

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes ___ No ___
Budget Account No.: Fund ___ Department ___ Unit ___ Object ___

Reporting Category

B. Recommended Sources of Funds/Summary of Fiscal Impact:

The workshop will have no direct fiscal impact on the Planning, Zoning and Building Department. Future development may result in a change in property taxes collected.

C. Departmental Fiscal Review: T. J. [Signature]

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Elizabeth [Signature] 3/15/05
OFMB
3/15/05
DM 3/14/05

N/A
Contract Dev. and Control

B. Legal Sufficiency:

[Signature]
Assistant County Attorney

The proposed text amendments attached to March 8 memo have not been reviewed for legal sufficiency.

C. Other Department Review:

Department Director



**Department of Planning,
Zoning & Building**

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Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
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**INTER-OFFICE COMMUNICATION
PALM BEACH COUNTY
PLANNING, ZONING & BUILDING**

TO: The Honorable Tony Masiotti, Chair
and Members of the Board of County Commissioners

FROM: Jon MacGillis, ASLA, Zoning Director
Zoning Division

DATE: March 8, 2005

RE: **Golf Course Conversion**

ISSUE:

On December 14, 2004, the BCC directed staff to research and bring back recommendations to address the conversion of golf courses. The Board expressed concerns related to the number of courses being converted, the impact on existing developments, and whether the ULDC has sufficient standards to address the redesignations of land uses.

FINDINGS:

Staff has evaluated the current standards of the ULDC, and has also contemplated whether new standards are required to address golf course conversions. The following findings have been prepared:

1. Development Order Amendment - Conversion of a golf course, which has a previous BCC approval, for residential or non-residential uses is subject to a Development Order Amendment (DOA) approval.
2. Pursuant to **Article 2.B.2.G, Development Order Amendment (DOA)** of the ULDC, staff will consider the following standards enumerated under section 2.B.2.B. to help determine whether the DOA request for use change is justifiable and appropriate:



- a. Consistency with the Comprehensive Plan – whether the proposed use change is consistent with the policies of the Plan, including intensities and densities;
- b. Compliance with the supplementary use standards of the ULDC;
- c. Compatibility – whether the proposed use is compatible and consistent with the uses and character of the land in the vicinity;
- d. Design minimizes adverse impact- whether the design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposal on adjacent lands;
- e. Adequate public facilities – whether the proposed change complies with the concurrency requirements;
- f. Design minimizes environmental impact – whether the proposed change minimizes environmental impacts;
- g. Development patterns- whether and to what extent the proposed change will result in a logical, timely and orderly development pattern;
- h. Other ULDC standards – whether the proposed change will meet all applicable standards such as layout, function and other property development regulations;
- i. Consistency with neighborhood plans – whether the proposed change complies with an applicable neighborhood plan; and,
- j. Changed circumstances - the applicant is required to demonstrate to the BCC that a change of circumstances or conditions has occurred which makes it necessary to amend or alter the existing use.

Based on the above standards, staff will prepare a recommendation for approval or denial of the DOA request. If the applicant fails to meet any of these standards as set forth in these sections of Article 2, the application shall be deemed adverse to the public interest and shall not be approved.

RECOMMENDATION:

The ULDC currently has standards necessary to ensure golf course conversions are compatible with existing developments. However, staff



recommends an amendment to add additional criteria to address visual impacts associated with the proposed conversions:

1. Text Amendments to the ULDC, Article 3.E.2. --
 - a) Require a Visual Impact Analysis and report to be submitted as part of the DOA application to justify to what extent the proposed use change will impact the adjacent existing uses, the report shall contain an assessment that addresses compatibility and impact of the conversion of uses on the adjacent properties. See attached for proposed code language.
 - b) Require a proportionate amount of land area to be set-aside to preserve a scenic corridor between the existing and proposed uses. The actual amount of open space will be evaluated at each application review, and Staff will recommend a condition of approval requiring the dedication of this scenic corridor.

Staff has also prepared a map showing all the existing golf courses in the County.

Encl.

c: Barbara Alterman, Executive Director, PZ&B
Barbara Pinkston-Nau, Principal Planner, DRO Section
David Flinchum, Principal Planner, Arch Review Section
Maryann Kwok, Principal Planner, Public Hearing Section
Eric McClellan, Planner II, Public Hearing Section
Robert Buscemi, Principal Planner, Code Rewrite Section
William Cross, Senior Planner, Code Rewrite Section

U:\zoning\Public Hearing\Memos\Golfcourse3.doc
Date 3/7/05

Visual Impact Analysis Standards

The requirements of this subsection shall be required for any application to redevelop an existing golf course for residential or non-residential purposes.

