



**TOWN OF LOXAHATCHEE GROVES**

**PLANNING AND ZONING BOARD/LPA**

**Addendum #1 – a.2. Mobile Home ULDC text amendments**

**Addendum #2 – a.3. Congregate Living Facility Type I ULDC text amendment**

**Thursday September 29, 2016**

*Chair Dennis Lipp*

*Vice- Chair Robin Crawford*

*Board Member Lawrence Corning*

*Board Member Grace Joyce*

*Board Member Veronica Close*

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



**Town of Loxahatchee Groves**  
**Local Planning Agency (LPA) Public Hearing**  
**and**  
**Planning and Zoning Board (PZB) Meeting**  
**Thursday, September 29, 2016, at 7:00 p.m.**

TENTATIVE -  
SUBJECT TO  
REVISION

Town of Loxahatchee Groves  
155 "F" Road, Loxahatchee Groves, FL 33470

Chair Dennis Lipp  
Board Member Veronica Close  
Board Member Grace Joyce  
Board Member Keith Harris  
Board Member William Ford  
Alternate Member: Robin Crawford  
Alternate Member: Vacant

Town Manager William F. Underwood, II  
Town Clerk Virginia Walton  
Town Planning Consultant Jim Fleischmann

The Planning & Zoning Board meets on the 2<sup>nd</sup> or 3<sup>rd</sup> Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA).

**1. OPENING**

- a. Call to Order & Roll Call
- b. Approval of Minutes: August 18, 2016
- c. Approval of Agenda
- d. Public Comments

**2. CONVENE LOCAL PLANNING AGENCY**

- a. Review of Public Hearing Procedures

**b. Folsom Road Properties Annexation and CPA 2016-03**

1. Open Public Hearing
2. Close Public Hearing
3. LPA Member Discussion
4. Consideration of Motions: a. Annexation; b CPA 2016-03
5. Close Public Hearing

**c. Country Corners CPA 2016-04**

1. Open Public Hearing
2. Close Public Hearing
3. LPA Member Discussion
4. Consideration of Motion: CPA 2016-04
5. Close Public Hearing

**3. CONVENE PLANNING AND ZONING BOARD**

a. Old Business: None

- 1. Folsom Road Properties Rezoning REZ 2016-02**
- 2. Mobile Home ULDC text amendments**
- 3. Congregate Living Facility Type I ULDC text amendment**

b. New Business: None

c. Public Comments

d. Board Member Comments

e. Adjournment: *The next Planning and Zoning Board Meeting is to be determined.*

**Comments Cards:** Anyone from the public wishing to address the LPA 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 LPA 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.

**Town of Loxahatchee Groves, Florida**  
**Planning and Zoning Board Agenda Item Report**  
**Mobile Home ULDC Revisions**

**PREPARED BY:** Jim Fleischmann

**September 28, 2016**

**SUBJECT:** The following ULDC Revisions

1. Deletion of the term “Mobile home” from ULDC Article 10 – *Definitions, Abbreviations, and construction of Terms*
2. Addition of the terms “Manufactured home” and “Modular home” to ULDC Article 10 – *Definitions, Abbreviations, and construction of Terms*
3. Deletion of “Mobile home” and addition of “Modular home” to the list of permitted uses to ULDC Section 20-015 – *Permitted Uses* (AR District)

**1. BACKGROUND**

**History:** Mobile home is currently a permitted use in the Town’s Agricultural Residential (AR) District.

**Problem Statement:** Mobile homes have become an issue in Loxahatchee Groves and are essentially unregulated.

**Problem Solution:** The Town Council has determined that unregulated mobile homes are not appropriate in Loxahatchee Groves.

**2. CURRENT ACTIVITY**

The Town Council has directed the Town’s Unified Land Development Code (ULDC) Review Committee to review the mobile home issue and recommend appropriate revisions to the ULDC. The ULDC Review committee reviewed potential revisions to the ULDC to address the mobile home issue in Town at its August 16, August 25 and September 13, 2016 meetings. The differences between mobile home, manufactured home and modular home were discussed at length. In addition, Staff consulted with Palm Beach County Building division staff to determine the differences in county review and approval procedures related to the issue. The ULDC recommended approval of the attached ULDC revisions at its September 13<sup>th</sup> meeting.

