MEMORANDUM

To: Council Members

From: Staff

Date: September 19, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Palm Beach County Comprehensive Plan
DCA Reference No. 08-2

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

Palm Beach County has proposed amendments to the Future Land Use Map (FLUM) and text amendments to the Introduction and Administration, Future Land Use and Transportation Elements of the County Comprehensive Plan. The County has requested a formal review of the amendments by the DCA.

Evaluation

A. Future Land Use Amendments

The proposed amendments are summarized in Table 1. The locations of the properties where FLUM designations are to be changed are shown on the attached exhibits.
Table 1
Proposed Amendments to the Future Land Use Map
Palm Beach County Comprehensive Plan
DCA Reference No. 08-2

<table>
<thead>
<tr>
<th>Amendment Number/Name</th>
<th>Approx. Acreage</th>
<th>Current FLUM Designation</th>
<th>Proposed FLUM Designation</th>
<th>Approximate Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lake Worth Commercial (LGA 2008-009)</td>
<td>37.9</td>
<td>LR-2</td>
<td>CH/2</td>
<td>South side of Lake Worth Road approximately 1,320 feet east of Lyons Road.</td>
</tr>
<tr>
<td>3. Seminole/Southern Commercial III (LGA 2008-023)</td>
<td>64.5</td>
<td>RR-10</td>
<td>CL/RR-5</td>
<td>Northwest corner of Seminole Pratt Whitney Road and Southern Boulevard.</td>
</tr>
<tr>
<td>4. Southern/Jog EDC (LGA 2008-027)</td>
<td>68.8</td>
<td>INST/5 (58.1 acres) MR-5 (10.7 acres)</td>
<td>EDC</td>
<td>North side of Southern Boulevard, 0.4 miles east of North Jog Road.</td>
</tr>
<tr>
<td>5. County Initiated URA Site Specific Amendments (LGA 2008-032)</td>
<td>455.1</td>
<td>Various</td>
<td>Congress Avenue UC (88.6 acres) UI (46.1 acres) Military Trail UC (200.8 acres) UI (119.7 acres)</td>
<td>Parcels along the Congress Avenue Priority Redevelopment Area Corridor. Parcels along the Military Trail Priority Redevelopment Area Corridor.</td>
</tr>
<tr>
<td>6. PBIA Properties (LGA 2008-028)</td>
<td>120.1</td>
<td>C INST IND</td>
<td>U/T</td>
<td>15 properties located in the vicinity of the PBIA Airport along or near Belvedere Road, Australian Avenue and/or Congress Avenue.</td>
</tr>
<tr>
<td>7. Loxahatchee Slough Natural Area Addition (LGA 2008-030)</td>
<td>79.3</td>
<td>LR-1</td>
<td>CON</td>
<td>Approximately 0.3 mile north of Northlake Boulevard and 3.4 miles west of the Bee Line Highway.</td>
</tr>
<tr>
<td>8. Palm Beach Transport (LGA 2008-029)</td>
<td>0.1</td>
<td>LR2</td>
<td>CH/IND</td>
<td>Approximately 470’ south of Jog Road and .10 mile west of the intersection of Jog Road and the Turnpike.</td>
</tr>
</tbody>
</table>

Total: 856.5

Key to FLUM Designations

- **RR-20** Rural Residential – maximum 1 dwelling unit per 20 acres
- **RR-10** Rural Residential – maximum 1 dwelling unit per 10 acres
- **LR-1** Low Residential – maximum 1 dwelling unit per acre
- **LR-2** Low Residential – maximum 2 dwelling units per acre
- **MR-5** Medium Residential – maximum 5 dwelling units per acre
- **C** Commercial
- **CH/2** Commercial High with an underlying 2 units per acre
- **CH/IND** Commercial High with an underlying alternative Industrial designation
- **CL/RR-5** Commercial Low with underlying Rural Residential – maximum of 1 dwelling unit per 5 acres
- **CON** Conservation
- **EDC** Economic Development Center
- **IND** Industrial
- **INST** Institutional
- **INST/5** Institutional and Public Facilities with underlying 5 units per acre
- **UC** Urban Center
- **UI** Urban Infill
- **U/T** Utility and Transportation
1. Lake Worth Commercial (LGA 2008-009)

This 37.9 acre property is located in the west central portion of the Urban/Suburban Tier along Lake Worth Road. The property is currently vacant. The proposed use is for commercial development. The present FLUM designation is Low Density Residential (LR-2). The proposed designation is Commercial High Intensity (CH/2). Vacant lands surround the property except on the west, where a residential Planned Unit Development (PUD) is located. All lands surrounding the parcel have a FLUM designation of LR-2.

