



TOWN OF LOXAHATCHEE GROVES

PLANNING AND ZONING BOARD

MEETING AGENDA

Thursday, November 20, 2014

Chair Dennis Lipp

Vice- Chair Robin Crawford

Board Member Lawrence Corning

Board Member Grace Joyce

Alternate Member Veronica Close

Alternate Member Byrnes Guillaume

Mayor David Browning, Seat 4
Vice Mayor Ronald D. Jarriel, Seat 1
Councilman Tom Goltzené, Seat 5
Councilman Jim Rockett, Seat 2
Councilman Ryan Liang, Seat 3



Town of Loxahatchee Groves
Planning & Zoning Board/LPA Meeting
Thursday, November 20, 2014 at 7:00 p.m.

Central Palm Beach County Chamber of Commerce – West Office
13901 Southern Boulevard, Loxahatchee Groves, FL 33470

**TENTATIVE -
SUBJECT TO
REVISION**

Chair Dennis Lipp
Vice-Chair Robin Crawford
Board Member Lawrence Corning
Board Member Grace Joyce
Alternate Member #1 Veronica Close
Alternate Member #2 Byrnes Guillaume

Town Manager William F. Underwood, II
Town Clerk Janet K. Whipple
Town Planning Technician Braeden Garrett
Town Planning Consultant Jim Fleischmann

The Planning & Zoning Board meets predominately on the 2nd Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA). Items for each body are noted on the agenda.

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order & Roll Call
- b. Approval of Agenda

2. MINUTES

- a. **August 14, 2014** – Planning and Zoning Meeting

3. CONVENE REGULAR PORTION OF PLANNING AND ZONING MEETING

4. OLD BUSINESS - NONE

5. **NEW BUSINESS**

- a. **RECOMMENDATIONS FOR PROPOSED AMENDMENT TO THE UNIFIED LAND DEVELOPMENT CODE: Wildlife Pets Code Amendments / Ordinance No. 2014-08 (Council Initiated – Wildlife Pets Code Revisions).**

6. **COMMENTS FROM THE BOARD**

7. **ADJOURN REGULAR PORTION OF PLANNING AND ZONING MEETING**

8. **CONVENE LOCAL PLANNING AGENCY PORTION OF THE MEETING**

9. **OLD BUSINESS - NONE**

10. **NEW BUSINESS**

- a. **RECOMMENDATIONS FOR PROPOSED CHANGE TO FUTURE LAND USE ELEMENTS OF THE COMPREHENSIVE PLAN: (Okeechobee Corridor Text Amendments).**

11. **COMMENTS FROM THE BOARD**

12. **ADJOURN LOCAL PLANNING AGENCY PORTION OF MEETING**

13. **COMMENTS FROM THE BOARD**

14. **ADJOURNMENT**

The next Planning and Zoning Board Meeting is tentatively scheduled for December 11, 2014, at 7:00 p.m.

Comments Cards: Anyone from the public wishing to address the P&Z Board must complete a Comment Card before speaking. This must be filled out completely with your full name and address and given to the Town Clerk. During the meeting, before public comments, you may only address the item on the agenda in which is being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the P&Z Board with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.



Item 2.a.

Minutes

August 14, 2014

Mayor David Browning, Seat 4
Vice Mayor Ronald D. Jarriel, Seat 1
Councilman Tom Goltzené, Seat 5
Councilman Ryan Liang, Seat 3
Councilman Jim Rockett, Seat 2



Town of Loxahatchee Groves
Planning & Zoning Board/LPA Meeting
Thursday, August 14, 2014 at 7:00 p.m.

Central Palm Beach County Chamber of Commerce – West Office
13901 Southern Boulevard, Loxahatchee Groves, FL 33470

Chair Dennis Lipp
Vice-Chair Robin Crawford
Board Member Lawrence Corning
Board Member Keith Harris
Board Member Grace Joyce
Alternate Member #1 Veronica Close
Alternate Member #2 Byrnes Guillaume

Town Manager Mark Kutney
Town Clerk Janet K. Whipple
Town Planning Consultant Jim Fleischmann

The Planning & Zoning Board meets on the 2nd Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA). Items for each body are noted on the agenda.

MINUTES

1. OPENING

- a. Call to Order & Roll Call

Chair Lipp called the meeting to order at 7:03 p.m. Present were Chair Dennis Lipp, Board Member Keith Harris, Board Member Grace Joyce, Alternate Board Member Veronica Close. Not present were Vice-Chair Robin Crawford, Board Member Lawrence Corning, and Alternate Board Member Byrnes Guillaume. Also present were Town Manager Mark Kutney, Town Planning Consultant Jim Fleischmann, and Town Clerk Janet K. Whipple.

- b. Approval of Agenda

Motion: Board Member Harris made a motion to approve the Agenda, as presented. Board Member Joyce seconded the motion. Upon vote, the motion passed 4/0.

2. MINUTES

- a. Planning and Zoning Board Minutes for Approval

- **May 15, 2014** - Joint Meeting with the Roadway, Equestrian Trails and Greenway Advisory Committee.

Motion: Board Member Close made a made a motion to approve the May 15, 2014 minutes with amendments pointed out to the Clerk. Board Member Joyce seconded the motion. Upon vote, the motion passed 4/0.

3. OLD BUSINESS - *None*

4. NEW BUSINESS

- Reschedule Planning and Zoning Meeting date for September. (Meeting is in conflict with Town Council Regular/Budget Meeting).

Motion: Board Member Close, due to reported Budget scheduling conflicts, moved that the Planning and Zoning Meeting scheduled for Thursday September 11, 2014, be rescheduled to a date certain of Thursday September 18, 2014. Board Member Joyce seconded the motion. Upon vote, the motion passed 4/0.

Chair Lipp adjourned the Regular portion of the Planning and Zoning Meeting at 7:07 p.m. and convened the portion dedicated to the Local Planning Agency.

5. LOCAL PLANNING AGENCY

a. OLD BUSINESS

- Consideration for Simon Trust Property Rezoning Application: Agricultural Residential (AR) to Commercial Low Planned Unit Development (CL/PUD) proposed rezoning on 21.73 acres located at the northwest corner of Southern Boulevard and B Road. (*Name: Loxahatchee Groves Commons Planned Unit Development*)

Town Planning Consultant Jim Fleischmann provided background on the Simon Trust Rezoning Application. The site plan is for Tractor Supply, and the waiver request is for additional outdoor storage, twenty-four (24) hours a day. He referred to pages 10 thru 12. A conceptual plan has been provided.

The Board discussed B Road and the escrow account it will be sitting in, and the fact the Town will have jurisdiction over B Road before it gets an OGEM surface. The applications of

additional outdoor storage, the location, site view, and storage material were discussed. It was noted that another large development will drive the small Mom and Pop stores out of business.

Joseph D. Lelonek, Partner in the Atlantic Land Company, a Development/Management Real Estate Brokerage Company, presented his proposal and indicated the concept was to modify the plan of the Loxahatchee Groves Commons to accommodate the community, and indicated Atlantic Land Companies would return to the September 16, 2014 Town Council Meeting, with an update. Mr. Lelonek discussed the equestrian trails around the lake, the grocery store that will be the largest parcel, the Tractor Supply store, shopping, parking, waiver requests, and where alcoholic beverages would be sold in proximity to the Palm Beach Community College, and the general architecture of the Loxahatchee Groves Commons Planned Urban Development (PUD).

Town Manager Kutney stated that when this proposal goes to Town Council it will be a Quasi-Judicial proceeding.

The Board discussed the landscape buffer, ingress and egress of roads, consideration of cost recovery, and suggestions on traffic flow.

Mr. Lelonek stated he would look into these suggestions.

The Board continued to discuss the logistics of Mr. Lelonek's current presentation, and compared it to the original concept previously presented to the Planning and Zoning Board. The waiver for the outdoor space at Tractor Supply was also discussed.

The Board continued to discuss the logistics of the proposal. It was questioned whether it was the appropriate time to approve the waiver without further review of the site plan, one response was that the Board could not go with conditions without making the changes, the waiver could be approved at this meeting and the site plan can still be brought back for review, and changes.

Mr. Fleischmann noted this meeting was for approval or denial of the waiver for the outdoor display area, not storage.

Motion: Board Member Close made a motion to approve the waiver for an outdoor display for merchandise for sale only with one hundred percent (100%) opaque of screening and limited to aesthetically pleasing seasonal displays, not to be a dumping ground. Board Member Harris, seconded the motion for discussion only.

Mr. Fleischmann asked the Board if Staff could craft the motion for Board recommendations and conditions.

The Board discussed all merchandise that should be indoors needs to stay indoors, no merchandise on the sidewalk areas, square footage of the waiver, items of storage, location of display areas, and if an agreement was required to access the State College Campus.

Board Member Close withdrew her motion.

Motion: Board Member Close made a motion to approve the waiver for an area adjacent to agricultural sales building for outdoor display of merchandise for sale, not including the front storage. In this site plan it was her intent of her motion to include the area immediately west of that building, and the area across the street, west of the building. Not

including the sidewalk. Chair Lipp passed the gavel in order to second the motion, for discussion.

The Board Members discussed clarity on screening, locations, tenant changes, flipping the site plan over, and removing the sidewalk display area, protecting the Board for unintended consequences and having no outdoor storage at all.

Mr. Fleischmann added to the existing motion; to approve the waiver adjacent to the agricultural sales building for a screened outdoor display of merchandise for sale excluding sidewalks. Chair Lipp then passed the gavel to Board Member Harris and re-seconded the motion. Upon roll call vote, the motion passed 3/1 with Board Member Harris casting the dissenting vote.

Board Member Joyce noted for the record, that the differences Board Member Close had pointed out were due to were significant changes in the site plan, and that is why the decision process had taken so long. This should be noted in the Staff Report.

Mr. Fleischmann will include the information in his report.

Town Manager Kutney stated this will actually be going back to the Town Council on September 23, 2014.

b. NEW BUSINESS - None

6. COMMENTS FROM THE BOARD

Town Manager Kutney announced a presentation on the Palm Beach State College during the Town Council Meeting of the August 19, 2014. Presentation books were provided to the Planning and Zoning Board.

7. ADJOURNMENT

There being no further business to come before the Planning and Zoning Board/LPA, Chair Lipp adjourned the meeting at 9:16 p.m.

Janet K. Whipple, Town Clerk

Dennis Lipp, Chair

These minutes were approved during the November 20, 2014, Planning and Zoning Meeting



Item 5.a.

Regular Meeting

New Business

Future Land Use Element Change

Wildlife Pets Code Amendment

Loxahatchee Groves Planning & Zoning Board Agenda Item Report

Meeting Date: November 20, 2014

Prepared By: Jim Fleischmann, Town Planning Consultant
Subject: Wildlife regulation ULDC revisions

A. Background/History:

Issue Statement: Due to the existence of current State regulations regarding captive wildlife, and an opinion from the Assistant General Council to the Florida Fish and Wildlife Conservation Commission which limits local government control, the Town Council directed staff to prepare ULDC revisions to insure that there is no conflict with state regulatory authority over the matter.

Potential Actions: (1) Approve proposed Wildlife ULDC revisions; (2) deny proposed Wildlife ULDC revisions; or (3) approve proposed Wildlife ULDC revisions subject to conditions.

B. Current Activity:

Staff prepared a draft of proposed ULDC revisions which was presented to the Town Council at its August 14, 2014 meeting. With minor changes to the Staff proposal, the Town Council has forwarded the proposed ULDC revisions to the Planning and Zoning Board for review and comment.

C. Attachments:

Proposed ULDC revisions to Sections 10-15. "*Definitions*", 20-010 (B). "*Animals and Livestock*", Section 20-015. "*Permitted Uses*" (AR District), Section 25-015. "*Permitted Uses*" (Commercial Low and Commercial Low Office Districts), Section 40-015 "*Permitted Uses*" (Conservation District), Section 80-45. "*Exhibition of Class I and Class II Wildlife*", and Section 80-50. "*Aviculture*".

D. Town Financial Impact:

Funding provided by Town Council direction to Town Attorney to perform work.

E. Recommended Action:

Staff recommends approval of the proposed ULDC revisions.

Section 10-015. - Definitions.

Wildlife pets. Shall include only those animals listed, categorized and regulated under Florida Statutes Section 379.3761: "Exhibition or sale of wildlife; fees; classifications" and Florida Administrative Code Chapter 68A-6: "Wildlife as Personal Pets", that have been designated as endangered species, threatened species, or species of special concern by the State of Florida or federal government, and are permitted in private ownership by the Florida Fish and Wildlife Conservation Commission. This definition shall not include any dangerous or poisonous animal of the reptile or amphibian species.