**3. ATTACHMENTS**

1. Proposed text amendments to ULDC Article 10 – *Definitions, Abbreviations, and construction of Terms* and ULDC Section 20-015 – *Permitted Use*

**4. FINANCIAL IMPACT**

Work on this project is funded by a Town Council Work Authorization

## **5. RECOMMENDED ACTIONS:**

1. That the Planning and Zoning Board recommend approval of the proposed text amendments to ULDC Article 10 – *Definitions, Abbreviations, and construction of Terms* and ULDC Section 20-015 – *Permitted Uses*

## ATTACHMENT 1

### PROPOSED MOBILE HOME ULDC REVISIONS

Struck through text is deleted and underlined text is added

#### Article 10 - DEFINITIONS, ABBREVIATIONS, AND CONSTRUCTION OF TERMS

~~**Mobile home.** A structure, transportable in one or more sections, which is eight body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.~~

**Manufactured home.** A structure, commonly referred to as a mobile home, constructed in the factory according to the national Department of Housing and Urban Development (HUD) building code governing building standards for factory-built homes, transportable in one or more sections, which is eight body feet or more in width and which is built on an integral chassis/undercarriage that provides structural support after installation, and designed to be used as a dwelling unit when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The structure shall remain a manufactured home regardless of how it is installed, what type of foundation and skirting are used, or improvements made.

**Modular home.** A structure, constructed in a factory designed to be used as a dwelling unit which is permanently affixed to an engineered foundation (i.e. concrete slab, stem-wall or poured or driven piles) and built in accordance with the provisions of the Florida minimum building codes intended to regulate site-built construction, including plumbing, electrical, fire, accessibility and energy codes. The Florida Department of Economic Opportunity certifies that the factory-built structure is in compliance with the Florida Manufactured Buildings Act (Florida Statutes Part IV, Chapter 553).

**Section 20-015. – PERMITTED USES (AR DISTRICT)**

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

<b>Principal Uses</b>	<b>Agricultural Residential (AR)</b>
Single Family Dwelling	Permitted
<del>Mobile Home</del>	<del>Permitted w/Special Exception Category</del>
<u>Modular home</u>	<u>Permitted</u>
Public Schools	Permitted
Congregate Living Facility, Type I	Permitted
Non-Profit Community Recreational Facilities	Permitted w/Special Exception Category
Essential Services	Permitted
Commercial Equestrian Operations	Permitted
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception Category
Aviculture	Permitted subject to Article 80
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
Outdoor Events	Permitted subject to Article 80 and to a
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception Category
Rodeo Events	Permitted w/Special Exception Category



**HOUSING ELEMENT  
GOAL, OBJECTIVES, AND POLICIES**

**~~Struck through~~ text is deleted and underlined text is added (8/25/2016)**

**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.**

6.1 Objective:

Conserve existing residential neighborhoods and housing stock by adopting minimum housing standards.

6.1.1 Policy:

Within one year of the adoption of the Comprehensive Plan, adopt minimum housing regulations that shall contain the following minimum provisions:

1. A requirement that all new development or redevelopment be served by an adequate individual or central water and wastewater systems and contain heating and cooking facilities.
2. Minimum requirements for light and ventilation, in accord with Florida building codes.
3. Minimum requirements for electrical and plumbing systems.
4. General requirements for the maintenance of the exterior and interior of residential structures.
5. Minimum dwelling space and sanitary requirements.
6. Procedures governing rehabilitation and demolition actions.

6.1.2 Policy:

Within one year of the adoption of the Comprehensive Plan, adopt administrative and enforcement procedures necessary to implement minimum housing regulations and which, at a minimum:

1. Establish administrative procedures to require rehabilitation and/or demolition of housing, if necessary, following a natural disaster or if a dwelling unit is damaged by fire beyond repair.

6.1.3 Policy:

During the initial preparation and adoption of land development regulations supporting this Comprehensive Plan, and at the time of each successive required Evaluation and Appraisal Report, evaluate the need to designate any housing structures as locally historically significant and

in need of special consideration under the provisions and criteria cited in the Standard Housing Code.

