Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) 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 the TCRPC 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 is proposing six amendments to the Future Land Use Map (FLUM) as well as text and map series amendments to the following elements of the County Comprehensive Plan: Introduction and Administration, Future Land Use, Housing, Transportation, Coastal Management, Conservation, Intergovernmental Coordination and Capital Improvements. The County has requested a formal review of the amendments by DCA.
Evaluation

A. Text Amendments

1. 2.A.1 Minor Revisions and Updates

Revisions are to the Introduction and Administration, Future Land Use and Housing Elements, as well as to the map series. These include:

a) updates and clarifications due to the previous deletion of the Economic Element, flexibility for scheduling of small scale amendment applications, references to the Florida Statutes, and correction of internal inconsistencies;
b) the relocation of some provisions from the Introduction and Administration to the Future Land Use Element, including the description of the Future Land Use Map (Atlas);
c) removal of references to the Scientific Community Overlay that has been repealed by the County; and

d) update of Map 15.1 (TCEA and CRALLS Map) to remove roadway segments that were designated as CRALLS related to the Scientific Community Overlay (see Exhibit 1).

2. 2.A.2 Office of Community Revitalization Update

Revisions are to the Future Land Use, Intergovernmental Coordination and Capital Improvements Elements. These include: a) updates to provisions, deletion of outdated language and text clarifications related to the Office of Community Revitalization (OCR); and b) a statement to indicate that the mission of the OCR is to support and promote the County revitalization and stabilization efforts and coordinate activities of the Countywide Community Revitalization Team.

3. 2.A.3 Energy Efficiency

Revisions are to the Future Land Use Element. Revisions are, in part, to address the provisions of House Bill 697 adopted by the 2008 Florida Legislation which requires local government comprehensive plans to address energy efficiency and greenhouse gas reduction strategies. The proposed revisions:

- add a seventh principle guiding sustainable land use planning and development to the Introduction section of the Element;
- add new Policy 2.1-l to indicate that energy efficiency and sustainability will be addressed as part of the next Evaluation and Appraisal Report; and
- revise Policy 4.1-b to include conservation and greenhouse gas reduction strategies in the creation of community and neighborhood plans.
4. 2.A.4 Renewable Energy

Revisions are to the Introduction and Administration and Future Land Use Elements. Definitions are added for Electrical Power Facilities and Renewable Energy consistent with the definitions in the Florida Statutes. Included is a clarification to indicate that energy generated from uranium sources or nuclear power is not considered renewable energy. Revisions are proposed to Policy 2.2.9(d) of the Future Land Use Element to allow reusable energy electrical power facilities solely utilizing solar, wind or hydroelectric power in all FLUM designations except Conservation.

5. 2.A.5 Conservation and Coastal Management Element Text Updates

These are considered by the County to be “housekeeping” amendments. The Coastal Management Element is to be revised to be consistent with the land development regulations regarding wetland protection. Conservation Element Policy 1.1-a is revised to correctly reference the “Conservation Lands Protection Ordinance”.

6. 2.A.6 Affordable Housing Programs

Revisions are to the Introduction and Administration, Housing, Transportation and Future Land Use Elements. The purpose of the amendments is to establish and recognize an Affordable Housing program (for those who earn 60 percent or below the area median income). Previously, in amendment round #06-1, the County established a Workforce Housing Program (for those who earn between 60 and 150 percent of the area median income). The Affordable Housing Program is intended to facilitate the provision of housing units for very low and low income households. Developers will receive certain incentives to provide affordable units, including density bonuses.

In the amendment support materials, the County indicated that a recent study concludes that service industries provide 87 percent of all jobs in Palm Beach County with an average annual wage of $25,871. Other sources indicate that the median wage in Palm Beach County is $40,550. The median family income in 2008 was $66,000. The new Affordable Housing Program is intended to address the needs of people employed in many of the jobs that Palm Beach County relies upon to make the community viable. A recent study indicates that the County is 20,000 affordable units short of meeting projected demand.

Among the amendments are revisions to establish a new definition for both the Affordable Housing and Workforce Housing Programs. Revisions are proposed to Policies 1.1-o and 1.5-g of the Housing Element to reflect the programs. Revisions are proposed to Policy 1.2-b of the Transportation Element to include affordable housing projects. The Board of County Commissioners (BCC)
approved the transmittal of the amendments in a 4-3 vote, after making a change that will not permit the utilization of the Workforce or Affordable Housing Programs outside the Urban/Suburban Tier.

7. 2.A.7 URA Update

Revisions are to the Future Land Use Element. In 2004, an east-central portion of Palm Beach County (see Exhibit 2) was designated as an Urban Redevelopment Area (URA) under the provisions of the Florida Statutes. A Master Plan for the area was prepared in 2006. In 2007-08, amendments were made to the County Comprehensive Plan to incorporate recommendations contained in the URA Master Plan. Additional amendments are considered appropriate at this time.

Policy 1.2.2-d is to be revised to recognize that the 2-4 story apartment building is a suitable building type in the URA. Policy 1.2.2-b is to be revised to allow a “Special District” zoning designation as an alternative development form within the Urban Infill and Urban Center designations for the URA. Policy 1.2.2-l is revised to delay by one year the deadline for the completion of the stormwater feasibility study, due to a revenue shortage situation.

8. 2.A.8 Port of Palm Beach Master Plan

Revisions are to the Coastal Management and Future Land Use Elements. References to the Port of Palm Beach Master Plan are revised to reflect the most recent update to the Master Plan; which was adopted on February 19, 2009. The revisions to the Port Master Plan were brief, but importantly, new Policy 3.9 was added to describe efforts to develop an Inland Intermodal Logistics Complex (a.k.a Inland Port) to link the Port and other Florida Ports and relieve “on-port” land area constraints that limit port capacity. The BCC emphasized the preference to locate such a facility within Palm Beach County.