Section 20-010. - General provisions.

The following requirements shall apply to the Agricultural Residential (AR) Zoning District.

(B) Animals and livestock. The breeding raising, and/or keeping of animals and livestock as an accessory use to a permanent dwelling shall be subject to the following standards:

(1) *Number.* The number of animals and livestock permitted shall be based on parcel size as follows.

a. *Livestock.* Four livestock, not including swine, are permitted per every one acre of land, except that parcels of at least five acres are permitted eight livestock per every acre of land and parcels over ten acres in size shall have no limit to the number of livestock per acre.

b. *Small domesticated farm animals.* Fifteen (15) small domesticated animals are permitted per every one-half (1/2) acre of land.

c. *Large domesticated farm animals.* Two (2) large domesticated animals are permitted per every one (1) acre of land.

d. *Poultry.* Parcels under one acre shall be limited to four (4) birds per every one-quarter (1/4) acre.

e. *Swine.* One (1) swine is permitted per property of one (1) acre or greater, except for pot bellied pigs, which shall be considered livestock.

~~f. *Wildlife pets.* Ten wildlife pets are permitted on properties of five acres or greater provided that the wildlife pets are permitted and licensed by the State of Florida.~~

~~g. *f.* Household pets. A maximum of ten (1) household pets are permitted on a property.~~

Section 20-015. - Permitted uses.

Plots located in the Agricultural Residential (AR) zoning districts may be used for the following specified uses.

Principal Uses	Agricultural Residential (AR)
Single Family Dwelling	Permitted
Mobile Home	Permitted w/Special Exception Category B
Public Schools	Permitted
Congregate Living Facility, Type I	Permitted
Non-Profit Community Recreational Facilities	Permitted w/Special Exception Category A
Essential Services	Permitted
Commercial Equestrian Operations	Permitted
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception Category A
Aviculture	Permitted subject to Article 80—See Note 1 below
Commercial Kennels	Not Permitted
Chipping and Mulching	Permitted subject to Article 80
Feed Lots	Not Permitted
Commercial Animal Manure Management	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80
Rescued Animal Care	Permitted w/Special Exception Category A
Outdoor Events	Permitted subject to Article 80 and to a Special Exception Category A
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception Category A
Rodeo Events	Permitted w/Special Exception Category A

Note 1: The exhibition of wildlife pets is preempted by state law and regulated by the State of Florida. See Sections 379.3761 and 379.62, Florida Statutes and Florida Administrative Code Chapter 68A-6.

Accessory Uses	Agricultural Residential (AR)
Accessory Dwelling	Permitted
Groom's Quarter	Permitted
Caretaker's Quarter	Permitted
Home Offices	Permitted subject to Article 80
Residential Enterprise	Permitted subject to Article 80
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception Category B
U-Pick Farms	Permitted w/Special Exception Category B
Private Kennels	Permitted
Private Stables	Permitted
Yard Sales	Permitted subject to Article 80
Veterinarian Services	Permitted
Private Kennels	Permitted
Private Stables	Permitted

Section 25-015. Permitted uses.

Plots located in the Commercial Low and Commercial Low Office zoning districts may be used for one or more the following uses.

Principal Uses	Commercial Low (CL)	Commercial Low Office (CLO)
Adult Entertainment	Permitted subject to Article 20	Not Permitted
Arcade, Video	Permitted	Not Permitted
Automobile Repair Garage	Permitted	Not Permitted
Bank or Financial Institution	Permitted	Permitted
Bar, Lounge, Tavern or Pub	Permitted	Not Permitted
Barber Shop, Beauty or Nail Salon	Permitted	Not Permitted
Pool Hall	Permitted	Not Permitted
Car Wash, Self-Service or Automated	Permitted	Not Permitted
Catering or Food Service Delivery	Permitted	Not Permitted
Child Care Center	Permitted	Not Permitted
Commercial Animal Manure Management	Not Permitted	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80	Not Permitted
Convenience Store	Permitted	Not Permitted
Dance/Night Club	Permitted	Not Permitted
Day Labor Hiring Center	Permitted w/Special Exception Category A	Not Permitted
Delicatessen	Permitted	Not Permitted
Theater or Auditorium	Permitted	Not Permitted
Dry Cleaning or Laundry Service	Permitted	Not Permitted
Employment Agency	Not Permitted	Not Permitted
Essential Services and Utilities	Permitted	Permitted
Exhibition of Wildlife Pets	Permitted subject to Article 80- See Note 2 below	Not Permitted- See Note 2 below
Gasoline Station	Permitted	Not Permitted
Shooting Range	See Note 1 below	See Note 1 below
Archery Range	Permitted subject to Article 80	Not Permitted
Hotel	Permitted	Not Permitted
Holiday Wayside Stand	Permitted subject to Article 80	Permitted subject to Article 80
Laboratory (e.g., medical, dental, research)	Permitted	Permitted
Offices (e.g. business, professional, medical)	Permitted	Permitted
Package Liquor, Beer or Wine Store	Permitted	Not Permitted
Outdoor Events	Permitted subject to Article 80 and to a Special Exception Category B	Permitted subject to Article 80 and to a Special Exception Category B
Retail Plant or Produce Sales	Permitted	Not Permitted
Restaurant, Fast Food	Permitted	Not Permitted
Restaurant, Full Service	Permitted	Permitted
Restaurant, Take Out	Permitted	Permitted
Retail Services	Permitted	Not Permitted
Retail Store	Permitted	Not Permitted

Principal Uses (continued)	Commercial Low (CL)	Commercial Low Office (CLO)
Commercial Recreation (e.g. batting cages, rink)	Permitted	Not Permitted
Veterinary Clinic or Hospital	Permitted	Not Permitted
Warehouse, Self Storage	Permitted	Not Permitted
Wireless Communication Facilities	Permitted	Permitted
Adult Day Care	Permitted	Permitted
Schools, Public or Private	Permitted	Not Permitted
Gym or Fitness Center	Permitted	Permitted

Note 1: The regulation of guns and shooting ranges is preempted by state law and regulated solely by the State of Florida. See Sections 790.33 and 790.333, Florida Statutes.

Note 2: The exhibition of wildlife pets is preempted by state law and regulated by the State of Florida. See Sections 379.3761 and 379.62, Florida Statutes and Florida Administrative Code Chapter 68A-6.

Section 40-015. - Permitted uses.

Plots located in the Conservation zoning district may be used for one or more of the following specified uses.

Principal Uses	Parks and Recreation
Natural open Space	Permitted
Passive Park	Permitted
Walking and Biking Trail	Permitted
Wildlife Observation	Permitted - See Note 1 below

Note 1: The exhibition of wildlife pets is preempted by state law and regulated by the State of Florida. See Sections 379.3761 and 379.62, Florida Statutes and Florida Administrative Code Chapter 68A-6.

Section 80-045. - Exhibition of Class I and Class II Wildlife.

Individuals providing care and permanent habitat for Class I and Class II Wildlife that have been abused, neglected or otherwise need sanctuary may request a license from the Town to allow limited exhibition of said wildlife, subject to the provisions of this section.

(A) For purposes of this section only, exhibition of wildlife shall be defined as a public or private showing of Class I and Class II wildlife for financial or other consideration.

(B) For purposes of this section, Class I and Class II wildlife are defined pursuant to Chapter 68 A6, F.A.C., as amended.

(C) The property on which the animals are kept shall have a minimum plot size of five acres and a minimum plot width and length of 300 feet and must conform with all of the minimum requirements established in the Florida Administrative Code.

(D) No wildlife exhibition license may be issued for a location that is within 1,000 feet of another licensed wildlife exhibitor.

(E) Signage is not permitted.

(F) The owner of the animals must hold a USDA, Animal Welfare Act, Class C Exhibitor License and a Florida Fish and Game Conservation Commission Class I or II (as applicable) License, and must live on the property on a permanent basis.

(G) The owner of the animals shall maintain 501(C)(3) non-profit status for the specific purpose of caring and providing habitat for the wild animals.

(H) All wildlife habitat areas shall be surrounded by a minimum of a six foot high barrier/fence to prevent unauthorized access. The wildlife habitat areas shall also be fully screened from all property lines to a height of six feet through the use of landscape materials or opaque fence materials.

(I) Public premises liability coverage in the amount of \$1,000,000.00 shall be maintained at all times. The policy must name the Town as an additional insured and must be issued by an insurance company authorized by the Florida Department of Insurance to do business in the State of Florida. The Town Attorney must approve the policy.

(J) The number of wild animals on the property shall be limited to three per acre.

(K) At no time shall the property be unattended and without the presence of someone licensed to handle wild animals, or with at least six months experience working under the jurisdiction of the licensee's Federal and State licenses when the owner of the animal(s) is away from the premises.

(L) All parking shall be accommodated on-site, and shall be screened from view along all property lines adjoining any private or public street, or residential plot. Parking areas shall be set back at least 25 feet from any residential plot line. Parking areas need not be paved.

(M) Public admission shall be by appointment only, and shall be limited to 40 people on the property at any given time, except that groups from educational institutions arriving by bus shall be limited to 100 people, and that special events with attendance greater than that provided for herein may be held up to 12 times per year, provided the owner notifies the Town Clerk's Office in writing at least five days prior to the event. The notification shall state the date and hours, nature of the event, and maximum number of people expected.

(N) Noise levels, including noises resulting from public admission, shall not exceed the limits set forth in Section 50-010, "Excessive Noise."

(O) Noise abatement. Wildlife habitat areas shall be designed, constructed and located using noise abatement measures (e.g., locating wildlife which excessively screech, howl, or make loud noises away from property lines; maintaining a thick, vegetated buffer along property lines) to help ensure that noise levels do not exceed the limits set forth in Section 50-010, "Excessive Noise."

(P) Upon determination that an application for an exhibition of Class I and Class II wildlife license satisfies the criteria of this section, the Town shall notice property owners within 1,000 feet of the subject property, by certified mail, that an application for a wild animal habitat license will be administratively approved and issued ten days from the mailing date indicated on the notice, unless a written objection is received by the Town Clerk within the ten day period.

(Q) Upon satisfying all of the conditions for licensure, a license under this section shall be issued administratively unless the Town receives written objection from a noticed property owner within the ten day response period. In the case of a timely objection, the application for licensure shall be scheduled for the next available Town Council agenda as an advertised public hearing. After hearing the testimony of affected property owners, the Town Council may approve, approve with conditions, or deny the application for licensure based upon consideration of the following criteria:

(1) That the use is compatible with the existing natural environment and other properties in the vicinity;

(2) That there will be adequate provision for safe traffic movement, both vehicular and pedestrian, in the area which will serve the use;

(3) That there are adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust and other potential nuisances; and,

(4) That the land area is sufficient, appropriate and adequate for the use as proposed. Conditions placed upon the license by Town Council may supplement the requirements of this section contained in provisions (A) through (O).

(R) Licenses are valid only to the person named on the license and shall not be transferable.

(S) Upon a second violation of any one or more provisions of this section within a 24 month period, as determined pursuant to the Town's code enforcement procedures, the Town shall notify the licensee, by certified mail, of its intent to revoke the license. The licensee or designee may initiate an appeal of the revocation by filing written notice of intent to appeal with the Town Clerk's Office no later than 15 days from receipt of the Town's notice of intent to revoke the license. The license will be administratively

revoked should the licensee not file an appeal within the allotted time. The Town Clerk shall schedule the appeal for the next available Town Council meeting. In determining the existence of extenuating factors contributing to the code violation(s), Council may uphold the revocation or continue the license with any conditions Council may deem appropriate to protect the public health, safety and welfare.

(T) Nothing within this section shall be construed to prevent the Town Council from revoking the license at any time, provided that after conducting an advertised public hearing on the matter, a supermajority of council members make a determination that the licensed activity no longer satisfies the criteria for licensure.

(U) All exhibition of Class I and Class II wildlife shall occur on a parcel that has a land use designation of Commercial Low.

Section 80-050. -- Aviculture.