The entire area where the property is located is designated for low density residential use. The property is within the Urban/Suburban Tier, and was formerly part of the Gulfstream Polo Grounds. The landowner proposes a mixed use development under Traditional Marketplace Development (TMD) zoning, but also wishes to allow big-box commercial development that is not permitted under TMD zoning. Zoning to allow big-box is available, but not for this property’s mid-block location. The FLUM designation would allow up to 1.6 million square feet of commercial development; but the landowner proposes to limit commercial development to 396,000 square feet.

Lake Worth Road has very limited commercial uses except at commercial nodes. The County indicates there are a number of non-residential uses within a 3-mile radius of this site. Commercial development at this location could reduce traffic impacts on SR 7 and other roadways if done as a “town center” serving residents of the immediate area. County staff points out that the proposed amendment is inconsistent with the County policy, although the County is considering policy revisions that may allow additional flexibility for development at “mid block” locations. County staff indicated that the proposed development would be considered incompatible with surrounding uses unless done consistent with the mixed use development allowed at mid block locations.

County staff recommended denial, but also recommended an alternative under which the staff would recommend approval if the Board of County Commissioners (BOCC) approves a concurrent amendment to the Commercial Location criteria in the Future Land Use Element and a series of conditions (shown in Attachment A). The Local Planning Agency (LPA) recommended denial by a 9-4 vote. The BOCC voted to transmit the amendment (by a vote of 6-1) with the conditions recommended by County staff.
2. Coconut/Northlake Commercial III (LGA 2008-025)

This 30.7 acre property is located outside the Urban/Suburban Tier, in an area the County refers to as the Exurban Tier. This Tier includes areas platted prior to the adoption of the 1989 Comprehensive Plan which have developed at densities greater than 1 dwelling unit per 5 acres. The area of the subject amendment contains single family houses on 2.5 acres and larger lots, but also includes the large platted area known as The Acreage, where 1.25 acre lots are the norm. As the exhibits indicate, the subject property is rectangular in shape, with a good deal of frontage on Northlake Boulevard, but not much depth.

The property is currently vacant. It is proposed for commercial retail development. The current FLUM designation is Rural Residential (RR-20). The proposed designation is Commercial Low Intensity (CL/RR-5). Except to the south where some residential lots are developed, the surrounding properties are vacant. A U.S. Postal Service Office is planned for the property to the east. Surrounding FLUM designations are all Rural Residential; (RR-20) to the north (City of Palm Beach Gardens) and east, RR-10 to the west, and RR 2.5 to the south.

Similar amendments were submitted for the property in 2006 and 2007. The previous amendments were either not approved or withdrawn. The site is within the area of the Western Northlake Corridor Land Use Study (WNCLUS), a joint effort by the County and the Cities of Palm Beach Gardens and West Palm Beach to develop objectives and recommendations for future development of the area. It is also within the area of the proposed Central Western Communities Overlay. The applicant proposes to limit commercial development to 133,772 square feet.

The County staff recommended denial and made the following points:

- It is questionable whether this is a good location for commercial use.
- There is sufficient retail and commercial uses east of the site.
- The shallow depth of the parcel would result in a linear pattern of development rather than a node.
- The property is outside the Urban/Suburban Tier. The proposed development is inconsistent with a number of policies and provisions in the County Plan regarding development in the Exurban Tier.
- The development would promote sprawl along Northlake Boulevard. It meets a number of the definitions of urban sprawl contained in Rule 9J-5, Florida Administrative Code.
The development cannot be supported by the existing roadway network. Two roadway segments fail in the 2025 Traffic Analysis at the requested square footage.

- The development is not compatible with surrounding uses.
- The development is inconsistent with the WNCLUS.
- Both the Cities of West Palm Beach and Palm Beach Gardens have objected to the amendment (see Attachments B and C).

The LPA also recommended denial (7-2). The BOCC transmitted the amendment (6-1) with the understanding that the applicant agreed to a number of deed restrictions for other properties in the corridor.

3. Seminole/Southern Commercial (LGA 2008-023)

This 64.5 acre parcel is located in the west central portion of the Urban/Suburban Tier. The property currently contains one single-family housing unit and some agricultural buildings. The proposed use is for 161,500 square feet of Commercial/Retail uses plus 15 dwelling units. The current FLUM designation is Rural Residential (RR-10). The proposed FLUM designation is Commercial Low Intensity (CL/RR-5). The current land use on surrounding properties includes single-family residential uses to the north, agricultural and residential uses to the east and west, and Southern Boulevard and a South Florida Water Management District Surface Water Treatment Area to the south. The FLUM designations on surrounding lands are RR 2.5 to the north, east and west and Residential B Village of Wellington to the south, across Southern Boulevard.