9. 2.A.9 Inland Logistics Center Overlay

Revisions are to the Introduction and Administration and Future Land Use Elements, and the Map Series. The purpose of the amendments is to create an overlay to facilitate the development of an Inland Logistics Center (ILC) near the western communities (Glades Area) of Palm Beach County. An ILC is defined as a facility that serves as an extension of the services provided at a seaside terminal, and typically combine transportation, warehousing/distribution, industrial, manufacturing, and assembly uses.
The following is from the amendment materials provided by the County.

**Background**

**The ILC Concept**

The Port of Palm Beach, due to limitations on physical expansion at its Riviera Beach site, has developed a concept for an inland port facility or multimodal complex to serve as a direct extension of its waterside terminal. Inland Logistics Centers (ILC) serve as an extension of the services provided at a seaside terminal, and typically combine transportation, warehousing/distribution, industrial, manufacturing, and assembly uses. Transportation to and from an ILC can include truck, rail and air. Similar facilities have been developed and are operating in various locations around the world, with several examples in the United States, including the Virginia Inland Port, near Washington, D.C., Alliance Texas near Fort Worth, and, and KC Smartport “virtual port,” a comprehensively-coordinated set of airports, intermodal facilities, and Free Trade Zone space near Kansas City.

**FDOT Studies**

At the Port’s request, the FDOT commissioned a study to explore the feasibility of such a facility at a centralized south Florida location to serve the region’s seaports. This study, completed in June 2007, identified five potential sites in south Florida (Exhibit 3), including three in Palm Beach County, and recommended that the State work with local and regional partners to further investigate the viability of such a facility, including further evaluation of potential sites. A preliminary market analysis was completed in May 2008, identifying some of the opportunities and limitations for such a facility. Both studies are available on the FDOT website at: [http://www.dot.state.fl.us/seaport/publications.shtm](http://www.dot.state.fl.us/seaport/publications.shtm). The Port of Palm Beach is presently planning the site-selection process. Port representatives have indicated that the site-selection will be made by the Port in conjunction with key stakeholders.

**Palm Beach County Efforts**

This facility is a priority project under Palm Beach County's Strategic Economic Development Plan. County Administration and the County’s Economic Development Office have been actively involved with this project through participation on the Port of Palm Beach's Inland Port Task Force. In July, 2008, Florida Crystals Corporation, owner of the Okeelanta site identified in the FDOT study, requested that the BCC direct staff to initiate Comprehensive Plan text and map amendments for a 16,329 acre area to allow for the ILC on the Okeelanta site. A subsequent memorandum reduced the size of the request to 9,010 acres. On September 9, 2008, the BCC directed Planning staff to initiate an amendment to create an overlay in the Comprehensive Plan that would facilitate the location
of this type of facility in the Glades area of Palm Beach County by allowing sites within it to be as ready to proceed as possible with regard to future land use designation. Specifically, the Board directed that the proposed overlay cover the area from the Okeelanta site, north as far as the three Glades-area cities. The BCC directed that the overlay include the Okeelanta site, but encompass a broader area so as to not favor one property-owner over another as the ILC site selection proceeds. The Board cited the need for employment opportunities and economic development in the Glades area, particularly in light of the recent State efforts to acquire U.S. Sugar Corporation lands as part of Everglades restoration efforts. The Board also cited the desire to create the overlay in order to demonstrate the County’s support for, and create a competitive advantage for, location of the facility in western Palm Beach County.

Concurrent with the text amendment to create the overlay, the County is processing a privately initiated site specific amendment request for 319 acres of the Okeelanta site (Okeelanta Inland Logistics Center LGA 2009-008), to change land use from Agricultural Production (AP) to Agricultural Production/Industrial (AP/IND) Future Land Use designation. The County is also processing an amendment to the Comprehensive Plan to reflect the Port’s recent revisions to its adopted Master Plan, incorporating the ILC concept.

The Proposed Overlay Area

The area delineated by the Board of County Commissioners for the proposed overlay is an area of about 100,000 acres in size, wrapping around a portion of the southeast shore of Lake Okeechobee (see Exhibit 4). It extends to the Lake, and abuts the municipalities of South Bay, Belle Glade, and Pahokee. Aside from the municipal areas and some very limited development in the unincorporated area near the three municipalities, the predominant use in the overlay area is agriculture, primarily sugar cane and vegetable cultivation.

The purpose of the overlay is to delineate the area where the County supports the location of an ILC; and to provide a means for potential sites to be as “ready to go” as possible with regard to future land use and zoning approvals and therefore be as competitive as possible in the site selection process. The function of the overlay is to allow the BCC to consider site-specific FLUM amendments within the overlay area when an owner wants to pursue an appropriate designation (Industrial) for the ILC site. The use of the overlay is entirely voluntary for property owners.

In September 2008, Palm Beach County passed a resolution supporting State efforts to acquire land south of Lake Okeechobee for the protection and restoration of the Everglades and supporting an ILC that does not impact Everglades restoration. The Industrial (IND) designation is considered by the County to be the most appropriate designation for an ILC. Other potential
designations are not considered appropriate, as there is adequate land designated for complementary uses in the Glades communities.

The ILC Overlay is established under Objective 1.6 (Glades Tier) of the Future Land Use Element in a new Sub-Objective 1.6.4 entitled ILC Overlay. Under the sub-objective, the preferred area for the siting of the ILC is delineated. Property owners are authorized to seek the Industrial designation as an underlying FLUM designation. Revisions are proposed to a number of other policies for consistency purposes. The Overlay is shown on Map LU3.1, Special Planning Areas. The definition of an ILC is included in the Introduction and Administration Element.

The County considered the amendments to be consistent with plan provisions that recognize the need for economic development in the Glades area, and that preserve agriculture and restore environmental systems. The boundaries of the Overlay are generally based on the Glades Area sites identified in the Florida Department of Transportation (FDOT) Feasibility Study (see Exhibit 3).