Permits for aviculture, as defined in Article 10, "Definitions, Abbreviations, and Construction of Terms" may be issued in the Agricultural Residential (AR) zoning district subject to the following:

(A) Minimum plot size requirements:

(1) Two acres for 40 to 200 birds;

(2) Five acres for 201 or more birds;

(B) Breeder:

(1) The minimum plot size shall be two acres; and

(2) Shelters, cages and accessory structures shall be set back a minimum of 50 feet from all property lines; and

(3) Outdoor shelters and cages shall be contained to specific areas of the plot and completely screened from view from adjacent properties with a visual barrier. Such barriers may include natural vegetation, landscaping, fencing or other opaque structures; and

(4) The breeder shall locate birds that excessively screech, chirp, crow or make loud noises away from residential properties to the maximum extent possible; and

(5) The care, licensing, registration and inspections shall be as required by applicable regulations; and

(6) Any avicultural endeavor shall comply with Article 50, "Public Nuisances," of this Code.



Item 10.a.

LPA Meeting

New Business – Future Land Use Change

Okeechobee Boulevard Corridor

Loxahatchee Groves Local Planning Agency Agenda Item Report
Meeting Date: November 20, 2014

Prepared By: Jim Fleischmann, Town Planning Consultant

Subject: Okeechobee Boulevard Non-Residential Land Use Policy

A. Background/History: The Council passed Ordinance 2012-06 to impose a moratorium of the receipt and processing of land use plan amendments to allow the Town an opportunity to review Comprehensive Plan policies related to non-residential development along Okeechobee Boulevard. The moratorium was extended by Ordinance 2012-10. A workshop was held on December 19, 2012 for Town land owners and residents to address the issue. The Town Council gave direction to staff to draft Comprehensive Plan amendments for both the Okeechobee Blvd. and Southern Blvd. corridors.

Issue Statement: Proposed Comprehensive Plan text amendments to the Future Land Use Element to include specific policies to address non-residential development along the Okeechobee Boulevard corridor. .

Potential Actions: (1) Approve proposed Future Land Use Element text amendments; (2) deny proposed Future Land Use Element text amendments ; or (3) proposed Future Land Use Element text amendments subject to revisions.

B. Current Activity:

Staff prepared a draft of proposed Future Land Use Element text amendments for review by the Local Planning Agency. Staff will submit proposed text amendments to the Town Council for its consideration, along with a recommendation from the Local Planning Agency. A timeframe has not been determined.

C. Attachments:

Proposed Future Land Use Element text amendments (Ref: Pages 1 – 5) and background Information (Ref: Attachment A).

D. Town Financial Impact:

The Town Council initially authorized staff to develop an Okeechobee Boulevard non-residential land use policy. The authorization was expanded to include a similar policy for Southern Boulevard.. Authorized budgets (\$27,000) included allocations for one Okeechobee Boulevard workshop and two Southern Boulevard workshops.

E. Recommended Action:

Staff recommends approval of the proposed Future Land Use Element text amendments..

**FUTURE LAND USE ELEMENT - OKEECHOBEE BOULEVARD
NON-RESIDENTIAL LAND USE ELEMENT TEXT AMENDMENTS**

1.17 Objective:

The Town shall encourage compatible, town-serving land uses by implementing the following sector planning policies to control the allocation, location, scale and timing of development approvals on properties with road frontage on Okeechobee Boulevard.

1.17.1 Policy:

In order to assist in retaining its current rural character, the Town shall support maintaining Okeechobee Boulevard as a two-lane section.

- a) In order to maintain its two-lane section, the Town shall support the implementation of traffic calming features, including but not limited to roundabouts and traffic signals, along the Okeechobee Boulevard corridor.
- b) Continue to work with Palm Beach County to define and program appropriate future roadway improvements that implement Town planning policy.
- c) Review and revise as appropriate the Town's sector planning policies if and when Okeechobee Boulevard improvements are incorporated within the County's Five-Year Transportation Improvement Program (TIP).

1.17.2 Policy:

Commercial development along Okeechobee Boulevard shall be limited to Activity Centers, Cottage Industries, and Individual Small Businesses (ISB), as follows.

- a) For the purposes of this Policy, an Activity Center shall consist of a node or center of activity located at an intersection, and including multiple businesses and/or uses. An Activity Center may consist solely of commercial uses or a combination of commercial, institutional, civic, and/or recreational uses. The commercial component of an Activity Center shall provide for the daily incidental retail and service needs of the surrounding residential area. An Activity Center may be assigned either a Commercial Low (CL) or Commercial Low Office (CL-O)

Future Land Use (FLU) designation, or a combination of Town Future Land Use categories regulated by a single site plan.

- b) For the purposes of this Policy, a Cottage Industry shall consist of a single business activity carried on within a principal homesteaded residence or within a structure accessory to a principal homesteaded residence where outside workers may be employed, customers may be received and the maximum floor-area-ratio of all non-residential uses shall not exceed 0.025). A Cottage Industry is assigned an RR-5 FLU designation and, by definition, does and shall not constitute urban sprawl or contribute to strip commercial development.
- c) For the purposes of this Policy, an Individual Small Business (ISB) is defined as a single commercial or service use oriented to serving the neighboring community where the maximum floor-area-ratio of all buildings shall not exceed 0.05). An ISB shall not constitute urban sprawl or contribute to strip commercial development. An ISB is assigned a CL, CL-O or INST FLU designation.

1.17.3: Policy:

An Activity Center shall comply with the following performance standards:

- a) Maximum parcel size: 10 acres_if a Commercial Low or Commercial Low Office component is included.
- b) Tenant mix: Multiple Town-oriented commercial businesses or a combination of the following non-residential uses; Town-oriented commercial, civic, cultural and/or recreational.
- c) Maximum Floor-Area-Ratio (F.A.R.): (a) Commercial only Activity Center – 0.05; (b) Mixed-Use Activity Center (i.e. combination of three or more of the following uses: commercial; institutional; civic; and/or recreational per the Town’s ULDC zoning district use tables) - 0.1 with commercial component not to exceed 0.075 F.A.R.

- d) An Activity Center with an F.A.R. exceeding 0,05 shall require a Category A Special Exception approval by the Town Council as part of the rezoning process.
- e) Maximum height: Two stories.
- f) Rear setback: 100 feet.
- g) Rural Vista Guidelines: Required.

1.17.4 Policy:

As long as Okeechobee Boulevard is maintained as a 2-lane segment, the total amount of Activity Center commercial low and commercial low office space along the corridor shall not exceed a maximum of 49,000 sq. ft. unless increased by the Town Council. The maximum Activity Center threshold shall be reviewed by the Town Council on an annual basis following a recommendation by the Planning and Zoning Board.

1.17.5 Policy:

Individual Small Businesses shall comply with the following performance standards:

- a) The size of an ISB use shall be no larger than the amount of space which will exceed the “insignificant impact” traffic generation threshold on Okeechobee Boulevard, as defined by a Palm Beach County Traffic Performance Standards (TPS) review, or its equivalent by the Town consulting engineer.
- b) An ISB use may include a residence as an accessory use to accommodate business owner or an employee household.
- c) The Activity Center commercial threshold of 49,000 sq. ft., as stated in Policy 1.16.4, shall not apply to ISB applications.

1.17.6 Policy:

The Town shall discourage an accumulation of vacant non-residential land use designations along the Okeechobee Boulevard corridor.

- a) Implement Future Land Use Amendment requirements and conditions of approval to supplement the sector planning program to insure appropriateness and timeliness of a Future Land Use Plan Amendment application.
 - 1) A market study documenting current and near-term future support for a proposed Activity Center shall be submitted.
 - 2) A Master Plan in conformance with the requirements of Section 41.3.C.2.b of the ULDC, including a TPS review by the County, or its equivalent by the Town consulting engineer, shall be a required component of an Activity Center or an ISB Future Land Use Amendment application.
 - 3) The Special Policy provisions of Objective 1.15 may be used to impose appropriate conditions of approval upon an Activity Center or ISB application necessary to address use, intensity, timing, compatibility and other relevant issues as determined by the Town Council.
 - 4) Enact and enforce a “sunset” review procedure tied to the Master Plan for approved Activity Center and ISB Future Land Use Amendments to insure timely project implementation.

ATTACHMENT A

Documents Related to Okeechobee Boulevard Land Use

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ATTACHMENT A-1

SUMMARY OF LAND USE BOARDS TOTAL PARCELS = 72

1. Ownership Board (mailing address of the owner – personal or business)

- Loxahatchee Groves – 32 (44%) representing 132 acres (31%)
- Palm Beach County – 26 (36%) representing 202 acres (47%)
- In-State – 11 (15%) representing 76 acres (18%)
- Out-of-state – 3 (4%) representing 19 acres (4%)

2. Classified Agriculture – 25 parcels (33%) representing 154 acres (36%)

3. Institutional Parcels (developed or vacant parcels owned by institutions) – 17 parcels (24%) representing 113 acres (26%)

4. Residential Units - 26 parcels (36%) representing 138 acres (32%)

- Dwelling Units – 30
- Homestead Units – 9 (12%) representing 30 acres (7%)

5. Vacant Parcels – 18 parcels (25%) representing 112 acres (26%)

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DATE: _____ BY: _____			TOWN OF LOXAHATCHEE GROVES East of F Road Okeechobee Boulevard Access Control Plan ALTERNATIVE 1	SHEET NO. 7
SCALE: AS NOTED PROJECT NO.: _____ CVD FILE: _____				

Okeechobee Blvd. Land Use Inventory

No.	PCN	Location	Side	Acres	Land Use	Bldg.(sq.ft.)	Address/Owner
1	41-40-43-25-00-000-1000	W of A	N	13.02	Nursery/Wholesale	0	2005 "A" Road/Duck Puddle South LP/Palm Beach
2	41-40-43-25-00-000-1610	W of A	S	29.90	Elementary School	69124	16020 Okeechobee/Palm Beach School District
3	41-40-43-25-00-000-1000	W of A	S	26.87	Nursery/Wholesale	0	Same as #1
4	41-41-43-17-01-111-0010	A-B	N	14.00	Nursery/Wholesale	0	No address/LAS Farms of the P.B./Coral Springs
5	41-41-43-17-01-112-0020	A-B	N	9.00	Vacant	0	No address/Mazeika Family Ltd./Colorado
6	41-41-43-17-01-112-0010	A-B	N	5.00	Nursery/Wholesale	1568	1551 "B" Road/Basile Trust/West Palm Beach
7	41-41-43-17-01-109-0030	A-B	S	5.00	Nursery/Wholesale	0	15960 Okeechobee/AMKBJ Partners LLP/Lk. Worth
8	41-41-43-17-01-109-0020	A-B	S	5.00	Nursery/Wholesale	960	1950 "A" Road/AMKBJ Partners/Lake Worth
9	41-41-43-17-01-109-0010	A-B	S	4.30	Single Family	1900	15778 Okeechobee/Danison/Lox. Groves
10	41-41-43-17-01-110-0020	A-B	S	5.00	Nursery/Wholesale	728	15720 Okeechobee/888 Farms LLC/W. Palm Beach
11	41-41-43-17-01-110-0010	A-B	S	9.00	Nursery/Wholesale	624	15550 Okeechobee/Chandi Farms/Boynton Beach
12	41-41-43-17-01-213-0010	B-C	N	3.65	Nursery/Wholesale	2520	2100 "B" Road/Doyle, Googe, Spierko/Ft. Pierce
13	41-41-43-17-01-213-0020	B-C	N	1.52	Nursery/Wholesale	0	No address/Hsu Chang & Hse Chiu Chu/Lox Groves
14	41-41-43-17-01-213-0050	B-C	N	0.76	Single Family	1801	15415 Okeechobee/Same as #13/Lox Groves
15	41-41-43-17-01-213-0060	B-C	N	0.76	Nursery/Wholesale	0	No address/Same as #13/Lox Groves
16	41-41-43-17-01-213-0070	B-C	N	0.76	Vacant		No address/Aida/15347 Okeechobee/Lox Groves
17	41-41-43-17-01-213-0080	B-C	N	0.99	Single Family	2074	15347 Okeechobee/Same as #18
18	41-41-43-17-01-213-0090	B-C	N	0.98	Single Family	1720	15339 Okeechobee/Romero/Lox Groves
18a	41-41-43-17-01-213-0170	B-C	N	1.10	Single Family	764	2079 Jewel Lane/Alfaro/West Palm Beach
19	41-41-43-17-01-213-0010	B-C	N	1.50	Vacant	0	No address/Miller Trust/Green Cove Springs
20	41-41-43-17-01-213-0120	B-C	N	0.75	Single Family	2883	15259 Okeechobee/Lanouette/Lox Groves
21	41-41-43-17-01-212-0030	B-C	N	5.00	Vacant	1440	15211 Okeechobee/Planet Kidz/Lake Worth
22	41-41-43-17-01-212-0010	B-C	N	6.00	Single Family	1806	15151 Okeechobee/Danison/Lox Groves
23	41-41-43-17-01-212-0020	B-C	N	5.00	Nursery/Wholesale	7487	15041 Okeechobee/Gesell, Subaranya TR/Lox Groves
24	41-41-43-17-01-211-0010	B-C	S	5.56	Vacant	0	No address/Markow/Meibourne
25	41-41-43-17-01-211-0020	B-C	S	6.12	Nursery/Wholesale	2500	15310 Okeechobee/Vinkemulder/Pompano Beach
26	41-41-43-17-01-210-0010	B-C	S	12.00	Vacant	0	"C" Road/MJM Groves/Boca Raton
27	41-41-43-17-01-313-0020	C-D	N	8.85	Vacant	0	14965 Okeechobee/Acts II Worship Center/ L. Groves
28	41-41-43-17-01-313-0010	C-D	N	6.56	Vacant	0	No address/CEBU Ltd/Boynton Beach
29	41-41-43-17-01-312-0030	C-D	N	5.35	Single Family	1344	14701 Okeechobee/Ridgeline Dev Corp/N. Palm Beach
30	41-41-43-17-01-312-0020	C-D	N	3.00	Single Family	3551	14625 Okeechobee/Ashton/Lox Groves
31	41-41-43-17-01-312-0010	C-D	N	4.91	Day Care	6169	14563 Okeechobee/Preschool Mgt. II, Inc./ W. P. Bch
32	41-41-43-17-01-312-0040	C-D	N	2.00	Nursery/Wholesale	2322	14523 Okeechobee/Hankla/Lox Groves
33	41-41-43-17-01-311-0010	C-D	S	5.08	Nursery/Wholesale	0	14920 Okeechobee/Hicks/West Palm Beach
34	41-41-43-17-01-311-0020	C-D	S	4.88	Nursery/Wholesale	0	No address/Hicks/West Palm Beach

