt of the DCA ORC Report. On July 19, 2007 the MPO Board unanimously approved a motion to begin the process of studies and public hearings necessary to remove University Drive from the 2030 LRTP. The data & analysis provided is a result of the methodology developed during the previous coordination meetings referenced above and utilizes “cutline traffic shift methodology”. Results of this analysis show that, in year 2030, five links fail with the removal of University Drive, whereas; six links will fail with University Drive remaining. Alternative measures to insure mobility and the achievement of adopted level of service standards on the impacted roadways will be achieved through the Corridor Master Plan process for the three adversely impacted roadways (S.R 7 from Hillsboro Canal to Glades Road, Glades Road from S.R. 7 to Lyons Road, and Lyons Road from Hillsboro Canal to SW 18th Street). I. A.b. – Internal Inconsistency - The County, as already stated in the previous response and documented by the attachments coordinated with both the MPO and the FDOT and other affected agencies. Subsequent to the transmittal of the proposed deletion, as has been previously stated, the MPO began the process to resolve this conflict by moving forward with the process to remove the same links from the MPO 2030 Plan.</p>		
<p>EXTRAORDINARY PROCEDURE: Pursuant to the ULDC any deletion of a roadway requires a majority plus one vote of the BCC (minimum of 5 votes) at the adoption hearing.</p>		
<p>MOTION: To adopt an ordinance amending the Transportation Element and Map Series pursuant to the proposed University / Riverside Dr. TIM & 2020 amendment. Motion by Commissioner Aaronson, seconded by Commissioner Marcus passed in a 6-0 vote (with Commissioner McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-008)</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
2.D.3 Urban Redevelopment Area (URA) TCEA	This proposed amendment will amend the Transportation Element and Map Series by designating parcels fronting two specific corridors namely Military Trail and Congress Avenue approximately from Southern Boulevard to Forest Hill Boulevard in the Urban Redevelopment Area (URA) as a Transportation Concurrency Exception Area (TCEA).	Staff: Approval LPA: Approval (9-0). BCC: Transmit (6-0 with Comm. Greene absent) at the April 18, 2007 Public Hearing
<p>DCA OBJECTIONS: 1.A.d. – The proposed amendment does not demonstrate through adequate data and analysis that the TCEA areas contains no more than 10 percent developable vacant land, as required in 9J5.0055(6)(a)1.a, F.A.C. The amendment relies upon the URA Master Plan which was not transmitted with the amendment. The locational relationship between the TCEAs and the URA was not established nor mapped in the amendment. The proposed Policy 1.2-v does not contain adequate guidelines and implementation strategies necessary to establish the TCEA under current rules and statutes. There was no demonstration as to how the traffic from the TCEA development would impact the State Intermodal System. The proposed TCEAs did not show how mobility would be achieved or what measures would be done to improve or mitigate traffic performance within the TCEA</p>		
<p>STAFF RESPONSE: 1.A.d. – The percentages of developable vacant land for Military Trail and Congress Avenue are 4.29% and 14.04% respectively and are consistent with 9J5.0055(6)(a)2 F.A.C. The BCC voted to transmit URA Master Plan Related Amendments in Round 2007-2 and the URA Master Plan is attached to that report. The URA Master Plan includes detailed corridor master plans for Military Trail and Congress Avenue corridors. The County has previously adopted guidelines for establishing TCEAs in Comprehensive Plan Policy TE 1.2-k and ULDC Article 12 Chapter K. The “Support Data & Analysis” has been revised to provide a detailed summary of data and traffic analysis for the impact of TCEA on Strategic Intermodal System. It includes a detailed short-term and long-term traffic impact analysis for the proposed redevelopment plan along Congress Avenue and Military Trail corridors. The URA Master Plan states that the master plans created for these two TCEA corridors, as well as the redevelopment strategies proposed in the URA Master Plan itself, contain recommendations and clear instructions to guide development in a manner that is consistent with the goal of reducing congestion by minimizing automobile dependency and maximizing integration of different land uses and transit.</p>		
<p>MOTION: To adopt an ordinance amending the Transportation Element and Map Series pursuant to the proposed URA TCEA amendment. Motion by Commissioner Marcus, seconded by Commissioner Kanjian passed in a 5-0 vote (with Commissioners Aaronson and McCarty absent) at the August 27, 2007 Public Hearing. (Ord. 2007-009)</p>		

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