10. 2.F.1 Build-Out Analysis/Corridor Master Plan Deletion

Revisions are to Transportation Element Policy TE 1.1-n regarding Corridor Master Plans (CMPs). In light of budgetary constraints and the complexity of resolving intergovernmental differences, the County intends to delete the commitment to prepare CMPs.

In 2002, the County adopted Policy 1.1-n as a way of addressing roadway failures as identified in the Palm Beach County Metropolitan Planning Organization’s Long Range Transportation Plan (LRTP). The policy called for the preparation of CMPs in coordination with affected local governments and property owners. Ultimately, 28 corridors were identified for CMP preparation. All CMPs were to be completed by the year 2011.

In practice, the County has found the process for preparing CMPs to be very complicated. The adoption of a CMP can be frustrating if all local governments involved cannot come to a consensus. The process is very time and resource consuming and the proposed CMP can be “vetoed” by any local government involved. As an example, the County documented the difficulty of trying to complete a CMP for a segment of the State Road 7 Corridor. Due to budgeting and staffing constraints, the County does not intend to move forward with corridor master planning for the identified corridors. The County indicates there are other available tools to address the level of service issue.
11. 2.F.2 Land Use Traffic Requirements Update

Revisions are to Policy 3.5-d of the Future Land Use Element which currently requires a traffic analysis with any proposed FLUM amendment. The existing policy, however, does not provide for an assessment of cumulative traffic impacts from different developments. The revised policy calls for an assessment of cumulative traffic comprised of:

a) projected traffic volumes from the MPO’s latest adopted LRTP as amended to include latest available Future Land Use Atlas amendments that became effective subsequent to the adoption of the LRTP;

b) projected traffic from proposed land use amendment;

c) projected traffic from latest available Land Use Atlas amendments that were previously adopted but have not yet become effective; and

d) projected traffic from concurrent Land Use Atlas amendments that are approved in the same Comprehensive Plan Amendment Round that significantly impact the same roadway segments as the proposed land use change.
B. Future Land Use Map (Atlas) Amendments

The proposed amendments are summarized on Table 1. The location of the amendments and other characteristics are shown in the attached Exhibits.

**Table 1**

**Proposed Amendments to the Future Land Use Map**

**Palm Beach County Comprehensive Plan**

**DCA Reference No. 09-1**

<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. Okeelanta ILC (LGA 2009-008)</td>
<td>318.2</td>
<td>AP</td>
<td>AP/IND</td>
<td>Western Palm Beach County, fronting on US 27 and approximately 1.1 miles south of County Road 827A.</td>
</tr>
<tr>
<td>2. 112th/Northlake Commercial SW (LGA 2008-024)</td>
<td>9.8</td>
<td>RR-5</td>
<td>CL/RR-5</td>
<td>Southwest corner of Northlake Boulevard and 112th Terrace North.</td>
</tr>
<tr>
<td>3. Lake Worth/Turnpike Commercial SW (LGA 2009-006)</td>
<td>19.0</td>
<td>LR-2</td>
<td>CH/2</td>
<td>South side of Lake Worth Road, west of the Florida Turnpike and east of Lyons Road.</td>
</tr>
<tr>
<td>4. Lake Worth/Lyons Residential (LGA 2009-007)</td>
<td>58.3</td>
<td>LR-2</td>
<td>HR-8</td>
<td>On the east side of Lyons Road, just south of Lake Worth Road.</td>
</tr>
<tr>
<td>5. County Corrective Amendments (LGA 2009-009)</td>
<td>17.2 (Lantana Rd.)</td>
<td>LR-3</td>
<td>MR5</td>
<td>Southeast corner of Lantana Road and Hagen Ranch Road.</td>
</tr>
<tr>
<td></td>
<td>0.9 (Boca Dunes)</td>
<td>UT</td>
<td>HR-8</td>
<td>Southwest corner of Boca Rio Road and Via Ancho Road.</td>
</tr>
<tr>
<td>6. PBIA Grace Drive Properties (LGA 2009-010)</td>
<td>0.3</td>
<td>CL/IND</td>
<td>UT</td>
<td>On the north and south sides of South Grace Drive, just south of the Southern Boulevard/Congress Avenue Interchange.</td>
</tr>
</tbody>
</table>

**Total:** 423.7

**Key to FLUM Designations**

- **AP** Agricultural Production
- **AP/IND** Agricultural Production with an underlying Industrial
- **CL/IND** Commercial Low with an underlying Industrial
- **UT** Utilities
- **RR-5** Rural Residential – maximum of 1 dwelling unit per 5 acres
- **LR-2** Low Residential – maximum of 2 dwelling units per acre
- **CH/2** Commercial High with an underlying Low Residential – maximum of 2 dwelling units per acre
- **LR-3** Low Residential – maximum of 3 dwelling units per acre
- **MR5** Medium Residential – maximum of 5 dwelling units per acre
- **CL/RR-5** Commercial Low with an underlying Rural Residential – maximum of 1 dwelling unit per 5 acres
- **HR-8** High Residential – maximum of 8 dwelling units per acre
1. LGA 2009-008 Okeelanta Inland Logistics Center

This 318.2 acre property is located in the Everglades Agricultural Area, south of the City of South Bay (see Exhibit 6) in the extreme southwestern portion of Palm Beach County. The land is currently used for agricultural purposes (sugar cane). The proposed use is for an ILC, with light industrial, warehousing, cargo storage and transfer, trucking offices, and rail facilities. The amendment is proposed under the ILC Overlay, as detailed in the above text amendments.