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No.	PCN	Location	Side	Acres	Land Use	Bldg. (sq.ft.)	Address/Owner
35	41-41-43-17-01-310-0010	C-D	S	4.90	Nursery/Wholesale	0	"C" Road/Hicks/West Palm Beach
36	41-41-43-17-01-310-0020	C-D	S	4.88	Nursery/Wholesale	0	"C" Road/Valliere/Wellington
37	41-41-43-17-01-310-0030	C-D	S	4.90	Nursery/Wholesale	0	"C" Road/Sheeley/Lox Groves
38	41-41-43-17-01-413-0040	D-E	N	4.94	Nursery/Wholesale	800	14375 Okeechobee/Future Family Ltd/Parkland, FL
39	41-41-43-17-01-413-0020	D-E	N	5.00	Nursery/Wholesale	0	No address/Hejaz/Pennsylvania
40	41-41-43-17-01-413-0030	D-E	N	5.00	Nursery/Wholesale	0	14301 Okeechobee/Future Family Ltd/Parkland,
41	41-41-43-17-01-412-0030	D-E	N	5.02	Vacant	0	No address/Community of Hope/Lox Groves
42	41-41-43-17-01-412-0020	D-E	N	5.02	Vacant	0	No address/Community of Hope/Lox Groves
43	41-41-43-17-01-412-0010	D-E	N	15.19	Church	29,834	No address/Community of Hope/Lox Groves
44	41-41-43-17-01-411-0010	D-E	S	13.25	Nursery/Wholesale	480	1930 "D" Road/Villa Palm Beach LLC/Miami
45	41-41-43-17-01-410-0020	D-E	S	3.32	Fire Station	6435	14200 Okeechobee/PB County Fire Rescue
46	41-41-43-17-01-410-0010	D-E	S	5.00	Nursery/Wholesale	0	14148 Okeechobee/Collier Tr/Lox Groves
47	41-41-43-17-01-410-0030	D-E	S	4.48	Church	15,975	14046 Okeechobee/7th Day Adventists/L. Groves
48	41-41-43-17-01-513-0030	E-F	N	5.00	Nursery/Wholesale	2030	1924 "E" Road/Odums/Lox Groves
49	41-41-43-17-01-513-0020	E-F	N	5.00	Single Family	2550	13859 Okeechobee/Tuyet Thi Payne TR/L. Groves
50	41-41-43-17-01-513-0010	E-F	N	4.76	Church	2444	13771 Okee/Apostolic Int. Ministries/Lox Groves
51	41-41-43-21-01-003-0000	E-F	N	7.84	Church	11203	13689 Okee./Palms W. Presbyterian Ch./Lox Groves
52	41-41-43-17-01-512-0010	E-F	N	5.00	Vacant	0	No address/Cloyd, Crotan, Epping, etc./Lk. Worth
53	41-41-43-17-01-512-0030	E-F	N	1.86	Nursery/Wholesale	0	No address/Zolghar./Lk. Worth
54	41-41-43-17-01-511-0020	E-F	S	3.07	Nursery/Wholesale	0	13960 Okeechobee/Penturbian Prop/Lake Worth
55	41-41-43-17-01-511-0010	E-F	S	5.06	Single Family	2242	13840 Okeechobee/Vache/Lox Groves
56	41-41-43-17-01-511-0030	E-F	S	5.07	Vacant	0	13840 Okeechobee/Vache/Lox Groves
57	41-41-43-17-01-510-0030	E-F	S	5.00	Nursery/Wholesale	2892	13710 Okeechobee/Magic Prop/California
58	41-41-43-17-01-510-0020	E-F	S	5.00	Nursery/Wholesale	0	13640 Okeechobee/Lox. Land Co/Vero Beach
59	41-41-43-17-01-510-0010	E-F	S	3.21	Vacant	0	13858 Okeechobee/Tetrault/Lox Groves
60	41-41-43-17-01-614-0030	E of F	N	10.00	Single-Family	2916	2056 "F" Road/Choquette/West Palm Beach
61	41-41-43-17-01-614-0020	E of F	N	4.78	Rec/Comm Center	4332	13625 Okee/Portuguese Am Cultural Club/ Lox Groves
62	41-41-43-17-01-614-0010	E of F	N	5.00	Vacant	0	No address/Sir One Inv. Inc/Indianatic, FL
63	41-41-43-17-01-632-0010	E of F	N	19.33	Vacant	0	No address/Multiple Ind/West Palm Beach
64	41-41-43-17-01-613-0020	E of F	S	4.91	Vacant	0	No address/Prof Fire Fighters & Paramed/W.P.B.
65	41-41-43-17-01-613-0030	E of F	S	4.90	Church	6840	13390 Okee/Cuhuch of God at R. P. B./Lox Groves
66	41-41-43-17-01-613-0040	E of F	S	5.00	Vacant	0	No address/Church of God at R.P.B/Lox Groves
67	41-41-43-17-01-613-0010	E of F	S	10.00	Nursery/Wholesale	2684	13184 Okeechobee/Davis/Lox Groves
68	41-41-43-17-01-633-0020	E of F	S	4.91	Church	7773	13095 Okee/First Holiness Ch/Lox Groves

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No.	PCN	Location	Side	Acres	Land Use	Bldg.(sq.ft.)	Address/Owner
69	41-41-43-17-01-633-0030	E of F	S	4.91	Church	10436	13000 Acts II Worship Center/Lox Groves
70	41-41-43-17-01-633-0040	E of F	S	4.90	Commercial	35263	12940 Okeechobee/R Broke Now LLC/Lox Groves
71	41-41-43-17-01-633-0010	E of F	S	9.31	Single Family	3244	12900 Okeechobee/Day/West Palm Beach

443.89

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Summary By Land Use				
Parcel	Location	Side	Acres	Land Use
43	D-E	N	15.19	Church
47	D-E	S	4.48	Church
50	E-F	N	4.76	Church
51	E-F	N	7.84	Church
65	E of F	S	4.90	Church
68	E of F	S	4.91	Church
69	E of F	S	4.91	Church
70	E of F	S	4.90	Commercial
31	C-D	N	4.91	Day Care
2	W of A	S	29.90	Elementary School
45	D-E	S	3.32	Fire Station
1	W of A	N	13.02	Nursery Wholesale
3	W of A	S	26.87	Nursery Wholesale
4	A-B	N	14.00	Nursery Wholesale
6	A-B	N	5.00	Nursery Wholesale
7	A-B	S	5.00	Nursery Wholesale
8	A-B	S	5.00	Nursery Wholesale
10	A-B	S	5.00	Nursery Wholesale
11	A-B	S	9.00	Nursery Wholesale
12	B-C	N	3.65	Nursery Wholesale
13	B-C	N	1.50	Nursery Wholesale
15	B-C	N	0.76	Nursery Wholesale
23	B-C	N	5.00	Nursery Wholesale
25	B-C	S	6.12	Nursery Wholesale
32	C-D	N	2.00	Nursery Wholesale
33	C-D	S	5.08	Nursery Wholesale
34	C-D	S	4.88	Nursery Wholesale
35	C-D	S	4.90	Nursery Wholesale
36	C-D	S	4.88	Nursery Wholesale
37	C-D	S	4.90	Nursery Wholesale
38	D-E	N	4.94	Nursery Wholesale
39	D-E	N	5.00	Nursery Wholesale
40	D-E	N	5.00	Nursery Wholesale
44	D-E	S	13.25	Nursery Wholesale
46	D-E	S	5.00	Nursery Wholesale
48	E-F	N	5.00	Nursery Wholesale
53	E-F	N	1.86	Nursery Wholesale
54	E-F	S	3.07	Nursery Wholesale
57	E-F	S	5.00	Nursery Wholesale
58	E-F	S	5.00	Nursery Wholesale
67	E of F	S	10.00	Nursery Wholesale
61	E of F	N	4.78	Rec/Comm Center
9	A-B	S	4.30	Single Family
14	B-C	N	0.76	Single Family
17	B-C	N	0.99	Single Family
18	B-C	N	0.98	Single Family
18a	B-C	N	1.10	Single Family
20	B-C	N	0.75	Single Family
22	B-C	N	6.00	Single Family
29	C-D	N	5.35	Single Family
30	C-D	N	3.00	Single Family
49	E-F	N	5.00	Single Family
55	E-F	S	5.06	Single Family

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71		E of F	S	9.31	Single Family
60		E of F	N	10.00	Single-Family
5		A-B	N	9.00	Vacant
16		B-C	N	0.76	Vacant
19		B-C	N	1.50	Vacant
21		B-C	N	5.00	Vacant
24		B-C	S	5.56	Vacant
26		B-C	S	12.00	Vacant
27		C-D	N	8.85	Vacant
28		C-D	N	6.56	Vacant
41		D-E	N	5.02	Vacant
42		D-E	N	5.02	Vacant
52		E-F	N	5.00	Vacant
56		E-F	S	5.07	Vacant
59		E-F	S	3.21	Vacant
62		E of F	N	5.00	Vacant
63		E of F	N	19.33	Vacant
64		E of F	S	4.91	Vacant
66		E of F	S	5.00	Vacant
				443.87	

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ATTACHMENT A-2

Review of Comp Plan Elements – Non-Residential Development

While still an unincorporated community, residents of Loxahatchee Groves formed the Loxahatchee Groves Neighborhood Planning Committee and sought the assistance of the Palm Beach County Planning Division to develop a neighborhood plan. The community established the following goals for the Neighborhood Plan:

- Preserving the natural environment and rural atmosphere for residents.
- Providing a balance between property owners' interests and land use.
- Encourage consistency of architectural design and use of native plant buffers.
- Promote responsible code enforcement and prevent obnoxious noise.
- Promote recreational opportunities.
- Settle land use conflicts.
- Maintain low-impact non-residential and residential land uses on Okeechobee Boulevard and State Road 80 (Southern Boulevard).

Prior to drafting its initial comprehensive plan, the Town completed a strategic planning and visioning process in 2008. During public participation sessions, residents were polled on various concepts including natural environment, land uses, transportation, architectural and urban design, and town management.

The vision for the future of the community, as stated in the resultant Strategic Plan is as follows:

“Loxahatchee Groves will protect its natural environment and rural character in the midst of an urbanizing region. The Town will continue to be a rural residential and agricultural community that has great respect for lifestyle choices balanced with historical community needs. This is reflected in a cost effective, minimal government structure that strives to protect the environment and our quality of traditional lifestyles.”