6.2 Objective:

Adequate and affordable housing, consistent with the rural character of the Town, shall be provided for existing residents and anticipated population growth, including housing to accommodate any defined specialized needs of very-low, low and moderate income households, elderly households, handicapped or displaced residents, and farmworkers. Also, provisions shall be made for foster care housing and ~~manufactured or mobile homes~~ modular homes.

6.2.1 Policy:

Require housing construction that is compatible with natural resource and service capabilities as defined in the Future Land Use, Transportation, Infrastructure and Conservation elements.

6.2.2 Policy:

Require developers to coordinate with the Town from initial design through completion of construction to assure that the Town's rural character is maintained.

6.2.3 Policy:

Provide for innovative housing alternatives (e.g. single-room occupancy, accessory residential structures, caretaker quarters, groom's quarters, ~~manufactured and mobile~~ modular homes and congregate living alternatives) oriented to facilitating reduced housing costs for very low, low and moderate income households and special needs populations.

6.2.4 Policy:

Require that standard housing, at affordable cost, is available to persons displaced through any public action prior to their displacement by including such a requirement within the Town's land development regulations.

6.2.5 Policy:

Allow the placement of ~~manufactured homes and individual mobile~~ modular homes within single-family residential districts provided that: (1) such homes must comply with all Town building, construction, design and housing codes that apply to all housing types; ~~and U.S. Department of Housing and Urban Development manufactured home construction and safety standards;~~ and (2) they shall be subject to any reviews as provided in the Town code of ordinances.

6.2.6 Policy:

Encourage development of affordable and workforce housing in residential developments south of Collecting Canal Road, in proximity to employment opportunities and major transportation facilities.

6.2.7 Policy:

Encourage congregate living facilities as a permitted use south of Collecting Canal Road in proximity to Palms West Hospital.

6.2.8 Policy:  
Encourage job creation 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.

6.2.9 Policy:  
The Town shall support regional efforts to address low income and workforce housing by working with the Palm Beach Intergovernmental Plan Amendment Review Committee (IPARC) to develop an Interlocal Agreement whereby municipalities could jointly pursue a comprehensive approach and solution to this county-wide issue.

6.3 Objective:  
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.

6.3.1 Policy:  
The Town shall 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 neighborhoods shall be closed to such facilities.

6.3.2 Policy:  
The Town shall monitor the development and distribution of daycare foster care and group homes to insure that adequate sites and infrastructures are provided, while over-concentration (i.e. to be defined by implementing Policy 6.3.1) in any residential area is avoided.

6.3.3 Policy:  
"Foster Care Facility" and "Group Home Facility" shall be defined as a residential unit, otherwise meeting the requirements of the Chapter 419, Florida Statutes and the Town Zoning Code, where a family living environment is provided for individuals not related by blood or legally to the householder.

6.3.4 Policy:  
The total number of residents within a foster care or group home facility, including permanent residents and foster care or group home residents shall not exceed 1.01 persons per room, excluding bathrooms, kitchens utility rooms, and garages.

6.3.5 Policy:  
The Town shall permit Daycare facilities, for up to five persons, within a single-family residence, as required by, Chapter 402, Florida Statutes.

- 6.4 Objective:  
The private sector delivery process shall continue to be relied upon as the means for providing 100% of the housing necessary to accommodate Town residents. The need to formulate alternative housing implementation programs shall be reassessed at the time of each required Evaluation and Appraisal Report (EAR).
- 6.4.1 Policy:  
Due to high land values and low permitted densities, very-low, low and moderate income housing efforts shall be oriented primarily toward: (1) maintaining the existing housing stock in standard condition; and (2) continuing to permit individual manufactured housing and mobile modular homes and accessory residential structures. ~~(3) investigating innovative housing alternatives such as single-room occupancy, accessory dwelling units, and congregate living.~~
- 6.4.2 Policy:  
Provide information and technical assistance to the private sector to maintain a housing production capacity sufficient to meet projected needs. Further, expedite development reviews for those applications that include very-low, low or moderate income housing.
- 6.4.3 Policy:  
A determination shall be made by the Town at the time of each required EAR-based Comprehensive Plan update as to whether or not the private sector delivery process is adequately functioning, in terms of implementing Objective 6.4. If it is determined that the private sector is not properly functioning, in terms of this criterion, alternative mechanisms, including government and non-profit sector participation shall be considered, including the use of available Federal, State and local assistance programs.
- 6.4.4 Policy:  
Within 12 months of the availability of data from 2010 Census and the Florida Housing Data Clearinghouse, prepare an Affordable Housing Assessment to determine whether or not the Town needs to implement additional housing programs to meet projected housing needs.
- 6.4.5 Policy:  
Provide information and technical assistance to the private sector for the implementation of green building standards in new construction and home renovations.
- 6.5 Objective:  
The Town shall support energy efficiency and the use of renewable energy resources in existing housing and in the design and construction of new housing.
- 6.5.1 Policy:  
The Town shall encourage support for residential construction that meets the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building

Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or other nationally recognized, high-performance green building rating system as recognized by the Florida Department of Management Services.

- 6.5.2 Policy:  
The Town shall educate residents on home energy reduction strategies.
- 6.5.3 Policy:  
The Town shall not prohibit the appropriate placement of photovoltaic panels.
- 6.5.4 Policy:  
The Town shall provide educational materials on the strategic placement of landscape materials to reduce energy consumption.

# **Town of Loxahatchee Groves, Florida**

## **Planning and Zoning Board Agenda Item Report**

### **ULDC CLF Type I Revisions**

**PREPARED BY:** Jim Fleischmann

**September 28, 2016**

**SUBJECT:** The following ULDC Revisions

1. Deletion of “Congregate Living Facility Type I” from the list of permitted uses in ULDC Section 20-015 – *Permitted Uses* (AR District)

#### **1. BACKGROUND**

**History:** “Congregate Living Facility Type I” is currently a permitted use in the Town’s Agricultural Residential (AR) District. However, there is no definition of the term “Congregate Living Facility Type I” in the Town’s ULDC. As a result, the Town has deferred to the Palm Beach County ULDC for a definition. The term “Congregate Living Facility” is defined in Article 4 Chapter B Section 1.A.34 of the County ULDC as follows:

##### **“34. Congregate Living Facility**

This term includes assisted living facilities; extended congregate care facilities, transitional living facilities, community residential homes, community transitional residences; rehabilitative home care services, boarding home, or home for the aged or any other residential structure, whether or not operated for profit, which undertakes for a period exceeding 24 hours: care, housing, food service, and one or more personal services for persons not related to the owner or administrator by blood or marriage. In addition, this term shall include other residential uses such as dormitories, group homes with a central dining facility, and similar bed-based uses.

**a. Maximum Occupancy: Type I - Six persons, excluding staff.”**

**Problem Statement:** The Unified Land Development Code (ULDC) Review Committee has been assigned the task by the Town Council of reviewing lists of permitted principal and accessory uses and recommending revisions to the Town’s various zoning districts.

**Problem Solution:** The ULDC Review Committee is in the process of reviewing permitted uses in the Town’s Unified Land Development Code and recommending revisions

#### **2. CURRENT ACTIVITY**

The ULDC Review committee discussed “CLF Type I” uses at its September 13, 2016 meeting and recommended that it be deleted from the list of permitted principal uses in the Agricultural Residential (AR) District.

### **3. ATTACHMENTS**

1. Proposed Congregate Living Facility Type I text amendment to ULDC Section 20-015 – *Permitted Uses*

### **4. FINANCIAL IMPACT**

Work on this project is funded by a Town Council Work Authorization

### **5. RECOMMENDED ACTIONS:**

1. That the Planning and Zoning Board recommend approval of the proposed text amendment to ULDC Section 20-015 – *Permitted Uses*

## ATTACHMENT 1

### **Section 20-015. – PERMITTED USES (AR DISTRICT)**

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

<b>Principal Uses</b>	<b>Agricultural Residential (AR)</b>
Single Family Dwelling	Permitted
Mobile Home	Permitted w/Special Exception Category
Public Schools	Permitted
<del>Congregate Living Facility, Type I</del>	<del>Permitted</del>
Non-Profit Community Recreational Facilities	Permitted w/Special Exception Category
Essential Services	Permitted
Commercial Equestrian Operations	Permitted
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception Category
Aviculture	Permitted subject to Article 80
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
Outdoor Events	Permitted subject to Article 80 and to a
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception Category
Rodeo Events	Permitted w/Special Exception Category