The area is characterized by large lot residential uses, on 1.25, 5.0 and 10.0 acre lots. The site has been regarded as an appropriate location for neighborhood commercial uses in previous planning initiatives, including the Central Western Communities Sector Plan. Three of the 15 units must be for workforce housing. The development must be limited to 161,500 square feet of commercial development in order to be consistent with County transportation policies. In recommending approval with conditions, County staff indicates that the timing and location of the amendment are appropriate, the development would not promote strip commercial uses, and the site is to be developed in the form of a Traditional Marketplace Development.

The LPA recommended approval (11-2) with the conditions recommended by staff. The BOCC approved the transmittal unanimously with the conditions shown in Attachment D.
4. Southern/Jog Economic Development Center (LGA 2008-027)

This 68.8 acre property is located in the west central portion of the Urban/Suburban Tier. The property is currently vacant. The proposed use is industrial. Most of the property (58.1 acres) has an Institutional and Public Facilities (INST/5) FLUM designation. It is owned by Palm Beach Atlantic College (PBAC) and was to be used for athletic facilities. The other portion of the property (see Exhibits 6 and 7) has a Medium Density Residential (MR-5) designation and is owned by Palm Beach County. During the plan amendment application and review, a land swap between PBAC and the County was proposed that would incorporate the narrow strip of County property into the Economic Development Center (EDC) designation in exchange for a piece of property north of the L-4 Canal.

County staff indicates the site represents a rare opportunity for an employment center east of the Turnpike. The site has access to major transportation corridors and bus routes. The development of an EDC is consistent with County direction to create and preserve lands that can be utilized for industrial purposes. The proposed amendment is consistent with a number of County objectives and policies, including an objective on the Palm Beach International Airport Approach Path Conversion Area Overlay. It is also consistent with the Haverhill Area Neighborhood Plan and the Jog Road Corridor Study. The proposed use is considered compatible with surrounding uses. It will add employment opportunities and expand the local job base, consistent with the County Plan.

5. County Initiated Urban Redevelopment Area Site Specific Amendments (LGA 2008-032)

There are 396 parcels of land subject to this amendment with a total area of 455.1 acres. The properties are located within a designated Urban Redevelopment Area (URA), in the central portion of the Urban/Suburban Tier, along Congress Avenue and Military Trail.

The County Comprehensive Plan was amended in 2005 to establish the URA. In 2007, additional amendments were adopted implementing the recommendations of a URA Planning Study and Corridor Master Plan (prepared by the Treasure Coast Regional Planning Council in cooperation with Palm Beach County). These included the establishment of a Transportation Concurrency Exception Area (TCEA). In 2008, the URA Master Plan Map was adopted depicting areas to be given new FLUM designations called Urban Center and Urban Infill. These new FLUM designations were recommended in the URA Master Plan.

The current amendments represent the final step in the planning process to fully implement the URA Master Plan for the two Priority Redevelopment
Areas (Congress and Military). The proposed amendments will help ensure that the area will have additional potential to accommodate mixed uses and increase commercial floor area in a pedestrian-oriented, transit-supported manner and allow existing commercial areas to serve and be supported by residential neighborhoods within the TCEA. The Urban Center FLUM designation will be applied to 80.6 acres in the Congress Avenue Priority Redevelopment Area (PRA) and 200.8 acres in the Military Trail PRA. The Urban Infill designation will be applied to 46.1 acres in the Congress Avenue PRA and 119.7 acres in the Military Trail PRA.

6. Palm Beach International Airport Properties (LGA 2008-028)

This amendment is for 15 properties totaling 120.1 acres located west of Palm Beach International Airport (PBIA). The properties are located in the “Buyout Area” where the County Department of Airports is purchasing properties as part of a noise abatement program related to aircraft landings and departures. The current FLUM designations on the properties are Commercial, Institutional, and Industrial. The proposed FLUM designation is Utilities/Transportation, consistent with county policy for property owned or operated by the Department of Airports.

7. Loxahatchee Slough Natural Area Addition (LGA 2008-030)

This 79.3 acre property is located north of Northlake Boulevard between the Cities of Palm Beach Gardens and West Palm Beach. Existing policy allows the County to accept conservation lands from private landowners. The lands are to be managed by the County to protect, preserve, and restore native ecosystems existing on site. The areas will be available to the public for passive recreation, environmental education and scientific research. The subject property, part of the Loxahatchee Slough Natural Area, consists of a depression marsh/wet prairie/pine flatwoods wetland mosaic ecosystem. It was donated to the County in November 2007. This amendment has been initiated by the County.