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The Comprehensive Plan was adopted in 2009, and found in Compliance with state law by the Florida Department of Economic Opportunity in 2011. The following paragraphs present an element-by-element summary of Comprehensive Plan goals, objectives and policies, as they relate to the issue of non-residential development on Okeechobee Boulevard and Southern Boulevard.

A. Element: Future Land Use: Non-Residential Land Use Directives

Goal	Objective	Policy Statement
<p>Future Land Use Goal 1: Loxahatchee Groves will continue to protect its natural environment and character in the midst of an urbanizing region. The Town will Continue to be a rural residential and agricultural community that has a great respect for lifestyle choices balanced with historical community needs.</p>	<p>1.1: Designate future land uses with appropriate uses, densities and intensities that will protect residential and agricultural land uses and encourage limited economic development.</p>	<p>1.1.1 Land use shall be determined by a Future Land Use Map</p>
		<p>1.1.2 Regulate density and intensity or land uses as noted in Table 1-8 (NOTE: RR 5 – Non-residential F.A.R. = 0.2; CL – F.A.R. = 0.1, CL-O F.A.R. = 0.2; INST – F.A.R. = 0.1.</p>
		<p>1.1.3 Ensure that future land use designations are compatible with adjacent land uses within and outside of the Town.</p>
		<p>1.1.4: Land development regulations will, at a minimum:</p> <ul style="list-style-type: none"> b) Regulate the use of land and water consistent with this Comprehensive Plan and ensure compatibility of adjacent land uses and provide for open space. h) Establish codes to allow diverse low impact home-based businesses. i) Establish codes to regulate uses that create large scale places of assembly. j) Buffer residential uses from non-residential uses using mechanisms to promote and enhance the rural natural environment.

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Goal	Objective	Policy Statement
<p>Future Land Use Goal 1 (continued)</p>	<p>Objective 1.1 (continued)</p>	<p>1.1.5 In reviewing applications for development permits, the Town shall consider all relevant factors, including but not limited to, consistency and compatibility with the Future Land Use Element of the Comprehensive Plan, together with all other Comprehensive Plan elements. The Town shall also consider compatibility with adjacent zoning, approved plats and existing land uses, including occupied residential areas.</p>
		<p>1.1.8 The Town shall continue to maintain the rural zoning regulations for areas designated Rural Residential in order to protect and preserve the rural communities of present and future residents of these areas. The regulations shall, at a minimum:</p>
		<p>5. Maintain specific regulations to restrict the types of non-residential and nonagricultural uses allowed and promote the rural character through design.</p> <p>6. Allow home occupation uses that will not degrade the rural character of the area.</p> <p>8. Include provisions that: encourage maximizing the preservation of open space and protection of native vegetation and tree canopy in front, rear, and side yards; preserve environmental systems; protect wildlife; and, retain the rural character.</p>
		<p>1.1.12 The Town shall base all future land use decisions upon and consistent with the adopted Comprehensive Plan.</p>

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Goal	Objective	Policy Statement
Future Land Use Goal 1 (continued)	1.2: Support development of rural-style commercial center along the Southern Boulevard corridor.	1.2.1 Limit new commercial development to areas south of East Citrus Road border to border.
		1.2.2 Examine a special taxing district for non-residential uses south East Citrus Road border to border by December 2010.
		1.2.3 Endorse a substantial equestrian facility along the Southern Boulevard Corridor.
		1.2.4: Consider extension of Tangerine Drive from the equivalent of 161 st Terrace to "E" Road.
	1.3 Strive to encourage a rural community design and look.	1.3.1 The Town shall adopt an ordinance for non-residential development that reflects and updates the Rural Vista Guidelines by January 2010.
	1.12 The Town shall consider changes to the future land use plan based upon energy-efficient land use patterns and discouragement of sprawl accounting for existing and future energy electric power generation and transmission systems.	1.12.3 The Town shall encourage development of a rural-style commercial center along the Southern Boulevard Corridor to provide a center of accessible shopping, recreation, and employment opportunities for Loxahatchee Groves' residents.
		1.12.4 The Town shall continue to allow home based businesses to the extent that impacts are compatible with an agricultural/residential community.

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B. Element: Transportation - Non-Residential Land Use Directives

Goal	Objective	Policy Statement
<p>Transportation Goal 1: The Town of Loxahatchee Groves shall provide, maintain and improve a safe, convenient and energy efficient multi-modal transportation system that is consistent with growth management principles, and is coordinated with a regional network which balances the needs of all current and future users so as to ensure the economic vitality of the Town and the enhancement of the quality of life.</p>	<p>2.1: Ensure that adequate public facilities are available concurrent with the impacts of development, and shall monitor impacts resulting from new development.</p>	<p>2.1.1 Adopt the generalized two-way peak hour volumes for Florida's Urbanized Areas for all County urban collector roadways at the LOS D standard.</p>
	<p>2.3: Develop a greenway and equestrian trail system to meet the needs and interests of the residents of Loxahatchee Groves.</p>	<p>2.1.2 Adopt the generalized two-way peak hour volumes at the Level of Service standards established by the FDOT for all roadways on the State Highway System.</p>
	<p>2.5: Coordinate the transportation system with the future land use map and ensure land uses are consistent with transportation modes and services pr opposed to serve those areas.</p>	<p>2.1.5 Prior to granting a building permit, an applicant shall obtain transportation concurrency approval from PBC and the Town. No building permit will be issued unless documentation of the concurrency approval has been presented.</p>
	<p>2.3: Develop a greenway and equestrian trail system to meet the needs and interests of the residents of Loxahatchee Groves.</p>	<p>2.3.1 Create a map of existing equestrian riding trails.</p>
		<p>2.3.3: A master plan for a cohesive trail system shall be completed within on year of the adoption of this element.</p>
		<p>2.3.5 The greenway and equestrian trails system, whenever feasible, shall provide connections between residential homes, parks, recreational facilities, open spaces and commercial facilities throughout the Town.</p>
	<p>2.5: Coordinate the transportation system with the future land use map and ensure land uses are consistent with transportation modes and services pr opposed to serve those areas.</p>	<p>2.5.1 Encourage connectivity among all new development and redevelopment projects so as to minimize impacts on the roadway network.</p>
		<p>2.5.2 Colocate where possible primary civic facilities, thereby reducing the number of vehicle trips.</p>

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Goal	Objective	Policy Statement
Transportation Goal 1 (continued)	2.5 (continued)	2.5.3: Coordinate the transportation system with land uses through implementation of, but not limited to, the following programs, activities or actions: 3. All opportunities to provide adequate bus shelters will be explored.
	2.7: Maintain a safe local roadway network.	2.7.2 Continue to encourage joint use of driveways and cross access agreements among adjoining property owners to allow circulation between sites and reduce the number of vehicular trips along roadways.
		2.7.7 (summarized): The MREG shall be used to guide future roadway maintenance and safety improvements.

C. Element: Conservation - Non-Residential Land Use Directives

Goal	Objective	Policy Statement
Conservation Goal 4: To conserve, manage, appropriately use and protect the natural resources of the Town ensuring continued resource availability and environmental quality	4.2: Conserve, appropriately use and protect the quality and quantity of current and projected water sources and appropriately regulate the Town's storm water run-off and other water sources and waters that flow into estuarine waters or oceanic waters.	4.2.3: Ensure that existing and new development shall be serviced with an adequate supply of potable water at the adopted levels of service, and that, at a minimum, meet the state water quality standards..
		4.2.8 Provide for open space as a part of the requirements for all development and redevelopment to promote shallow water aquifer recharge and stormwater filtration.
	4.3: Assure that generation, storage, transport and disposal of wastes in the Town is managed with the best existing available technology to protect environmental quality.	4.3.5: Work closely with the SWA to ensure small quantity hazardous waste generators dispose of wastes properly as required by the SWA.

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Goal	Objective	Policy Statement
Conservation Goal 4 (continued):	4.6: Assure the maintenance and conservation of trees within the Town, through the continued maintenance of trees within Town properties and through the site plan review process for new development.	4.6.4.: Encourage buffering mechanisms to promote and enhance the rural, natural environment.
	4.7: Wetlands and natural functions of wetlands shall be protected. Future land uses that are incompatible with the protection or conservation of wetlands and wetland functions shall be directed away from wetlands. Where incompatible land uses are allowed to occur, mitigation shall be considered as one means to compensate for loss of wetland functions	4.7.1: Buffering shall be required between wetlands and land uses that may negatively impact the wetland ecosystem.

D. Element: Recreation and Open Space - Non-Residential Land Use Directives

Goal	Objective	Policy Statement
Recreation and Open Space Goal 5A: To provide safe and adequate open space and recreation facilities accessible to all Loxahatchee Groves residents.	5A.1: Provide a sufficient supply of park, recreation, and open space facilities to satisfy established level of service (LOS) standards.	5A.1.2: Encourage development of a public equestrian facility at Loxahatchee Groves Park.
		5A.1.3: Continue to lobby the County to develop the Loxahatchee Groves County Park according to the intent of the original Master Plan and the Plan as amended in January 1991.
	5A.3: Establish effective methods of coordinating public and private resources to meet public demands.	5A.3.2: Pursue appropriate joint public and private ventures to obtain lands and/or financing necessary to provide recreation areas, facilities and programs.

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Goal	Objective	Policy Statement
<p>Recreation and Open Space Goal 5B: The Town of Loxahatchee Groves will strive to provide a town-wide greenway and equestrian trail system which preserves the town's rural lifestyle.</p>	<p>5B.1: Develop a greenway and equestrian trail system to meet the needs and interests of the residents of Loxahatchee Groves.</p>	<p>5B1.2: Identify new connections to existing trails, which if acquired would greatly enhance pedestrian, bicycle, and equestrian circulation throughout the Town.</p>
		<p>5B1.5: The greenway and equestrian trails system, whenever feasible, shall provide linkages between residential homes, parks, recreational facilities, open spaces, and commercial facilities throughout the Town.</p>
	<p>5B.3: The equestrian trail system shall provide access to abutting county parks, open space, and neighboring municipalities.</p>	<p>5B1.8: Use landscaping and signs to visually identify crossings and trail access points. Safe and controlled greenway and equestrian crossings shall be constructed.</p>
		<p>5B3.1: Pursue direct connections and access between the Town's equestrian trail(s) and the Loxahatchee Groves County Park and the Royal Palm Beach Pines Nature Area.</p>
		<p>5B3.2: Pursue direct connections and access between the Town's equestrian trails and the Village of Wellington's equestrian preserves and public trails.</p>

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E. Element: Housing - Non-Residential Land Use Directives

Goal	Objective	Policy Statement
<p>Housing Goal 6: To provide safe, decent and sanitary housing and living conditions in designated residential neighborhoods consistent with: (1) density levels indicated on the Future Land Use Map; and (2) the current rural residential character of the Town. Further, ensure that the character of new housing development is consistent with that currently in evidence while accommodating the needs of projected population growth.</p>	<p>6.2: Adequate and affordable housing, consistent with the rural character of the Town, shall be provided for existing residents and anticipated population growth. . .</p>	<p>6.2.2: Require developers to coordinate with the Town from initial design through completion of construction to assure that the Town's rural character is maintained.</p>
		<p>6.2.8: Encourage job growth at locations identified on the Future Land Use Map and permitted by the Town's land development regulations as a means of assisting very-low, low and moderate income residents in finding employment proximate to their homes.</p>
	<p>6.3: Provision shall be made for the location of daycare, foster care and group home facilities licensed by the state of Florida in a manner consistent with state law and the character of existing residential neighborhoods.</p>	<p>6.3.1: Permit different classes of group home facilities in appropriate residential neighborhoods that foster non-discrimination and encourage the development of community alternatives to institutionalization. Further, no appropriate residential neighborhood shall be closed to such facilities.</p>
		<p>6.3.5: Permit Daycare facilities, for up to five persons, within a single-family residence, as required by Chapter 402, Florida Statutes.</p>

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Existing Non-Residential Controls:

- **Comprehensive Plan**

- Future Land Use (FLU) Classifications: Commercial Low (CL), Commercial Low-Office (CL-O), Institutional and Public Facilities (INST), Recreation and Open Space (ROS), Conservation (CON), and Multiple Land Use (MLU).
- Each FLU Classification has a maximum associated development intensity (floor-area-ratio): CL = 0.10; CL-O = 0.20; INST = 0.10; ROS = 0.10; CON = 0.05; and MLU = Determined by Special Policy.
- Future Land Use Map (See Attached) assigns a FLU designation to each parcel in Town. CL, CL-O, INST and MLU uses are currently located as follows:

CL = N/W corner of "B" Road and Southern Boulevard and Southern Boulevard frontage from "C" Road to "D" Road.