The current FLUM designation is Agricultural Production (AP). The proposed FLUM is AP/Industrial (AP/IND). Surrounding lands are also used for agricultural purposes, but the Okeelanta facility, which includes a sugar mill, refinery, packaging and distribution center and co-generation facility, lies nearby to the southwest of the subject property. All surrounding lands are designated AP.

This is one of the five potential sites identified for an ILC in the FDOT study completed in June 2007. The irregularly shaped property allows for access to U.S. 27 and a rail line to accommodate the functional layout of an ILC.

County staff considers the amendment consistent with the comprehensive plan. It would promote economic development without significant impacts on agriculture, it would avoid the area anticipated to be used for Everglades restoration, and it would not encroach on residential areas. The amendment is conditioned by the County as follows:

1) The IND designation shall be limited to use for an inland logistics center associated with the Port of Palm Beach.
2) If the inland logistics center does not move forward on this site, County staff shall bring forward to the Board of County Commissioners an amendment to return the property to the Agricultural Production (AP) designation.
3) The subject site is limited to a maximum of 2,084,346 sf of Industrial and 2,084,346 sf of Warehouse uses or equivalent traffic generating uses.
4) Building permits for more than 1,021,330 sf of Industrial and 1,021,330 sf of Warehouse (or the equivalent of 1,266 PM peak hour trips) may not be issued prior to December 31, 2013 unless the property owner is able to demonstrate that the transportation concurrency requirements have been satisfied for additional square footage, or additional square footage is otherwise permitted by applicable laws and ordinances at the time of development order application.

There are related text amendments proposed to the Future Land Use Element. These include:
• Revisions to Policy 2.1-e regarding the use of underlying FLUM designations.
• Revisions to Policy 3.3-a regarding designation of Limited Urban Service Areas.
• A definition of the ILC.
• Depiction of the Okeelanta ILC on the Map Series as a Limited Urban Service Area.

2. LGA 2008-024 112th/Northlake Commercial

This 9.8 acre site is located along the south side of Northlake Boulevard, west of the Loxahatchee Slough (see Exhibits 7a and 7b). It is in an area that includes property within the jurisdiction of the Cities of West Palm Beach and Palm Beach Gardens, as well as the unincorporated County. The three local governments jointly proposed the Western Northlake Corridor Land Use Study (WNCLUS), adopted in 1998, containing objectives and recommendations for the future development of the area. The FLUM amendments proposed by the County since the adoption of the study have been controversial. According to the amendment materials, an update to the study was scheduled for adoption in February of 2009.

The property is currently vacant. The proposed use is commercial retail (a pharmacy). The current FLUM designation is Rural Residential (RR-5), allowing one home per five acres. The proposed FLUM designation is Commercial Low Intensity (CL/RR-5).

The area consists of very low density residential development, but as Exhibits 7a and 7b indicate, there have been changes in recent years with some higher density residential uses, and land designated for commercial uses. A large shopping plaza with a supermarket is located just east of the area portrayed in Exhibit 7b. The existing land uses on adjacent properties include residential, institutional and recreational (City of Palm Beach Gardens Public Golf Course) to the north, vacant land to the east, residential development to the south, and vacant land used for water retention purposes to the west. Surrounding FLUM designations include RR-5 to the south and west, Commercial Office to the east and a mix of residential, institutional and recreational designs across Northlake Boulevard to the north.

The property is located in the County’s Rural Tier, in an area of extremely low density residential uses (2.5 acre to 20 acre lots). This property is within the focus area of the WNCLUS, but not within the boundaries of the Central Western Communities Overlay. The County staff recommended denial of the amendment based on inconsistency with Future Land Use Element policies calling for frontage on two arterial/collector roadways or vehicular cross connection with an adjacent non residential use (which is not to be provided). The County Local Planning Agency (LPA) recommended approval by an 8-4 vote, and the BCC transmitted the amendment, indicating that additional commercial development in
this area was warranted and that this property represented one of the last sites available for the proposed use (a pharmacy). The BCC felt that the lack of vehicular access could be mitigated with a pedestrian circulation requirement. Both the Cities of Palm Beach Gardens and West Palm Beach indicated opposition to the proposed amendment; the former indicating that traffic level of service is a problem and that the amendment is in conflict with County policy and inconsistent with the WNCLUS which suggests that the local demand for commercial land use has already been met (see Attachments A and B). The City of West Palm Beach also considers the amendment inconsistent with the WNCLUS and indicates that the County determination that additional commercial land use is warranted was done unilaterally, rather than in cooperation with the other local governments in the corridor.

3. LGA 2009-006 Lake Worth/Turnpike SW Commercial

This 19.0 acre property consists of 8 parcels of land along the south side of Lake Worth Road, just west of the Florida Turnpike (see Exhibits 8a and 8b). The existing uses on site include single family residential and vacant land formerly used for equestrian purposes. The proposed use is for mixed-use development. The current FLUM designation is Low Residential (LR-2). The proposed designation is Commercial High (CH/2). Surrounding uses include a church, single family residential and vacant land across Lake Worth Road to the north, vacant land to the east and west, and vacant land and some equestrian use to the south. The FLUM designation on surrounding lands is LR-2 to the south, east and west. There is some land designated Commercial across Lake Worth Road to the north.

Both this property and the property in the amendment summarized next lie in a section of land (over 600 acres in size) that historically was used for agricultural and equestrian purposes. A large portion of the property was utilized by the Gulfstream Polo Club for the past 30 years. The Cedar Creek Ranch planned unit development (PUD) and a church and school are the only current development within the larger property. However, an additional 430 acres received PUD approval for 866 dwelling units in 2006. Other portions of the property are owned by the Palm Beach County School District and to be used as a school site; and by the FDOT (adjacent to subject property) to be used for expansion of the Lake Worth Turnpike Interchange. Development on this property under the proposed FLUM is subject to the following conditions:

1) The subject site is limited to a maximum of 402,603 square feet of non-residential uses or equivalent traffic generating uses.
2) The development of the subject site shall adhere to the following design guidelines and shall be developed as a Lifestyle Commercial Center consistent with Policy 1.2.1-1 (Future Land Use Element):
The project shall have a mix of at least three of the following uses: retail including restaurant, office, institutional, hotel, work/live and residential. One of these uses must be work/live or residential. Flexibility with the site’s allocation and location of identified uses may be considered as permitted by the Unified Land Development Code.