*Arch Review - Original
 - Comment on Tower*

1. Visual Analysis

To assess the compatibility with and impact of a proposed redeveloped golf course on adjacent properties, an applicant may be required to submit a visual impact analysis. A visual impact analysis shall be required under the circumstances listed below.

- a. Existing residential uses are located along 75 percent or more of the entire perimeter of the proposed site;
- b. The proposed site is located adjacent to linked open space corridors as set forth in the Plan; and,
- c. The proposed development is more intense (unit/housing type, density, building size, etc.) than the adjacent residential uses.

2. Methodology

The visual impact analysis shall be prepared and sealed by an architect, engineer, landscape architect, or surveyor registered in the State of Florida. Digital imaging technology may be utilized to prepare the analysis, in a manner acceptable to the Zoning Director. In addition, non-digital methods may be required by the Zoning Director in order to implement the intent and purpose of this Section. The non-digital method shall, at a minimum, provide and/or include the information listed below.

- a. The location of the proposed structures/buildings illustrated upon an aerial photograph at a scale of not more than one inch equals 300 feet (1"=300'). All adjacent structures/buildings located within a 1,000 foot radius of all property lines of the proposed site shall be indicated.
- b. A line of site analysis, which shall include the following information:
 - 1) identification of all significant existing natural and manmade features adjacent to the proposed site and identification of features which may provide buffering and screening for adjacent properties;
 - 2) identification of at least three specific points within a 750 foot radius of the proposed site, subject to approval by the Zoning Director, for conducting the visual impact analysis;
 - 3) copies of all calculations and description of the methodology used in selecting the points of view and collection of data submitted in the analysis;
 - 4) graphic illustration of the visual impact of the proposed structure(s)/building(s) communication tower, at a scale that does not exceed five degrees of horizontal distance, presented from the specific identified points;
 - 5) identification of all screening and buffering materials under the permanent control of the applicant (only screening and buffering materials located within the boundaries of the proposed site shall be considered for the visual impact analysis.); and,
 - 6) identification of all screening and buffering materials that are not under the permanent control of the applicant but are considered of a permanent nature due to ownership or use patterns, such as a public park, vegetation preserve, required development buffer, etc.

3. Additional Requirements

- a. Screening and buffering materials considered in the visual impact analysis shall not be removed by future development on the site and shall be replaced if they die.
- b. Plant species that are not permitted, pursuant to Article 7.D.6, Prohibited Plant Species, shall not be considered in the visual impact analysis.
- c. Additional information may be required by the Zoning Director to fully review and evaluate the potential impact of the proposed development.

7. **Consistency with Neighborhood Plan**
Whether and to what extent the proposed district is consistent with applicable neighborhood plans in accordance with Board policy; and
 8. **Adequate Public Facilities**
The extent to which the proposed rezoning complies with Art. 2.F, Concurrency.
- C. **Effect of a Map Amendment**
1. **General**
Approval of a rezoning shall be deemed to authorize only the particular zoning district for which it is approved.
 2. **Time Limitations**
A rezoning shall be reviewed two years after approval of the map amendment, pursuant to Art. 2.E, Monitoring, if a subsequent development order has not been issued.

Section 2 Conditional and Requested Uses

- A. **Purpose**
Conditional and requested uses are generally compatible with the other uses permitted in a district, but require individual review of their location, design, configuration, intensity and/or density and may require the imposition of conditions to ensure the appropriateness and compatibility of the use at a particular location.
- B. **Standards**
When considering a development order application for a conditional or requested use, the BCC and ZC shall consider the following standards indicated below. A conditional or requested use which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.
1. **Consistent with Plan**
The proposed use is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.
 2. **Supplementary Use Standards**
The proposed use complies with all applicable portions of Art 4.B, Supplementary Use Standards.
 3. **Compatibility**
The proposed use is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
 4. **Design Minimizes Adverse Impact**
The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
 5. **Adequate Public Facilities**
The extent to which the proposed use complies with Art. 2.F, Concurrency.
 6. **Design Minimizes Environmental Impact**
The proposed use minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
 7. **Development Patterns**
Whether and to what extent to which the proposed development will result in a logical, orderly and timely development pattern.
 8. **Other Standards**
The proposed use complies with all standards imposed on it by all other applicable provisions of this Code for use, layout, function, and general development characteristics.
 9. **Consistency with Neighborhood Plans**
Whether and to what extent the proposed development is consistent with applicable neighborhood plans.
 10. **Changed Circumstances**
Whether and the extent it can be demonstrated that there are any changed circumstances that require a modification.
- C. **Class A Conditional Use**
1. **Authorized Class A Conditional Uses**
Only those uses that are authorized as Class A conditional uses in Table 4.A.3.A-1, Use Matrix, may be approved as Class A conditional uses. The designation of a use as a Class A conditional use in a