CL-O = N/W corner of "E" Road and Southern Boulevard and N/E corner of "F" Road and Southern Boulevard.

INST = Okeechobee Boulevard - Elementary School

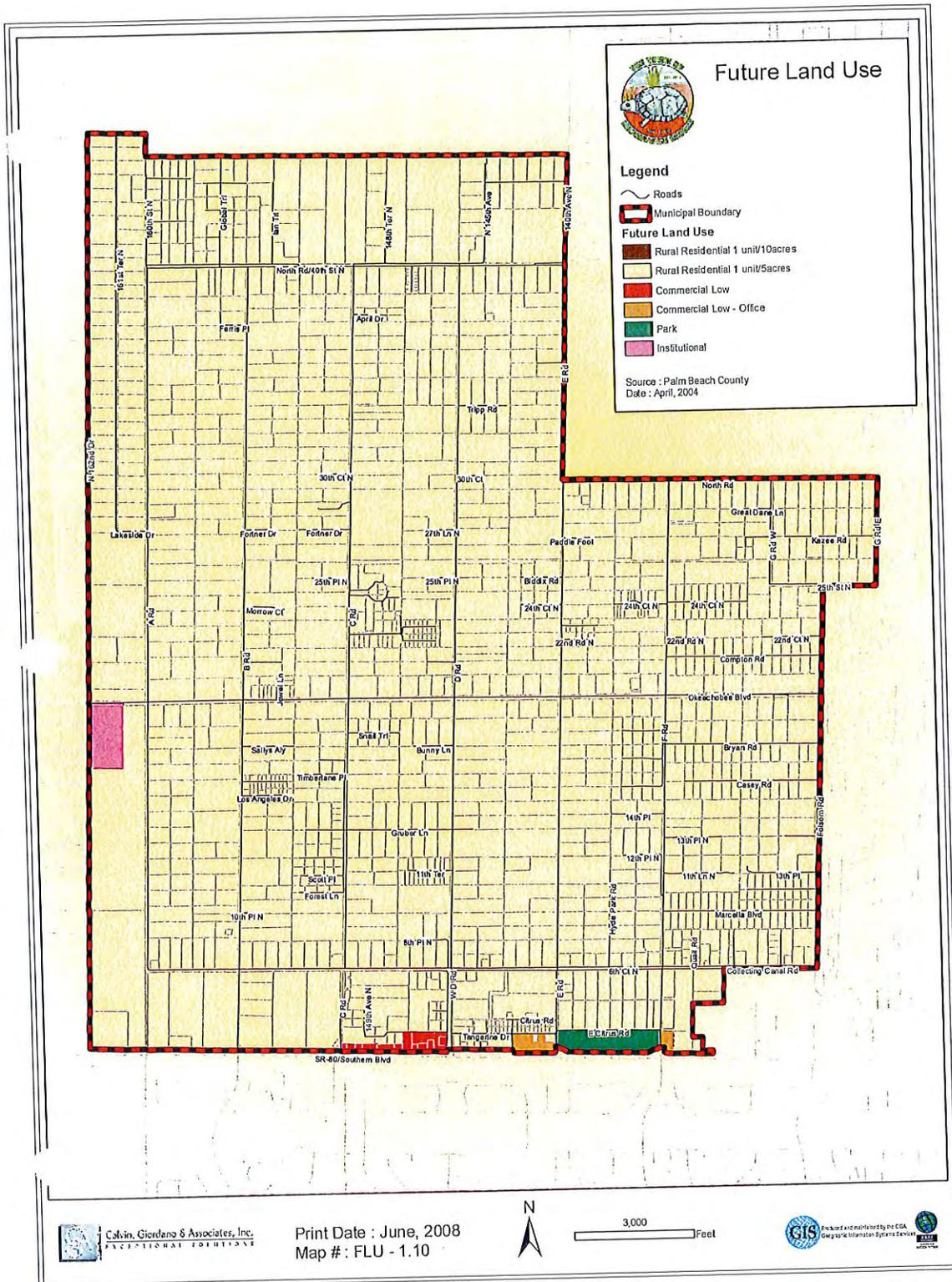
MLU = "B" Road to "C" Road, from Southern Boulevard to Collecting Canal (less the RR-5 parcels at the S/E corner of "B" Road and Collecting Canal).

- **ULDC: Zoning Districts:**

- CL and CL-O Districts: Minimum lot size = 1 acre. Minimum frontage = 150 feet on a paved arterial or collector road. Lot coverage = Maximum 25% of lot. Maximum height = 35 feet. Setbacks: front = 50 feet; side = 25 feet; and rear = 50 feet. Pervious area = Minimum 30% of lot.
- INST District: Minimum lot size = 150 feet x 200 feet. Minimum frontage = 150 feet on a paved arterial or collector road. Lot coverage = Maximum 15% of lot. Maximum height = 35 feet. Setbacks: front = 100 feet; side = 50 feet; and rear = 50 feet. Pervious area = Minimum 50% of lot.

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Current Future Land Use Map



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(G) Construction trailers. One construction trailer (including mobile homes) may be placed on a plot within a nonresidential development subject to the following standards.

(1) Location. The construction trailer shall be in compliance with all setback requirements.

(2) Permit issued. No construction trailer shall be placed upon any such property until a building permit for construction of the principal building has been issued. The permit shall be posted in such a manner that it can be observed from the exterior of the construction trailer.

(3) The construction trailer must be removed from the property upon completion of the principal building(s) or at the end of the one year period, whichever occurs first. The Town Manager may grant one extension of a maximum six months, upon petition from the property owner, provided the petition demonstrates unexpected hardship, and steady construction progress such that construction can reasonably be completed within the six month extension period. A decision of the Town Manager to deny the request for extension may be appealed to the Town Council subject to the requirements of Article 145, "Administrative Appeals".

Section 25-015: Permitted uses.

Plots located in the Commercial Low and Commercial Low Office zoning districts may be used for one or more of the following uses.

Principal Uses	Commercial Low (CL)	Commercial Low Office (CLO)
Adult Entertainment	Permitted subject to Article 20	Not Permitted
Arcade, Video	Permitted	Not Permitted
Automobile Repair Garage	Permitted	Not Permitted
Bank or Financial Institution	Permitted	Permitted
Bar, Lounge, Tavern or Pub	Permitted	Not Permitted
Barber Shop, Beauty or Nail Salon	Permitted	Not Permitted
Pool Hall	Permitted	Not Permitted
Car Wash, Self-Service or Automated	Permitted	Not Permitted
Catering or Food Service Delivery	Permitted	Not Permitted
Child Care Center	Permitted	Not Permitted
Commercial Animal Manure Mgmt.	Not Permitted	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80	Not Permitted
Convenience Store	Permitted	Not Permitted
Dance/Night Club	Permitted	Not Permitted
Day Labor Hiring Center	Permitted w/Special Exception	Not Permitted
Delicatessen	Permitted	Not Permitted

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Theater or Auditorium	Permitted	Not Permitted
Dry Cleaning or Laundry Service	Permitted	Not Permitted
Employment Agency	Not Permitted	Not Permitted
Essential Services and Utilities	Permitted	Permitted
Exhibition of Wildlife Pets	Permitted subject to Article 80	Not Permitted
Gasoline Station	Permitted	Not Permitted
Shooting Range, Indoor	Permitted subject to Article 80	Not Permitted
Hotel	Permitted	Not Permitted
Holiday Wayside Stand	Permitted subject to Article 80	Permitted subject to Article 80
Laboratory (e.g., medical, dental, research)	Permitted	Permitted
Offices (e.g., business, professional, medical)	Permitted	Permitted
Package Liquor, Beer or Wine Store	Permitted	Not Permitted
Outdoor Events	Permitted subject to Article 80 and to a Special Exception	Permitted subject to Article 80 and to a special Exception
Retail Plant or Produce Sales	Permitted	Not Permitted
Restaurant, Fast Food	Permitted	Not Permitted
Restaurant, Full Service	Permitted	Permitted
Restaurant, Take Out Only	Permitted	Permitted
Retail Services	Permitted	Not Permitted
Retail Store	Permitted	Not Permitted
Commercial Recreation (e.g., batting cages, rink)	Permitted	Not Permitted
Veterinary Clinic or Hospital	Permitted	Not Permitted
Warehouse, Self Storage	Permitted	Not Permitted
Wireless Communication Facilities	Permitted	Permitted
Adult Day Care	Permitted	Permitted
Schools, Public or Private	Permitted	Not Permitted
Gym or Fitness Center	Permitted	Permitted

Section 25-020: Prohibited uses.

Any use not expressly, or by inference, permitted in Section 25-015, "Permitted uses," is prohibited.

Section 25-025: Minimum plot size and dimension.

Plots located in the Commercial Low (CL) and Commercial Low Office (CLO) zoning districts are subject to the following size and dimensional standards.

(A) Minimum plot size. One (1) acre.

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ATTACHMENT A-3

To: Town Council
From: Jim Fleischmann
Town Planning Consultant
Re: Summary: Okeechobee Boulevard Workshop – 3/26/2011
Date: April 1, 2011

MEMO

Attendance: Sign-in sheets were provided at the door; separate sheets for those owning property on Okeechobee Boulevard and those not owning property on Okeechobee Boulevard. Total registered attendance was 56, with the following distribution: Okeechobee property owners and their agents (2) – 20 attendees; and Non-Okeechobee Boulevard owners - 36.

It appeared that attendance actually exceeded 56; however, all attendees did not register.

Discussion: It appeared that opinions were generally split between those favoring commercial development along Okeechobee Boulevard (primarily abutting property owners and their agents) and those opposing said development (primarily those not owning property on Okeechobee).

Comments of those opposed to commercial development generally included increased traffic generation, inconsistency with the character of the Town, and whether or not there was a “need” for additional commercial.

Comments of those favoring commercial development generally included the changed character of Okeechobee Boulevard, lack of interest/market for additional residential development along the corridor, the convenience of proximately located commercial for Town residents, and the need for an overall plan for the corridor.

In addition to the survey results listed below, the Town Office also received ten comments from property owners and residents who were unable to attend the workshop via email and regular mail. These emails & letters are attached.

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Survey: A survey was distributed to attendees as a means of generating discussion on the subject of commercial development. The survey contained a list of commercial tenants that normally locate in small commercial spaces in Palm Beach County. For each commercial business listed, the responder could indicate whether or not he/she would like to have such a business locate along Okeechobee Boulevard. There also was a space where the responder could indicate that he/she prefers that no additional commercial businesses locate along Okeechobee Boulevard.

The survey didn't appear to generate any specific discussions; however 36 of the attendees completed and returned it to staff. The results of the survey are summarized, as follows:

1. Those either indicating "no" to each individual business and/or indicating "prefer no commercial" – **14**.
2. Those indicating "yes" to all of the commercial businesses listed – **10**.
3. Those indicating "yes" to some (but not all) of the commercial businesses listed – **10**.
4. One respondent indicated "yes" to all of the commercial businesses listed - but also circled "yes" to "prefer no commercial" – **1**.
5. One respondent did not indicate "yes" or "no" to any of the businesses or circle "prefer no commercial" stated that the Town must plan for development along Okeechobee and limit uses to those that the Town "needs". – **1**.

In addition to the survey, several of the responders wrote additional comments on the form. The following is a summary of the written comments:

1. Permit small agricultural businesses only.
2. Increase in traffic generated by businesses is a concern.
3. Don't permit businesses that may be harmful to the groundwater.
4. Increased crime from commercial a concern.
5. Favor 4-laning of Okeechobee with traffic lights, landscaping and bicycle lanes.
6. Allow green market and community center/park.
7. Limit commercial based upon need.
8. Should prepare a master plan for Okeechobee Boulevard.
9. Commercial needs to be subject to location criteria and design standards.
10. Create an overlay district. *(I ADDED A SEPARATE LINE FOR THIS)*
11. Investigate home business opportunities already permitted by code.
12. Install roundabouts and traffic lights. Keep Okeechobee at 2-lanes.