The project shall provide public usable 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 usable open space to create squares, greens and/or plazas.

Vehicular and pedestrian connections shall be provided to all existing and future adjacent development.

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.

The internal street network shall form a block structure to facilitate the pedestrian oriented design of the project. The largest block perimeter shall measure no more than 1,800 linear feet. At least three full block structures shall be created. Building mass, placement, and build to lines shall be utilized to provide a spatial definition along streets. The design shall incorporate human-scale elements along streets and in common areas that includes but is not limited to: seating, landscaping, lighting and water or art features.

Parking shall be located in structured parking, or shall require hardscape (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 and access in front of buildings shall be limited to no more than one double row of pull-in parking accessed via a two lane drive aisle and dispersed to strengthen the pedestrian system.

The project shall demonstrate a vertical as well as horizontal integration of uses.

No single tenant shall exceed 65,000 square feet. Single large tenants must have architectural façade treatments or liner tenants to reduce large single use frontage facades along streets. All buildings shall provide four-sided architecture.

The amendment materials indicate that the County will consider adding a proposed collector road between Lyons Road and Lake Worth Road to the Thoroughfare Plan Map during the next amendment Cycle.

4. LGA 2009-007 Lake Worth/Lyons Residential

This 58.3 acre property includes seven parcels of land. It lies in the same area as the amendment discussed above, but has its main frontage along Lyons Road (see Exhibits 9a and 9b). The existing uses on the property include several single family homes and equestrian uses. The proposed use is for residential
development. The existing FLUM designation is LR-2. The proposed designation is High Density Residential (HR-8). The existing land use on surrounding properties is residential and vacant to the north, equestrian uses to the east, a church, residential and equestrian uses to the south, and residential to the west. The FLUM designation on surrounding properties is LR-2, except that a portion of the property to the north has been redesignated as Commercial High (see Exhibit 9a).

County staff recommended denial of the proposed amendment due to an inadequate justification of need, and incompatible density when compared to surrounding properties. The County LPA also recommended denial (by a 7-3 vote), expressing concerns about the integration of workforce housing, compatibility of the higher residential density, the need for a master plan for the entire area and school capacity concerns. The County School District will require a monetary contribution to allow middle school capacity to be increased as a result of this development. The BCC felt there was a need for higher density residential uses to complement proposed commercial development in the area; and after hearing from the public, considered the proposed amendment consistent with community desires and with existing and proposed development. The amendment would be subject to the following conditions:

1) Under the High Residential – eight (8) units per acre Land Use Designation, the subject site shall be limited to a maximum development potential of seven (7) dwelling units per acre, with no density increases permitted above seven (7) dwelling units per acre on site.
2) Development of the pod, located adjacent to Cypress Creek Ranch, shall be in the form of single-family detached units.
3) Development of the pod, located adjacent to the Epiphany Lutheran Church and School, shall be in the form of single family or town home units.
4) The subject site shall provide access from Lyons Road extending through the subject property and providing connectivity with the Lake Worth Commercial site (Ordinance 2008-048) to provide future access with Polo Road. The access road shall not be located adjacent to Cedar Creek Ranch.
5) The subject site shall provide a thirty (30) foot landscape buffer along the northern property line, in place of the existing right-of-way, adjacent to Cedar Creek Ranch.

5. LGA 2009-09 County Corrective Amendments

These amendments are initiated by the County for two properties that were assigned an incorrect designation in 1989. The first is for 17.2 acres of a larger 35.6 acre mobile home park. The Medium Density (MR-5) designation should have been assigned to the entire property (see Exhibit 11). The second is a very small (0.9 acre) site that is part of the Boca Dunes PUD (see Exhibit 12). It was incorrectly assigned a Utilities/Transportation designation in 1989. The correct designation should be HR-8, the designation applied to the PUD.
6. LGA 2009-010 PBIA Grace Drive Properties

These two small parcels (see Exhibit 13) have been acquired by the Palm Beach County Department of Airports as part of a noise abatement program. The designation of the properties is to be changed from Commercial/Industrial to Utilities/Transportation.

Extrajurisdictional Impacts

Notices of the proposed amendments were circulated through the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) on January 21, February 17 and February 23. Council is not aware of any objection filed through the IPARC. The Cities of Palm Beach Gardens and West Palm Beach submitted letters during the amendment hearing process expressing opposition to FLUM amendment LGA 2008-024 (112th/Northlake Commercial).

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates they would not have any direct adverse effects on significant regional resources or facilities. At the same time, lands west of the Okeelanta Inland Logistic Center (ILC) FLUM amendment property are strategically located to serve as an additional conduit for moving water from Lake Okeechobee, south to the Everglades/Florida Bay ecosystem. This connection is an important component for Everglades restoration. It also has the potential to advance restoration of the St. Lucie River Estuary, Indian River Lagoon and the Lake Worth Lagoon by meaningfully reducing abnormal freshwater inputs to these ecosystems from the Lake.