8. Palm Beach Transport Corrective Amendment (LGA 2008-029)

This 0.1 acre property is part of a larger 3.1 acre parcel designated as Commercial High/Industrial. The subject property is part of the parking area and access to Lakeside Road. The property should have been designated CH/IND previously, but was inadvertently omitted.
B. Text Amendments

1. Buildout Analysis Revisions Amendment

This amendment revises Policy 1.1-n of the Transportation Element to update a list of corridor master plans (CMPs) and to delete associated time frames. The policy calling for corridor master plans was first adopted in 2002 to address roadway failures. The policy called for the preparation of CMPS (in coordination with affected local governments and property owners) to address anticipated roadway failures. CMPS were to propose mitigation measures to maintain good mobility in a corridor.

Originally, four CMPS were to be completed by 2005. In 2003, the Traffic Performance Standards Committee recommended the County expand the list to 28 corridors. In 2005, comprehensive plan amendments gave priority to 9 corridors to be completed by 2009; with the others to be completed by 2011. During the Evaluation and Appraisal Report process, the County recognized that considerably more time would be needed to complete the CMPS, and that only a few corridors could be worked on with available resources.

The County now acknowledges its limited ability to complete the CMPS as scheduled. In addition, several listed corridors showed little or no failure by the year 2030, according to the Long Range Transportation Plan of the Palm Beach Metropolitan Planning Organization. The proposed amendments would:

- Remove 4 corridors from the CMP list.
- Remove all completion dates for CMPS.
- Delete the commitment to complete 9 CMPS by 2007 or 2009.
- Give priority to the completion of CMPS for SR 7 (from Okeechobee Boulevard to Lake Worth Road) and 10th Avenue North (from I-95 to Kirk Road).

2. Industrial Flex Space

Revisions are proposed to the Introduction and Administration, and Future Land Use Element to establish Flex Space as a mechanism to promote economic development and redevelopment strategies with an emphasis on uses related to light manufacturing, research and development, office, process and high tech. The proposed amendment defines Flex Space and uses and revises policies to permit Flex Space in areas designated Commercial and Industrial.

The proposed amendment is consistent with a recent effort by the County to identify industrial land use needs and to focus on broad economic
development and redevelopment strategies. The 2008 Palm Beach County Light Industrial Land Use Study White Paper recommended policies be established to provide definition and practical language for “flex zoning”. According to the County, the amendment is designed to adjust to changes in industrial development trends. Flex Space allows industrial and commercial uses to be combined into flexible space where they complement each other. Regulations are needed to adapt to changing development patterns and to meet modern shifts in industrial use and related sectors. The policy revisions are to allow Flex Space in the CH FLUM category, and to encourage a broad range of employment opportunities.

3. Future Land Use Element Reorganization

The County proposes “housekeeping” amendments that revise and reorganize the Future Land Use Element by modifying redundant text, consolidating related provisions and deleting outdated language.

4. Future Land Use Atlas Amendment Process Update

This amendment revises the Introduction and Administration Element to restore previous text that requires a waiting period before a FLUM amendment that has been denied by the BOCC can be resubmitted. Such an amendment for the same property and seeking the same FLUM classification could not be heard for a period of two years after denial. Also included is a corrective modification to the small scale amendment requirements regarding the definition of a lot.

5. Revised Airport Master Plan Incorporation

These amendments reflect new Airport Master Plans for each of the four County-owned airports. Objective 1.7 of the Transportation Element is revised to show the dates of the most current airport master plans. Map 8.1 (County Airport Clear Zones) is revised to maintain consistency with the Airport Master Plans. The plans were recently updated through a System-Wide Master Plan Study.

Extrajurisdictional Impacts

The proposed amendments were provided by the City to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) and were distributed on May 21, 2008 and June 23, 2008. Based on the information available to Council, no objections were made to the proposed amendments via IPARC. However, both the Cities of West Palm Beach and Palm Beach Gardens have objected to the proposed Coconut/Northlake Commercial III FLUM amendment (LGA 2008-025).
Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

FLUM Amendments

1. Amendment LGA 2008-025 (Coconut/Northlake Commercial III)

Council has reviewed this proposed amendment previously. In amendment round #06-2, Council reviewed three proposed amendments in this area of the County along Northlake Boulevard. Council’s previous analysis of those amendments is included in Attachment E. In brief, the amendments were found to be inconsistent with the SRPP due to their inconsistency with the WNCLUS, and the failure of the County to base the amendments on existing plans prepared in conjunction with the County’s planning partners for this area, the Cities of Palm Beach Gardens and West Palm Beach.

Since the completion of the WNCLUS in 1998, some conditions have changed in the area. The Central Western Communities Sector Plan has not been adopted. Plans for the Mecca and Vavrus properties have changed or not been solidified. The population of the area has continued to grow, especially in the Acreage. Development has been authorized for the Callery Judge property, but not at the level previously proposed.