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**MARCH 26, 2011 OKEECHOBEE BLVD. WORKSHOP
POTENTIAL COMMERCIAL TENANTS**

Business	Yes	No	Comment
Art/Frame Shop			
Auto Service/Parts			
Bank/Savings & Loan			
Barber Shop			
Beauty/Nails/Tanning Salon			
Bicycle Sales/Service			
Coffee Shop			
Confectionary/Ice Cream			
Consignments			
Convenience Store			
Copies/Postal Services			
Deli/Café			
Electronics/Phones			
Fitness Center			
Florist			
Gas/Convenience Store			
Gifts/Cards			
Jewelry Sales/Repairs			
Ladies Apparel			
Laundry/Dry Cleaner/Alterations			
Liquor/Wine			
Men's Apparel			
Natural Foods/Vitamins			
Optical/Hearing Sales			
Pet Grooming/Supplies			
Professional/Medical Offices			
Restaurant/Lounge			
Specialty/Fast-Food Restaurant			
Specialty Food Market			
Sporting Goods			
Travel Agency			
Other – Specify			
Other - Specify			
Prefer No Commercial			

Name: _____ ; Address: _____

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ATTACHMENT A-4

To: Mark Kutney
Town Manager

From: Jim Fleischmann
Town Planning Consultant

Re: Okeechobee Boulevard Floor-Area-Ratio (FAR) Analysis

Date: March 6, 2012

MEMORANDUM

The 71 properties fronting the north and south sides of Okeechobee Boulevard within the Town's corporate limits were inventoried, using Palm Beach County Property Appraiser data in order to gain an understanding of building FARs along the corridor.

A summary of the findings of the inventory, by generic land use category are as follows:

A. Wholesale Nursery properties – Total of 30 parcels

1. Total Acreage – 189.68
2. Range in parcel size – 1.50 to 26.87 acres
3. Range in building (structure) sized – 0 to 7,487 sq. ft.
4. Range in FARs – 0.00 to 0.0344

B. Residential properties – Total of 12 parcels

1. Total Acreage – 51.50
2. Range in parcel size – 0.76 to 10.00 acres
3. Range in building (structure) sized – 764 to 3,551 sq. ft.
4. Range in FARs – 0.0067 to 0.0882

C. Religious Institution properties – Total of 7 parcels

1. Total Acreage – 46.99
2. Range in parcel size – 4.48 to 15.19 acres
3. Range in building (structure) sized – 2,444 to 29,834 sq. ft. (approved)
4. Range in FARs – 0.0118 to 0.0819

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D. Institutional Use properties – Total of 4 parcels

1. Total Acreage – 42.91
2. Range in parcel size – 3.32 to 29.9 acres
3. Range in building (structure) sized – 4,332 to 69,214 sq. ft.
4. Range in FARs – 0.0208 to 0.0531

E. Commercial properties – Total of 1 parcel

1. Total Acreage – 4.90
2. Building (structure) size – 35,263 sq. ft.
3. FAR – 0.1652

F. Vacant properties – Total of 17 parcels

1. Total Acreage – 106.79
2. Range in parcel size – 0.76 to 19.33 acres

Attached is a parcel-by-parcel spreadsheet detailing properties along the Okeechobee Boulevard corridor. The map numbers refer to a large exhibit-size graphic that I have prepared. I can deliver the map to your office for your review.

Jim Fleischmann.
Town Planning Consultant

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ATTACHMENT A-5

Non-Residential Issues and Recommendations

The following issues have been raised either by the Council or during workshop sessions on the topic of non-residential development along Okeechobee and Southern Boulevard.

- **Discourage strip commercial development and an accumulation of vacant non-residential FLU designated lands.**
 - Require applicants for non-residential FLU designations to submit a market study documenting support for a proposed use.
 - Enact and enforce a “sunset” review procedure on non-residential FLU amendments to insure timely project implementation and prevent an unwanted accumulation of vacant non-residential parcels.
 - Encourage themed activity centers or nodes, as opposed to linear non-residential development patterns. Themed activity centers may be assigned a CL, CL-O or INST underlying FLU designation.
 - Determine the characteristics of a non-residential development necessary to qualify as an activity center.
- **Provide property owners along Okeechobee Boulevard with additional development opportunities consistent with the Town’s character.**
 - Consider low impact non-residential land uses along the Okeechobee Boulevard corridor. Low impact uses shall comply with the following criteria: One-story height limitation; floor-area-ratio less than 0.1; Rural Vista Guidelines architectural treatment; “Less than Significant” traffic impact on Okeechobee Boulevard; increased rear setback requirements.
 - Allow a residence as a second principal use in a “low impact non-residential development”, as defined above, as a means of increasing live-work opportunities on Okeechobee Boulevard.
 - Reduce the “Residential Enterprise” Conditional Use limitations in Section 80-20 of the ULDC as they relate to properties fronting Okeechobee Boulevard in order to encourage such uses.

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- Expand the “Home Office” Conditional Use to allow a limited number of clients or customers on properties fronting Okeechobee Boulevard.
 - Create an RR-5/OB (Rural Residential 5/Okeechobee Boulevard) FLU category which will include increased, yet limited, non-residential use opportunities.
- **Implement procedures to limit development intensities (i.e. F.A.R.)**
 - Utilize the Special Policy provisions of Objective 1.15 of the Future Land Use Element to impose conditions of approval on FLU amendments necessary to address use and intensity concerns and insure compatibility with adjacent land uses.
 - Non-residential uses along the Okeechobee Boulevard corridor shall be oriented to providing goods and services to Town residents. A list of appropriate “local serving” businesses can be prepared.
 - Determine the maximum amount of commercial retail and office space allowed along the Okeechobee Boulevard corridor within activity centers. The maximum space thresholds shall be used as one of the criteria to assess FLU Map amendment applications. Thresholds shall not be used to assess low impact non-residential, as defined above, residential enterprise or home office applications.
 - Review commercial thresholds at 5-year intervals, or other interval determined by the Council.
 - In addition to Town residents, non-residential development along the Southern Boulevard corridor may also provide goods and services to neighboring land uses and communities and passing motorists.
 - **Okeechobee as a 4-lane roadway will alter the character of the corridor**
 - In order to maintain the Town’s character, maintain Okeechobee Boulevard as a 2-lane section.
 - Support the implementation of traffic-calming devices along the corridor.

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- Consider the impact of Okeechobee Boulevard as a 4-lane segment upon the commercial and office maximum space allocations at the time that such roadway improvements are included in the County's Five-Year Transportation Improvement Program (TIP).
- **Tangerine Drive/Citrus Road**
 - Review and revise, as necessary, Comprehensive Plan language regarding the function and extent of the Tangerine Drive/Citrus Road corridor.
- **Southern Boulevard Corridor land use planning**
 - Encourage property owners to use the MLU FLU category and the Special Policy provisions of Objective 1.15 of the Future Land Use Element to cooperatively prepare themed "superblock" neighborhood plans. A "superblock" is defined generally as the land encompassed by two letter roads (east and west boundaries), Collecting Canal (northern boundary) and Southern Boulevard (southern boundary).
 - Insure that residential neighborhoods between "D" and "E" Road are adequately buffered from adjacent non-residential development activity.
- **"D" Road**
 - Assess the function of "D" Road as a north-south Town roadway and determine whether or not it should be assigned an "Urban Local" classification.

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The Intent and Objective of Current Planning Efforts on Okeechobee Blvd

Intent: it shall be the Intent of this Comprehensive Plan amendment to ensure that future development occurs at the proper intensities and densities, at the proper locations and during the appropriate timeframe on Okeechobee Blvd. Further, all planning efforts on Okeechobee will be coordinated with Southern Blvd. As such, an Objective and policies will be written into the Plan Goals, Objectives and Policies (GOP's) that address the following considerations.

- It will be necessary to utilize an approach that places emphasis on controlling required development outcomes as opposed to attempting prohibition of or an "outright ban" on any type of development.
- A paramount consideration will be to design a program that ensures strip development will not occur on Okeechobee Road. Encouraged themed activity centers or nodes instead of linear development patterns
- To ensure that Okeechobee does not have undue pressures of any specific type of development (i.e. commercial) a balance of uses should be considered including different types of housing with a slight modification of densities.
- Permitting development based upon timeframes determined by the town dependent upon changing conditions or by setting the conditions and parameters for present and future development
- By 2018, the Town will prepare a Corridor Plan for Okeechobee that will address rural design criteria, land use allocation and assembly; compatibility and distribution issues; transportation needs focusing on access and circulation; provision of services and an assessment of development impacts
- A Sector Plan Program Approach to determine the appropriate allocation and distribution of land use and impact analysis along the corridor at locations to be determined. An applicant would seek an Activity Center designation which would serve as a Node along the corridor." Nodes are centers of activity that draw or bring people to it. They may be junctions, crossings or convergence of paths or points of concentration" (per Kevin Lynch in The Image of the City).
- A series of additional requirements and approaches will be used to supplement the Sector Planning process associated with any proposed comprehensive plan amendment including but not limited to the following: requirement of a market study submission in conjunction with the Sector plan that documents support of the development proposal; enactment of a " sunset provision" for approved sector plans associated with a comprehensive plan amendment; encourage mixed used provisions (e.g. permitting residential units above low impact commercial or office use); and other requirements including a one (1) story requirement for low intensity nonresidential uses and maintenance of floor area ratio of 0.1.

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- A policy related to support of traffic calming measures and efforts to work with Palm Beach County on future widening plans including discussions on the jurisdiction of this County urban Collector Road.
- The Town must commit to strong code enforcement efforts along Okeechobee to ensure that undesirable uses do not locate on Okeechobee and serve to undermine the strategies of this program.
- Encourage the use of Rural Vista Guidelines where applicable or appropriate.
- Activity centers or nodes shall be oriented to providing goods and services to Town residents. In other words proposals should represent neighborhood scaled activity centers that have a limited service area, limited acreage of two to ten acres unless documented otherwise and provide for the daily incidental retail and service needs of the surrounding residential areas. These Centers should provide for the sale of convenience goods and services.
- The town can use Special Policy Provisions of Objective 1.15 of the Future Land use Element to impose conditions of approval within proposed sector plans submitted in support of Comprehensive Plan Amendments to address use, intensity, timing, compatibility and other relevant issues.

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Okeechobee Boulevard Non-Residential Development Policy (Draft 1)

A. Okeechobee Commercial Assumptions:

1. The Future Land Use map and comprehensive plan policies represent the current (i.e. at the time of adoption of the Comprehensive Plan) vision of the Town's ultimate buildout potential, as there is not a future land use category for vacant land. Further, the vision can be modified over time to best reflect current Town attitudes.
2. Commercial land use should be allocated and designed in a manner to serve predominantly Town residents and reflect its rural character.
3. The accumulation of approved but undeveloped commercial land is not in the best interests of the Town or its residents.
4. Market forces should continually be considered by the Town and property owners in the assignment of commercial future land use designations.
5. The desirability of the Okeechobee Boulevard corridor as a potential location for commercial businesses will change if, and when, the roadway is expanded to four-lanes.

B. Code/Comp Plan Considerations:

1. **Code Section 155-030.** "An approved site plan shall be effective until the development is completed, but shall be null and void if a building permit for a principal structure is not issued within one year from the date of site plan approval. The Town Council may grant one extension not to exceed six months duration upon demonstration of hardship and intent to proceed".

A similar provision (i.e. null and void FLUM approval) can be placed in the Comprehensive Plan limiting the amount of time that can elapse between approval of a Future Land Use Map (FLUM) amendment and submittal of rezoning/site plan applications. The limitation, along with the cost of preparing and gaining approval of the applications and payment of impact fees, will serve to inhibit speculative proposals. Additional provisions can be included to insure that a speculative FLUM designation is not approved, including: (1) If an approved site plan becomes null and void, pursuant to Code Section 155 -030, the FLUM approval is automatically voided as well; and (2) prohibit the submittal of a repeat FLUM amendment application for a period of time on a parcel with a previously voided approval.

2. **Future Land Use Element Objective 1.15** (added by MLU Amendment 11-1.1A). "Special land use policies may be adopted by Loxahatchee Groves when necessary to address site-specific issues related to implementing the Loxahatchee Groves Comprehensive Plan and its special planning studies".

A series of policies can be added to the Comprehensive Plan addressing commercial development along the Okeechobee Boulevard. These policies will be short of a master plan; however, they can be used as a starting point.