Analysis of Consistency with Strategic Regional Policy Plan

Text Amendments

1. 2.A.6 Affordable Housing Program

The County is commended for the intent to establish a program that specifically addresses the needs of its very low and low income residents, consistent with Regional Goal 2.1. The County is further commended for openly recognizing that 1) the housing needs of the low and very low income must be addressed in a partnership between the public and private sectors; and 2) many persons who meet the criteria for low and very low income are nonetheless a very important segment of the workforce.
2. 2.F.1 Build-Out Analysis/Corridor Master Plan Deletion

In a previous amendment round (#08-2), the County proposed to modify Policy 1.1-n of the Transportation Element by removing a number of corridors from the CMP list and to remove the completion dates for CMPs. At that time, the TCRPC indicated that despite the proposed amendments, the County should not consider the completion of the CMPs to be a low priority. Transportation problems are commonly caused by an unbalanced land use mix, lack of connectivity and poor urban design and those problems can be best addressed on a corridor or area-wide basis. The County now intends to entirely delete Policy 1.1-n, the commitment to prepare CMPs.

The recognition by the County that CMPs are a viable way of addressing land use and transportation issues was, at least in part, due to recommendations made by the TCRPC over the years. Council understands that the County has found the preparation of CMPs to be very expensive and time-consuming and difficult to complete and adopt when there are different priorities among local governments in the area of the CMP. However, Council is not convinced that the “other available tools” to address transportation level of service issues referenced by the County will prove to be adequate (i.e. CRALLS, TCEA, low levels of service for certain purposes) unless they recognize that land use planning, urban design and connectivity are the keys to sustainable neighborhoods/communities. Good policy intended to carry out the vision of a comprehensive plan should not be deleted because the policy is difficult and expensive to implement.

Recommendation for Modification: The County could delete the commitment to prepare specific CMPs by a date certain. However, rather than deleting Policy 1.1-n entirely, the County should revise the policy to indicate the County supports and encourages the preparation of CMPs in areas where mobility should be enhanced. The policy should acknowledge that both land use and transportation issues must be fully addressed in order to build and maintain sustainable neighborhoods and communities; and that CMPs should be undertaken when feasible as a joint effort by local governments, landowners and the public.

3. 2.A.9 Inland Logistics Center Overlay

For any site chosen for the ILC within the ILC Overlay, Palm Beach County should meet with the State, the South Florida Water Management District and the landowner to discuss the transfer of needed restoration lands to public ownership. The potential value of the ILC lands as a result of the significant increase in allowable land use intensity should be an important consideration in negotiating the public cost of land acquisition for restoration of the Everglades.
FLUM Amendments

1. LGA 2009-008 Okeelanta ILC

Both ILC amendment lands and potential Everglades restoration lands are owned by Florida Crystals. This puts Palm Beach County and the State in a unique position to pursue an agreement with the landowner about how to secure the use of its lands for necessary restoration; perhaps at a cost that would be beneficial to the public.

Recommendation: Palm Beach County should meet with the State, the South Florida Water Management District and Florida Crystals to discuss the transfer of needed restoration lands to public ownership. The potential value of the ILC lands as a result of the significant increase in allowable land use intensity should be an important consideration in negotiating the public cost of land acquisition for restoration of the Everglades.

This recommendation is consistent with SRPP Regional Goal 6.5, Strategy 6.5.1 and Policy 6.5.11 which are to protect, improve, and restore the functions and values of the Indian River Lagoon, Lake Worth Lagoon, and the St. Lucie and Loxahatchee River estuary systems; and Regional Goal 6.9 and Policy 6.9.1.6 which are to encourage the protection and sustainability of the Everglades ecosystem and the acquisition of private lands that will allow restoration of the Everglades.

2. LGA 2008-024 112th/Northlake Commercial

A number of comprehensive plan amendments have been proposed in the area along Western Northlake Boulevard, both prior to and since the adoption of the WNCLUS in 1998. Nearly all of the amendments have been to increase the density/intensity of land use in the area, and most have been controversial. The proposed site does not appear to be an optimum location for a large retail facility, since it has access only from Northlake Boulevard. There will be no intersection or traffic signal at which westbound traffic can readily access the site. The BCC concluded, however, that this was one of the last remaining sites in the corridor that could accommodate such a use.

Both the cities of Palm Beach Gardens and West Palm Beach sent letters expressing concerns regarding this proposed amendment.

Recommendation for Modification: The County should work closely with the cities of Palm Beach Gardens and West Palm Beach on land use and transportation issues in the corridor. As Council has indicated for other proposed amendments in previous amendment rounds, no amendment should be adopted until the update of the WNCLUS in completed. The County has indicated that the completion of this update is imminent.
3. LGA 2009-006 (Lake Worth/Turnpike Commercial) and LGA 2009-007 (Lake Worth/Lyons Residential)

These two amendments are located within a section of land that has traditionally been used for agricultural and equestrian purposes. Based on previous FLUM amendments and new land use ownership characteristics, it is clear that this area is in transition to urban uses. The best way to guide this transition would be with a master plan for the area, to include an interconnected street network, a mix of uses, and a variety of housing types, sizes and affordability.

While such a master plan has not been prepared, there have been some efforts to comprehensively plan the area in cooperation with the Lake Worth Road Coalition (see Exhibits 10a and 10b). The conditions of approval for these amendments suggest that the County recognizes the need for a street network for the area including vehicular and pedestrian connections is important, as is the need for a mix of uses and urban design.

Recommendation for Modification: The County should not adopt these amendments until an interconnected street network for the entire area is identified. This should include a collector road between Lyons and Lake Worth Roads.