In the narrow corridor of land between Northlake Boulevard and Hamlin Boulevard, changes have occurred. (see Exhibit 4a). A new elementary school has been built between Grapeview and 140th Avenue. A communications tower has been built just east of Avocado Boulevard. A U.S. Postal Office has been approved between Coconut Boulevard and 120th Avenue. Several areas have been reserved or projected for water retention/preserve. The BOCC voted to transmit the Coconut/Northlake Commercial III FLUM amendment with the understanding that the uses shown on Exhibit 4a will be deed restricted for future development.

As indicated in its previous report, Council acknowledges that changing conditions may warrant a reevaluation of FLUM designations in an area. The larger area of which this amendment is part clearly needs a better and more fine-grained mix of land uses. The subject property is located at the intersection of a major arterial and a collector (Coconut Boulevard) that has become a more prominent street in the area directly connecting to the Village of Royal Palm Beach. It is not an inappropriate location for commercial retail development to serve the surrounding area.
However, the County staff points out that the proposed development remains inconsistent with a number of policies in the County Comprehensive Plan. Letters from the Cities of Palm Beach Gardens and West Palm Beach object to the proposed amendment as being inconsistent with the WNCLUS and suggest that the location may not be the best for commercial use and may encourage additional commercial development along Northlake Boulevard.

Prior to adoption of this amendment, it is recommended that the County work with the Cities of Palm Beach Gardens and West Palm Beach to update the WNCLUS. The study was adopted in 1998 and was to be updated every five years. This will give all the local governments an opportunity to examine changing conditions in the area; consider current plans for the Callery Judge, Mecca and Vavrus properties; and prepare a set of revised objectives and recommendations to guide future development in the corridor.

Text Amendments

1. Buildout Analysis Revisions Amendment

Although the County proposes to revise Policy 1.1-n of the Transportation Element to remove completion dates for the Corridor Management Plans, the County should not consider the completion of these plans to be a low priority. Transportation problems are commonly caused by an unbalanced land use mix, lack of connectivity, and poor urban design. Such problems can be best addressed by examining and proposing solutions on a corridor or area-wide basis.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP, with the exception of LGA 2008-025 (Coconut/Northlake Commercial III), which is considered to be INCONSISTENT with the SRPP unless and until the County updates the WNCLUS in coordination with the Cities of Palm Beach Gardens and West Palm Beach.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

Attachment

A  Recommended Conditions for Lake Worth (LGA 2008-009)
B  July 21, 2008 letter from Charles Wu, AICP, Planning and Zoning Director for the City of West Palm Beach with respect to Amendments along Northlake Boulevard.
C  July 23, 2008 letter from Kara Irwin, AICP, Growth Management Administrator for the City of Palm Beach Gardens with respect to Northlake/112th Commercial (LGA 2008-024) and Coconut/Northlake Commercial III (LGA 2008-025)
D  Seminole/Southern Commercial III (LGA 2008-023) Staff Conditions
E  Excerpt from TCRPC Report for Palm Beach County 06-2 Comprehensive Plan Amendments
VIII. Alternative Actions Available to the Planning Commission

A. Recommend to the Board of County Commissioners approval with conditions contingent on the adoption by the BCC of a concurrent amendment to the Commercial Location criteria to the Future Land Use Element (FLUE). The following proposed conditions are necessary for the amendment to be consistent with the Comprehensive Plan’s proposed Commercial Location criteria:

1) The subject site (LGA 2008-006) shall be limited to a maximum of approximately 396,000 square feet of commercial retail uses. This condition is drafted to accommodate a .24 FAR per the applicant’s request.

2) The project meets FLUE Policy 3.5-d, based on the following condition:
   a. The Project shall be limited to building permits for 85,000 sf of retail development (the equivalent of 288 PM peak hour trips) until construction has commenced for the recommended improvements at the Lake Worth Road and Turnpike interchange, providing for new Southbound ramps. If construction of these improvements has not been assured by the time of concurrency application for this Project, the property owner shall be solely responsible for assuring funding of this improvement or shall demonstrate by longer required to satisfy Test 2 of the County’s Traffic Performance Standards for the proposed Project.