Some initial suggestions for special policies:

1. Limit all commercial development along Okeechobee to an FAR of 0.10.
2. All commercial buildings will be limited to one-story in height.
3. Rural Vista Guidelines shall guide all commercial development activities.
4. Commercial FLUM amendments will be conditioned upon applying for rezoning and site plan approvals within 6 months of the FLUM approval, or be rescinded.
5. Applications for non-commercial (e.g. religious institutions, social clubs, etc.) zoning/site plan approvals for permitted, conditional use and special exception uses will continue to be processed provided that they can demonstrate that peak-hour traffic generation does not coincide with the current peak-hour, as defined by traffic count data generated by the County Engineering Department.
6. Commercial buildings/bays for a single tenant shall be limited to a maximum of 20,000 sq. ft. (equivalent to the maximum size of a single-tenant business on a 5 acre parcel at an FAR of 0.10).

C. Commercial Space Allocation within the CL and CL-O FLUM Designations:

1. Principal Assumption: The amount of commercial land use (retail and office) allocated on the FLUM shall not exceed the amount necessary to serve an area consisting predominantly of Town residents at buildout (i.e. as determined by the current residential buildout of the FLUM).

2. Data Sources/Calculations:

- 2010 Census: Population = 3,180 residents; Dwelling Units = 1,222; Households = 1,105. Calculated Population/Residential Unit = 2.60; Population/Household = 2.88.

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- Palm Beach County Property Appraiser (2009): Existing dwelling units = 1,109; Additional development potential under RR5 FLUM designation = 800 units. Calculated buildout residential units = 1,909 dwelling units (i.e. existing units + additional development potential). Calculated buildout residential population (1,909 units x 2.60 persons per dwelling unit) = 4,961 residents.
- Calculation of population served by "predominantly Town oriented" commercial facilities (i.e. assumed at 50% + 1 of the population served) = 4,961 residents + 4,960 non-residents = 9,921 residents.
- Calculation of maximum supportable commercial space: Population served x 10 sq. ft. (may be debatable and need justification) = 9,921 residents x 10 = 99,210 sq. ft. – Round to 100,000 sq. ft. This is roughly the equivalent of 5 commercial developments, each on a five-acre parcel at an FAR of 0.10.

3. Recommendations:

- Limit commercial (retail and office) development along Okeechobee Blvd. to a maximum of an additional 100,000 sq. ft. until such time (if and when) Okeechobee Boulevard is programmed and funded for improvement to four lanes in the County's Five-Year Transportation Improvement Program.
- At the time of the Town's next Evaluation and Appraisal Report (EAR) of the Comprehensive Plan, currently scheduled for 2015, summarize commercial development activity to that point and evaluate the need to adjust the 100,000 sq. ft. maximum allocation and any related Comprehensive Plan policies.
- The Red Barn, an existing facility that is not currently assigned a commercial FLUM designation, shall not be included in the 100,000 sq. ft. maximum allocation.

D. Commercial Space Allocation within the RR5 FLUM Designation:

Uses allowed Under the RR 5 FLUM designation and AR Zoning district (i.e. those properties that are currently assigned appropriate FLUM and Zoning designations for certain development activities) shall not be subject to the 100,000 sq. ft. commercial space limitations in Section E, above, including: Public Schools; Congregate Living Facility Type 1; Non-Profit Community Recreational Facility; Essential Services; Commercial Equestrian Operations; Wholesale and Retail Nursery; Aviculture; Commercial Kennels; Chipping and Mulching; Commercial Animal Manure Management; Rescued Animal Care;

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Outdoor Events; Home Office; Residential Enterprise; U-Pick Farm; Private Kennel; and Yard Sales.

Interestingly, the maximum development potential of non-residential uses allowed in the RR5 future land use category, and permitted in the implementing AR zoning district is determined by the application of a 0.2 FAR to the size of the parcel.

E. Space Allocation within the Institutional and Public Facilities (INST) FLUM Designation:

1. **Table 1-8 of the Future Land Use Element of the “Adopted Plan”:** INST land uses are defined in the Comprehensive Plan, as follows: “Uses permitted in the IP future land use designation include a full range of regional and community uses such as educational; child care facilities and adult day care facilities; congregate living facilities; medical and accessory offices; hospitals, public health clinics, emergency shelters; governmental, religious, cemetery, civic, cultural, judicial and caretakers quarters.” Maximum development potential, per Table 1-8 is determined by applying a 0.10 FAR to the parcel size (i.e. 21,780 sq. ft. on a 5 acre parcel).

Currently, although there are several uses that qualify, under the above definition, for an INST FLUM designation along the Okeechobee Boulevard corridor, the only parcel currently assigned the designation on the FLUM is the elementary school; all other potential INST uses are assigned RR5 FLUM designations.

2. Town Code Sections 30-05, 30-015 and 30-035 (Institutional and Public Facilities Zoning district):

Section 30-005 states that the IPF zoning district is intended to apply to areas of the FLUM designated as INST (there are no properties currently the IPF designation, although several existing uses qualify for the designation).

Section 30-015 provides a list of permitted uses under the IPF district, including the following non-residential uses: Cemetery; Congregate Living Facility; Churches/Places of Worship; Daycare/Pre-school; Essential Services; Government Facilities and Services; Holiday Wayside Stand; Private Service Club or Lodge; Public Parks and Outdoor Events; and School, Public/Private.

Section 30-035 limits the parcel size in the IPF district to a maximum of five acres. Therefore, maximum development potential on a parcel with an IPF zoning designation is 21,780 sq. ft. (i.e. 5.0 acres x 0.10 FAR).

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COMMERCIAL RETAIL FACILITY DEFINITIONS

Sources used to prepare commercial retail facilities definitions include the Urban Land Institute and field research completed by Land Research Management, Inc.

The purpose of using the above sources is to integrate generally recognized definitions of certain retail facilities with terminology currently used in the planning profession and conditions evidenced by facilities currently operating in the local marketplace.

In all cases, shopping center types and functions are determined by their major tenants, never based solely upon the site area or the size (i.e. sq. ft.) Of the structure.

SUPER REGIONAL MALL

General Definition: Extensive variety of general merchandise, apparel, furniture and home furnishings, as well as a variety of services and recreational facilities.

Major Tenants: At least three major department stores of generally not less than 100,000 square feet each. Each department store is accessed either directly from adjacent parking or internally from an enclosed mall.

Size: Range of Gross Floor Area (GFA) - 800,000 sq. ft. to 1,200,000 sq. ft. and more. Range of site area - 70 acres to 100 acres and more.

Population Base: 200,000 to 300,000 residents and more.

Location: Easily reached from a major arterial road and within a short distance of an interchange (normally 0.5 to 1.0 mile, at most). Requires special access lanes and traffic control devices designed to disperse traffic both within the facility and throughout the adjacent major thoroughfare system. Accessed by public transit.

Primary Trade Area: Normally, a 30 minute drive, or less.

REGIONAL CENTER

General Definition: Either a variety of general merchandise, apparel, furniture and home furnishings or one or more specialty "big box" retailers (e.g. wholesale club, home improvement center, etc.).

Major Tenants: One or two major department stores or "big box" retailers of approximately 100,000 sq. ft. each. Stores may be either accessed directly from parking areas, internally from an enclosed mall. or solely from adjacent parking areas.

Size: Range of Gross Floor Area (GFA) - 150,000 sq. ft. to 500,000 sq. ft. and more. Range of site area - 20 to 50 acres and more

Population Base: 50,000 to 150,000 residents and more.

Location: Either at, or easily reached from the intersection of two major arterial, or within a short distance from an interchange of a limited access highway (normally 0.5 to 1.5 miles, or less).

Primary Trade Area: Normally, a 20 to 30 minute drive, or less.

POWER CENTER

General Definition: A grouping of retail stores consisting primarily of multiple anchors, but without a traditional full-line department store..

Major Tenants: At least one discount department store (super anchor) of 100,000 sq. ft. or more and at least four category specific off-price anchors of 20,000 sq. ft. or more. Off-price anchors typically emphasize hard goods (consumer electronics, sporting goods, office supplies, home furnishings, home improvement goods, bulk foods and drugs, health and beauty aids, toys, personal computer hardware and software, etc.). Off-price retailers are narrowly focused, but deeply merchandized, price-oriented "category killers" variety of general merchandise, apparel, furniture and home furnishings, and may also include a major grocery store. Store access is solely from adjacent parking areas.

Size: Range of Gross Floor Area (GFA) - 150,000 sq. ft. to 500,000 sq. ft. and more. Range of site area - 20 to 30 acres and more.

Population Base: 30,000 to 50,000 residents and more.

Location: Frontage on a major arterial road, and at or within a short distance from an intersection with a major or minor arterial (normally 0.5 mile, or less).

Primary Trade Area: Normally, a 20 to 30 minute drive, or less.

COMMUNITY CENTER

General Definition: A variety of general merchandise, apparel, furniture and home furnishings, and may also include a major grocery store.

Major Tenants: An off-price department store of approximately 100,000 sq.ft., and may also include a junior department store and/or a supermarket. Store access is solely from adjacent parking areas.

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Size: Range of Gross Floor Area (GFA) - 150,000 sq. ft. to 250,000 sq. ft. and more. Range of site area - 20 to 30 acres and more.

Population Base: 30,000 to 50,000 residents and more.

Location: Frontage on a major arterial road, and at or within a short distance from an intersection with a major or minor arterial (normally 0.5 mile, or less).

Primary Trade Area: Normally, a 20 to 30 minute drive, or less.

NEIGHBORHOOD CENTER

General Definition: Provides retail goods to meet daily living needs such as food, drugs, hardware and personal services.

Major Tenants: A supermarket or supermarket and super drug store is (are) generally the major tenants.

Size: Range of Gross Floor Area (GFA) - 90,000 sq. ft. to 120,000 sq. ft. and more. Range of site area - 10 to 20 acres and more.

Population Base: 15,000 residents and more.

Location: Frontage on an arterial road, and at or within a short distance from an intersection with an arterial or major collector road.

Primary Trade Area: Normally, a 10 minute drive.

CONVENIENCE FACILITY (Single User or Strip Center)

General Definition: Provides for any one, or a combination of the following: (1) The sale of convenience goods and services to residents of an immediate surrounding neighborhood, (2) the sale of specialized retail goods or services to residents of a larger, yet sub-city, market area, and/or (3) passing motorists.

Major Tenants: No conventional anchor tenant; rather, tenant(s) generally are among the following: Convenience store, with or without gas pumps; small limited item shops; and personal service providers.

Size: Individual tenant(s) not to exceed 5,000 square feet in size. Range of facility size - Less than 1,000 square feet to 30,000 square feet; Site Area - 1 to 3 acres.

Population Base: Variable, depending upon the goods or services offered.

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Location: On collector or arterial roads at or near intersections with local, collector or arterial streets.

Primary Trade Area: Variable, depending upon the goods or services offered.

**SERVICE COMMERCIAL FACILITY
(Single User Or Tenant Within Planned Business Or Commerce Center)**

General Definition: Provides for any one, or a combination of the following: (1) Wholesaling and warehousing; (2) vehicular sales and rentals; (3) vehicular maintenance and services; and (4) lumber and building supplies, etc.

Major Tenants: No conventional anchor tenant; rather, tenant(s) generally are among the following: Vehicular sales and service dealership; rental car dealerships; vehicular after services; home repair and improvement services; business services; lumber yards; and certain contractor services.

Size: Range of facility size - Less than 1,000 square feet with no theoretical upper-end limit.

Population Base: Variable, depending upon the goods or services offered.

Location: Frontage on arterial roads or within planned commercial or industrial areas along designated service roads. Service roads provide convenient access to arterial without penetrating residential neighborhoods. Ideally, not adjacent to residential neighborhoods.

Primary Trade Area: Variable, depending upon the goods or services offered. Generally services a population equivalent to that of a neighborhood community center or a more regional market, depending upon the tenant(s).

TRANSIENT COMMERCIAL

General Definition: Provides for any one, or a combination of the following oriented to serving through (i e, in transit through the area) motoring public: (1) The sale of fuel, convenience goods and/or minor vehicular repair services; (2) hotel and/or motel accommodations; (3) restaurant facilities; (4) and specialized retail (e g., gifts, souvenirs, etc.).

Major Tenants: No conventional anchor tenant; rather, tenant(s) generally are among the following: Hotel or motel; vehicular service station, including fuel pumps, convenience retail and/or minor vehicular service facility; restaurant(s); and ancillary retail shop(s).

Size: Range of facility size - Less than 1,000 square feet with no theoretical upper-end limit. Site Area - From one to 5-10 acres, depending upon the number of retailers.

Population Base: Not directly related to resident population base; rather, to passing traffic volumes.

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Location: On arterial roads at or near interchanges with limited access highways.

Primary Trade Area: Regional in nature, with motorist destinations, in relation to their points of beginning, the key to facility location.

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