Consistency with Strategic Regional Policy Plan

The contract agreement with the DCA requires the TCRPC to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. The TCRPC finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

The Treasure Coast Regional Planning Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>April 7, 2009 correspondence from City of Palm Beach Gardens</td>
</tr>
<tr>
<td>B</td>
<td>April 10, 2009 correspondence from City of West Palm Beach</td>
</tr>
<tr>
<td>C</td>
<td>May 28, 2009 correspondence from Linda Johnson, Commissioner, City of South Bay</td>
</tr>
<tr>
<td>D</td>
<td>Statement Read into Council record by Mr. Clifford Hertz of Broad and Cassel, Attorneys at Law, representing Florida Crystals Corporation</td>
</tr>
</tbody>
</table>
Mr. Jeff Koons
Chairperson
Board of County Commissioners
301 North Olive Ave. Suite 1201
West Palm Beach, FL 33401

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

Dear Commissioner Koons:

The City of Palm Beach Gardens has been actively monitoring the plans for the land use amendment for the property on the Southwest corner of Northlake Boulevard and 112th Terrace North. The City agrees with the County Staff’s assessment that the proposed amendment is not consistent with the County’s Comprehensive Plan, and supports the following conclusions:

- Since 112th Terrace North is not considered an arterial or collector; a commercial development at this location is considered a mid-block commercial development. The County’s Comprehensive Plan allows exemptions to the mid-block commercial criteria for certain types of mixed-use projects or if a vehicular cross-connection can be established with adjacent non-residential developments. Since there is no agreement in place to allow access from 112th Terrace to allow the exemption, the amendment as proposed is inconsistent with Future Land Use Policy 1.4-f.

- The subject site exhibit signs of strip commercial as defined by the County’s Comprehensive Plan (separate driveways, separate parking lots, designed primarily for vehicular access). The shallow depth and lack of cross-connectivity to the adjacent commercial property create a strip development pattern that is inconsistent with Future Land Use Policy 2.2.2-e.

Also, the proposed increased commercial intensity at this location is inconsistent with the Western Northlake Corridor Land Use Study (WNCLUS). At the present time, the study update demonstrates that the local demand for commercial is sufficiently met by the existing commercial intensities approved in the study area. The Interlocal Agreement was signed by Palm Beach County, West Palm Beach, and Palm Beach Gardens, and it is 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 L. Irwin, AICP
Growth Management Administrator

cc: City Council
Ron Ferris, City Manager
Robert Banks, Assistant County Attorney
April 10, 2009

Commissioner Jeff Koons, Chairperson and Members of the
Palm Beach County Board of County Commissioners
301 North Olive Avenue, 12th Floor
West Palm Beach, Florida 33401

Re: Western Northlake Corridor Land Use Study (WNCLUS) Commercial and
Office Needs Update & Round 09-1 112°/Northlake Commercial SW
Amendment

Dear Commissioner Koons and County Commissioners:

This is in response to the attached Memorandum from Louie Aghano, County Planning
Director, to the County Commission, dated April 7, 2009, regarding WNCLUS commercial
and office needs updates. In the Memo, Mr. Aghano indicates that the main finding of the update to
the WNCLUS is that “the area may need an increase of approximately 36,607 square feet of
commercial/office space at buildout (expected to occur around 2025), according to Future Land Use
designations and densities” and that this conclusion was reached by all 3 local governments
involved in this study. Unfortunately, this is not the case as the WNCLUS data and methodology
were modified by the County within the last few days without the consensus of the three (3) local
governments party to the Interlocal Agreement.

As you are aware, the three local governments have been updating the study for approximately
the last year and a half. Throughout the process all parties repeatedly discussed and agreed upon
the update methodology. The agreed upon methodology as well as the final findings and conclusions
of this effort were outlined in the attached February 18th, 2009 draft memo approved by all parties
which indicated that commercial approvals to date in the WNCLUS area exceed the buildout
demand of the area by 52,455 square feet and that “the commercial and office needs of the
WNCLUS area are met through buildout.” The findings are a result of determining the commercial/office needs of the projected buildout population for the study area by using
professionally accepted multipliers. Those needs were then compared to the existing commercial
and office approvals for parcels in the WNCLUS based on the development rights and entitlements
provided by their Future Land Use designations,

Planning and Zoning Department
P.O. Box 3306
West Palm Beach, Florida 33402
Telephone: 561/822-1435
Fax: 561/822-1460
Page 2 – April 10, 2009

The City is concerned that action by County Staff was taken without proper discussion or agreement prior to the April 7, 2009 memo, which reflects the modifications to the study data, and that the modified methodology was not uniformly applied throughout the study area, a criteria we continue to believe is essential to this planning effort. Furthermore, we are concerned about this action occurring at this late stage.

The City agrees with the County Planning Staff Report for the proposed land use amendment of 1120 Northlake Commercial SW (LGA 2008-024) that the proposed amendment is inconsistent with the recommendations of this study (as outlined in the February 18th Memo) and, as such, we agree with the recommendation of denial.

In light of the above issues, it is necessary for the three parties to continue dialogue so that there can be an agreement on the methodology and findings of the WNCLUS update. If you have any questions, please do not hesitate to contact me at 822-1453.

Sincerely,

[Signature]

Charles K. Wu, AICP
Planning and Zoning Director

C: Mayor and West Palm Beach City Commissioners
   Ed Mitchell, City Administrator
   Verdenia Baker, Deputy County Administrator
   Claudia McKenna, Esq. City Attorney
   Barbara Altermann, County PZB Executive Director
   Lorenzo Agherea, County Planning Director
   Kara Irwin, AICP, PB Gardens Growth Management Administrator

Attachment: April 7, 2009 WNCLUS Update Memo from Lorenzo Agherea
February 18, 2009 WNCLUS Update Memo from PBC, FHD, FBG, and WPB

May 28, 2009

The Honorable Charlie Crist, Governor
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, Florida 32399

RE: South Florida Inland Intermodal Logistics Center Western Palm Beach County ("ILC")

Dear Governor Crist:

I am writing to you as a City Commissioner of the City of South Bay. As a lifelong resident of the Tri-Cities area (Belle Glade, South Bay and Pahokee), I have witnessed the continual decline of our quality of life. The proposed ILC offers the best and perhaps last major economic development opportunity for the Tri-Cities and the region. Unemployment in the Tri-Cities is currently running at somewhere between 25% and 30%. Our young capable and responsible young people are leaving our area at an ever increasing pace. Those who choose to stay often see no hope for the future and end up turning to unproductive and often times illegal activities out of a sense of desperation.