3) A conceptual master plan and/or design guidelines shall be submitted 30 days prior to the BCC adoption hearing for staff review and for presentation to the BCC at the time of adoption. The master plan and/or design guidelines shall have standards which promote incorporate the following principles:
   • The project shall have a mix of at least three of the following uses: retail, industrial, office, institutional, restaurant, hotel, live/work and residential. One of these uses must be live/work or residential. Flexibility with the site’s allocation and location of identified uses may be considered as permitted by the ULDC and as identified in the master plan.
   • The project shall provide public open space and/or institutional uses that may promote social and cultural activities. At least 5% of the project shall be prominently located and designated as public open space to create squares, greens and/or plazas.
   • The project shall have pedestrian oriented design that includes a main street and internal street networks. Vehicular and pedestrian connections shall be provided to all existing and future contiguous development where feasible. Building mass, placement, and build to lines shall be utilized to provide a spatial definition along streets. Additionally, the design shall incorporate human-scale elements along streets and in common areas that include but are not limited to: seating, landscaping, lighting and water or art features.
   • Parking shall be located in structured parking, or shall require landscape (e.g. sidewalks, arcades, arbors) and landscape treatments that enhance the pedestrian environment and preserve the spatial definition along streets created by building placement. Parking in front of building shall be strictly limited and dispersed to strengthen the pedestrian system.
   • The project shall demonstrate a vertical as well as horizontal integration of uses, that no single tenant shall exceed 60% of the total proposed square footage, and single large tenants must have architectural facade treatments or the tenants to reduce large single use frontage facades along streets. All buildings shall provide four-sided architecture.
   • The interconnected vehicular and pedestrian circulation system shall provide on-street parking and access to transit stops and off-site pedestrian and bicycle systems where feasible.
July 21, 2008

Mr. Lorenzo Agheeno,
Planning Director, Palm Beach County Planning Division
2300 North Jog Road -- 2nd Floor
West Palm Beach, FL 33411-2745

Re: Objections to Palm Beach County's Amendments along Northlake Blvd.
Amendment Round 08-2

Dear Mr. Agheeno:

This letter is to state the City of West Palm Beach's support of County Staff's recommendation of Denial for the following proposed amendments to the County's Future Land Use Atlas for Round 08-2:

- Northlake/112th Commercial SW (LGA 2008-024)
- Coconut/Northlake Commercial III (LGA 2008-023)

As indicated in your staff reports, these amendments are inconsistent with several recommendations for the Western Northlake Corridor Land Use Study (WNCLUS) developed in 1998 by the County, the City of Palm Beach Gardens, and the City of West Palm Beach. As you are aware, all three jurisdictions executed resolutions acknowledging this study as a policy and growth management guide in the review of development proposals and plan amendments. In addition, all parties involved in the WNCLUS recently signed a memorandum of understanding in which the group identified various parcels within the study area as being at risk of developing with strip commercial development. Further, the group agreed that the recommendations of the WNCLUS are still valid and decided on a proactive approach to assess the need to update the study based on assumptions that may reflect any change in conditions within or in the vicinity of the area of study since its completion in 1998.

If you have any questions, please contact me at 822-1455 or Alex Hansen, Senior Planner at 822-1463.

Sincerely,

Charles K. Wu, AICP
Planning and Zoning Director

C: Palm Beach County Board of County Commissioners
Mayor and West Palm Beach City Commissioners

“An Equal Opportunity Employer”
July 23, 2008

Ms. Addie Greene
Chairperson
Board of County Commissioners
301 North Olive Ave. Suite 1201
West Palm Beach, FL 33401

Re: Northlake/112th Commercial SW (LGA 2008-024)
Coconut/Northlake Commercial III (LGA 2008-025)

Dear Commissioner Greene:

The City of Palm Beach Gardens has been actively monitoring the plans for the proposed land use changes of the properties on the southwest corner of Northlake and 112th and the southwest corner of Northlake and Coconut. Based on the Data & Analysis of the County’s Staff Report, the City has significant concerns with the following issues related to the proposed amendments:

Coconut/Northlake Commercial III (LGA 2008-025)

- FLUE Policy 2.2.2-e defines that “The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development”. The City of Palm Beach Gardens agrees with County Staff that the proposed amendment is located in a long and shallow parcel, where land development regulations would result in buildings placed in a linear pattern, and the project’s parking lot and driveways cannot be assured to connect to those of adjacent parcels, which retain non-commercial uses. “This proposal would create an isolated commercial island that will generate additional traffic and impacts to existing residential properties; at worst it will set a precedent for linear non-residential development along the south edge of Northlake Blvd. The proposed amendment does not further this policy” (County Staff Report).

- According to 2025 traffic analysis, at the maximum density of 133,772 sq ft of general commercial, two roadway segments will fail: Northlake Blvd from Seminole Pratt Whitney Rd to Coconut Blvd and Coconut Blvd from Northlake Blvd to Orange Blvd. This amendment at the maximum intensity will be inconsistent with Future Land Use Element Policy 3.5-d of the County Comprehensive Plan.

Northlake/112th Commercial SW (LGA 2008-024)

- The study showed a long-range failure of Northlake Blvd from Coconut Blvd to the Site. As a result, this amendment is inconsistent with Future Land Use Element Policy 3.5-d of the Comprehensive Plan at the maximum intensity. The applicant’s response to these failures was to request a condition limiting the development potential on the site to no more than 15,000 square feet of retail and 24,259 square feet of Medical office in order to meet the traffic requirements of Policy 3.5-d. The City of Palm Beach Gardens has significant concerns with the possibility of this project receiving an exemption, and believes that a maximum development cap in order to satisfy this policy is not a solution to the roadway impacts that this project will generate.
• Since 112th Terrace is not considered an arterial or collector; a commercial development at this location
would be considered mid-block commercial. Policy 1.4-6 allows an exemption to the mid-block
commercial criterion for certain types of mixed-use projects or if a vehicular cross-connection can be
established with adjacent non-residential. At this time, there is no agreement in place between the
property owners in Rustic Lakes or Bayhill Estates to allow access from 112th Terrace or cross-access to
Bayhill Estates; therefore, this proposal would be considered mid-block commercial development. It
should be noted that this policy is currently being amended (2008-01 LGA round) to update the
transportation classification reference. The applicant’s proposal is inconsistent with both the adopted and
the new amended versions of this policy. The City of Palm Beach Gardens agrees with County Staff’s
assessment that this would result on individual rezoning petitions that “may not produce a unified,
coherent plan of development”.

• The subject site does exhibit some signs of strip commercial as defined by the Comprehensive Plan
(such as driveways, separate parking lots, no vehicular interconnectivity). In addition, the Planning
Division has not been presented with any type of agreement between the applicant and the adjacent
homeowners (Rustic Lakes and Bayhill Estates) that would allow access to 112th Terrace to create the
interconnectivity referenced in the application. Without the aforementioned agreements, the applicant’s
proposal would exhibit several signs of strip commercial development. The City of Palm Beach Gardens
agrees with County Staff’s assessment that this would result on rezoning petitions that may not produce a
unified, coherent plan of development.

Furthermore, the proposed amendments meet indicators of urban sprawl, encouraging the continuation of strip
commercials that currently define the eastern area of Northlake Boulevard. Also, the Western Northlake Corridor
Land Use Study (WNCLUS) principles and recommendations still apply as a policy and growth management
guide. This Interlocal Agreement was signed by Palm Beach County, West Palm Beach, and Palm Beach
Gardens, and it is in the process of being updated to reflect current changes and future trends in the area.

For the reasons stated above, the City of Palm Beach Gardens is requesting that the Board of County
Commissioners deny the proposed amendments.

Sincerely,

Kara Irwin, AICP
Growth Management Administrator
City of Palm Beach Gardens

cc: City Council
    Ron Ferris, City Manager
    Robert Banks, Assistant County Attorney
Attachment D

**Future Land Use Map (Exhibit 1)**

<table>
<thead>
<tr>
<th>Amendment No.:</th>
<th>Seminole /Southern Commercial III (LGA 2008-023)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FLUA Page No.:</td>
<td>60</td>
</tr>
<tr>
<td>Amendment:</td>
<td>From RR-10 to Commercial Low with an underlying Rural Residential 1 unit per 5 acres (CL/RR-5).</td>
</tr>
<tr>
<td>Location:</td>
<td>Northwest corner of Seminole Pratt Whitney Road and Southern Boulevard</td>
</tr>
<tr>
<td>Size:</td>
<td>Approximately 64.48 acres</td>
</tr>
<tr>
<td>Property No.:</td>
<td>00-40-43-38-00-000-3020 (64.48 acres)</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>See attached</td>
</tr>
<tr>
<td>Conditions:</td>
<td></td>
</tr>
<tr>
<td>1. Development of the site shall be limited to a maximum of 161,500 square feet of non-residential commercial uses and 15 residential units, 3 of which shall be Workforce Housing.</td>
<td></td>
</tr>
<tr>
<td>2. Building permits for no more than 46,500 square feet of general commercial, the equivalent of 211 peak hour trips, may be issued until construction commences on the south approach of the intersection of Southern Boulevard and Big Blue Trace to provide for dual left turn lanes, one through lane and dual right turn lanes. In the event that a traffic concurrency study demonstrates that this improvement is not required, this phasing condition shall be superseded by the phasing conditions imposed at the time of traffic concurrency approval.</td>
<td></td>
</tr>
<tr>
<td>3. If funding of the improvement referenced in Condition #2 above has not been assured by the time of concurrency application for this project and the property owner has not demonstrated by means of a traffic concurrency study approved by the County Engineer that this improvement is not required, the property owner shall be solely responsible for assuring funding of the aforementioned improvement.</td>
<td></td>
</tr>
<tr>
<td>4. The site plan shall provide for a minimum of 10 acres of contiguous open space located within the northern portion of the site, excluding buffers, and to be maintained in perpetuity with the development.</td>
<td></td>
</tr>
<tr>
<td>5. The site shall be rezoned and developed in the form of a Traditional Marketplace Development (TMD).</td>
<td></td>
</tr>
<tr>
<td>6. For all non-residential and commercial uses, no single tenant shall occupy more than 65,000 square feet.</td>
<td></td>
</tr>
</tbody>
</table>
Attachment E