Based upon consultants’ reports commissioned by the Department of Transportation, it is clear that an ILC just south of Lake Okeechobee along US 27
presents an opportunity to create the good jobs we need and revitalize the economy of our Tri-Cities area and the region through job creation and increased tax base. One of the studies concludes that there will be a need for distribution and warehouse space associated with increased cargo which will be coming to the three major South Florida Ports in the amount of 80 Million square feet. If the ILC could capture one tenth of that market, it would produce 8 Million square feet of distribution and warehouse space. One of the studies also finds that as many as 600 jobs per million square feet could be created. In that event, 5,600 good jobs could be created for the people of the Tri-Cities area and the region.

As you may be aware, there are two Comprehensive Plan Amendments which have been transmitted by Palm Beach County to the Department of Community Affairs. The Plan Amendments include an overlay proposed by Palm Beach County allowing for Land Use Plan Amendments to be made by landowners within a certain geographic region in Western Palm Beach County, and a Site Specific Land Use Plan Amendment proposed by Florida Crystals for a site south of the lake along US 27. Residents of the Glades have expressed their support for the ILC to be located at the Florida Crystals site due to its proximity to the Tri-Cities, already built infrastructure, and its ability to keep truck traffic to the south of our neighborhoods.

I urge you and the parties copied on this letter to fully support these Comprehensive Plan Amendments. Time is of the essence as the Port of Palm Beach has issued an RFQ to landowners and expects to issue an RFP to qualified landowners this summer.

Please help us revitalize the Tri-Cities and the region and fully support an ILC in
Western Palm Beach County to the greatest extent possible. People’s livelihoods and lives are at stake. Government should be about and for the people.

Sincerely,

Linda Johnson, City Commissioner

cc: Michael W. Sole, Secretary of Department of Environmental Protection
    Thomas G. Pelham, AICP Secretary of Department of Community Affairs
    Stephanie C. Kopelousos, Secretary of Department of Transportation
    Michael Busha, Executive Director Treasure Coast Regional Planning Council
Florida Crystals Corporation has demonstrated its longstanding commitment and support of responsible Everglades restoration by providing thousands of acres and millions of dollars in additional agricultural property taxes for Everglades restoration projects designated in the Everglades Construction Project and CERP. However, Florida Crystals objects to the condition specified in the Treasure Coast Regional Planning Council Staff Report dated June 19, 2009 under FLUM Amendments, item #1 "LGA 2009-008 Okeelanta ILC" on the basis that such condition is an unconstitutional and illegal exaction because there is no rational relationship between the suggested condition and any impacts of the requested approval. Accordingly, Florida Crystals urges the Treasure Coast Regional Planning Council to remove the condition from its report and not consider it as part of these proceedings.
# List of Exhibits

**Exhibit**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Map TE 15.1 CRALLS Amendment</td>
</tr>
<tr>
<td>2</td>
<td>Urban Redevelopment Area Regulating Plan</td>
</tr>
<tr>
<td>3</td>
<td>Map of Potential Inland Port Sites – from FDOT Study</td>
</tr>
<tr>
<td>4a</td>
<td>Proposed Inland Logistics Center Overlay – Palm Beach County Future Land Use Map</td>
</tr>
<tr>
<td>4b</td>
<td>Proposed Inland Logistics Center Overlay – Palm Beach County Property Owners Map</td>
</tr>
<tr>
<td>5</td>
<td>Amendment General Location Map</td>
</tr>
<tr>
<td>6</td>
<td>Okeelanta Inland Logistics Center</td>
</tr>
<tr>
<td>7a</td>
<td>112&lt;sup&gt;th&lt;/sup&gt;/Northlake Commercial – Aerial Map</td>
</tr>
<tr>
<td>7b</td>
<td>112&lt;sup&gt;th&lt;/sup&gt;/Northlake Commercial – Site Location Map</td>
</tr>
<tr>
<td>8a</td>
<td>Lake Worth Turnpike SW Commercial – Aerial Map</td>
</tr>
<tr>
<td>8b</td>
<td>Lake Worth Turnpike SW Commercial – Site Location Map</td>
</tr>
<tr>
<td>9a</td>
<td>Lake Worth Lyons Residential – Aerial Map</td>
</tr>
<tr>
<td>9b</td>
<td>Lake Worth Lyons Residential – Site Location Map</td>
</tr>
<tr>
<td>10a</td>
<td>West Lake Worth Road Planning Area – Future Land Use Map</td>
</tr>
<tr>
<td>10b</td>
<td>West Lake Worth Road Planning Area – Amendments and Re-Zoning</td>
</tr>
<tr>
<td>11</td>
<td>Lantana Road Property – Site Location Map</td>
</tr>
<tr>
<td>12</td>
<td>Boca Dunes Property – Site Location Map</td>
</tr>
<tr>
<td>13</td>
<td>PBIA Grace Drive Properties – Site Location Map</td>
</tr>
</tbody>
</table>
Exhibit 3
Map of Potential Inland Port Sites
from FDOT Study
Exhibit 4a

Proposed Inland Logistics Center (ILC) Overlay
Palm Beach County Future Land Use
Exhibit 5
Amendment Location Map
Exhibit 7a
112th/Northlake Commercial – Aerial Map
Exhibit 7b
112th/Northlake Commercial – Site Location Map
Exhibit 8b
Lake Worth Turnpike SW Commercial – Site Location Map
Exhibit 9a
Lake Worth Lyons Residential – Aerial Map
Exhibit 9b
Lake Worth Lyons Residential – Site Location Map
Exhibit 11
Lantana Road Property – Site Location Map
Exhibit 12
Boca Dunes Property – Site Location Map
Exhibit 13
PBIA Grace Drive Properties – Site Location Map