Excerpt from TCRPC Report for
Palm Beach County 06-2 Comprehensive Plan Amendments

Analysis of Consistency with Strategic Regional Policy Plan

FLUA Amendments

1. LGA 2006-00022 (112th/Northlake Office)
2. LGA 2006-00021 (Avocado/Northlake Commercial)
3. LGA 2006-00023 (Coconut/Northlake Commercial)

A good deal of special planning has been done for the area where these three plan amendments are located. The WNCLUS was a joint initiative between the County, the City of Palm Beach Gardens and the City of West Palm Beach. Completed in 1998, it contains objectives and recommendations that are intended to allow for some limited urban development while preserving and enhancing the rural character for this area which is characterized by very low density residential lots (2.5 to 20 acres). The area is also part of the CWC Sector Plan. Adopted by Palm Beach County in 2005 under the state authorized Sector Planning Process, the Sector Plan covers an area of about 85 square miles along the western edge of Palm Beach County’s urbanizing area. The Sector Plan addresses the increasing demand on services in the rapidly growing area, while providing opportunities to protect the rural character and enhance the environment. It addresses parks, schools, transportation, water resources and management, environmental resources, natural systems and employment.

At the time the Sector Plan was being completed, other events were transpiring to make planning in the area more complicated. The County removed the Mecca Farms and Palm Beach Aggregate properties from the Sector Plan and established a Scientific Community Overlay for the Mecca Farms property. The owner of the Callery-Judge Grove property in the middle of the Sector Plan area filed an application for a Development of Regional Impact which significantly exceeded the intensity of development anticipated in the Sector Plan. The owners of the Vavrus property filed an application for a Development of Regional Impact that significantly exceeds the existing land use intensity assigned under the City of Palm Beach Gardens Comprehensive Plan and would conflict with the recommendations of the WNCLUS. Palm Beach County approved comprehensive plan amendments that led to the Osprey Isles and Carlton Oaks developments on the northside of Northlake Boulevard.

Council acknowledges that there are situations when changing conditions warrant a reevaluation of FLUM designations in an area. A reevaluation may determine that a better or more fine-grained mix of uses is appropriate. However, in doing so, it is expected that the local government will do the necessary planning, complete with public participation and in coordination and cooperation with other affected local governments. If FLUA amendments are to be made in the area, we
would expect that the WNCLUS would be updated, and perhaps the CWC Sector Plan would be revised before amendments are made. This has not been the case.

The County staff concluded that these amendments are not consistent with the recommendations of the WNCLUS, not consistent with the CWC Sector Plan, in conflict with County Comprehensive Plan policies and would contribute to urban sprawl. There was an inadequate determination of need for more than 75 acres of commercial land use. The City of West Palm Beach objected to these amendments as being inconsistent with the WNCLUS (see Attachment 1). The County LPA acknowledged the need to update the WNCLUS in recommending approval of the proposed amendments and the BCC recognized the need for “developmental direction for the Northlake Corridor” during the transmittal hearing.

The Strategic Regional Policy Plan (SRPP) recommends and anticipates that future development will be part of and incorporated into villages, towns or cities that include a well-balanced, compatible mix of land uses appropriately located and a fine-grained network of streets that can accommodate different modes of transportation (Regional Goals 4.1, 5.1, and 6.1). Amendments to the existing plan to accommodate future development should be done in a comprehensive manner with plans for the remainder of the new community taken into consideration. The plans for this area are too uncertain to simply designate 75 acres for commercial use in a strip-like fashion along Northlake Boulevard.

If the County intends to pursue a new direction for the Northlake Boulevard Corridor, planning of a more comprehensive nature should occur before FLUA amendments are made. In this instance, this should include a careful reconsideration of the effect of other decisions (i.e. use of the Mecca Farms property, approval of the Callery-Judge Grove DRI, approval of the Gardens Scientific and Technology Community DRI, etc). This should be done in coordination with the City of Palm Beach Gardens and West Palm Beach, and in a public forum so all parties and interests have input.
## List of Exhibits

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<td>4a</td>
<td>Western Northlake Boulevard Corridor Land Use Map</td>
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<tr>
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<td>Seminole/Southern Commercial III – Future Land Use Map</td>
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<td>6</td>
<td>Southern/Jog – Future Land Use Map</td>
</tr>
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Palm Beach County
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URA Priority Redevelopment Area/Military North
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