Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

Background

Palm Beach County is proposing text amendments to the Historic Preservation and Introduction & Administration Elements, a modification to the Future Land Use Atlas (FLUA) Regulations, one FLUA amendment, and several transportation-related amendments.

Evaluation

A. Text and Map Series Amendments

1. Historic Preservation Element Updates

   The County is proposing amendments to revise the Historic Preservation and Introduction & Administration Elements in order to make general updates and make the following changes:

   - Revise the Introduction to explain the role of cultural resources, their relevance to the County, and the economic benefit they provide;
• Revise the description of current practices of cultural resource management, archeology, and historic preservation;
• Add new objectives and policies reflecting the many tasks and ongoing roles already performed by the County as recommended by the Historic Resources Review board;
• Add the names of historic sites and districts designated by the Board of County Commissioners since August 1999; and
• Revise the definition of Cultural Resources in the Introduction & Administration Element.

2. Commercial Low Single Tenant

The County is proposing an amendment to modify the FLUA Regulations to exempt a 64.48 acre parcel of land known as the Sluggett Property from the development restrictions established for the Commercial Low (CL) future land use (FLU) designation, and consequently from the single tenant limitation set forth in the Unified Land Development Code (ULDC). The property is located at the northwest corner of Southern Boulevard (SR 80) and Seminole Pratt Whitney Road. This amendment will put into place the mechanism that will allow this site to be exempt from the neighborhood oriented single tenant limit for this specific property’s CL future land use designation. Subsequent to this proposed amendment, this exemption will be further implemented by an amendment to the ULDC to exempt the Sluggett property from the 65,000 square foot single tenant limit.

The Board of County Commissioners has recognized that the Sluggett Property’s location on the corner of a major arterial, its configuration, large acreage, and existing allowance for over 280,000 square feet of commercial development make it unique within the Rural Tier and suitable for single tenants to be larger than 65,000 square feet. The proposed change is to add a policy to the FLUA regulations to exempt the Sluggett Property, to exceed the maximum single tenant limitation in the ULDC. This amendment would allow this site to develop with a larger single tenant than is currently allowed by the ULDC under the CL future land use designation. The added text is underlined:

Exurban and Rural Tier: In the Exurban and Rural Tiers, CL uses shall be restricted as necessary to further Objectives 1.3 and 1.4, to preserve and protect the rural residential lifestyle and comply with the provisions of the ULDC. Due to the unique location at the intersection of an arterial and SIS Roadway and to its size that is greater than 64 contiguous acres, the commercial development of the parcel located at the northwest corner of Southern Boulevard and Seminole Pratt Whitney Road and identified in the legal description in Ordinance 2010-030 (LGA 2010-012) shall be exempt from the neighborhood oriented commercial activity restrictions in the Commercial Low FLU only for the maximum square footage limitation for single tenants in the CL future land use designation as implemented by the ULDC.
B. Future Land Use Atlas Amendment

1. Hungryland Slough Natural Area Addition

The proposed amendment is to change the future land use designation of properties purchased by the County’s Environmental Resources Management Department for addition to the Hungryland Slough Natural Area. The properties are located south of Bee-Line Highway, and south and east of Pratt Whitney Road. The amendment will change the designation of 1,669.43 acres (1,264 parcels) from Rural Residential 10, which allows one dwelling unit per 10 acres, to Conservation. The subject parcels consist of vacant, undeveloped land occupied primarily by native vegetation. The parcels were purchased for the purpose of conserving, restoring and protecting environmentally sensitive lands. These parcels will be managed by the Department of Environmental Resources Management as part of the Hungryland Slough Natural Area.

C. Transportation Related Amendments

1. Congress Avenue Thoroughfare Right of Way Identification Map (TIM) and the Future 2020 Roadway at Number of Lanes Map (2020 Map)

The proposed amendment is to modify the Future 2020 Roadway at Number of Lanes Map for consistency with the Palm Beach Metropolitan Planning Organization (MPO) 2035 Cost Feasible Plan. The amendment will also modify the Congress Avenue Thoroughfare Right of Way Identification Map as follows:

- Congress Avenue Extension from Park Lane to the Richard Road/Alternate A1A intersection, to reduce the right-of-way from 80 feet to 66 feet on the TIM; and
- Congress Avenue Extension from Park Lane to Alternate A1A, to reduce the number of lanes from 4 to 2 lanes on the 2020 Number of Lanes Map.

The County staff report indicates that the reduction in laneage and right-of-way for the proposed Congress Avenue Extension will help minimize impacts on adjacent properties and the environment along the preferred alignment for the roadway.

2. Transportation Map Updates

The County is proposing to revise the Map Series and policies to reflect legislative action in 2011 that changed the requirements for comprehensive plans and the comprehensive plan map series. The proposed amendment includes the following changes:

- Delete the following six maps that are no longer required by statute: Future 2020 Roadway System and Major Parking Facilities Map TE 2.1; Future 2020 Maintenance Responsibility of Roads Map TE 4.1; Future 2020 Major Public Transit Generators and Attractors Map TE 5.1; Future 2020 Bicycle Facilities Map TE 10.1; Future 2020 Pedestrian Facilities Map TE 11.1; and Future 2020 Transportation Facilities Critical to Coastal Evacuation Map 12.1;
Revise and provide updated information to the following three maps: Future 2020 Airport Locations Map TE 7.1; Future 2020 County Airport Clear Zones Map TE 8.1; and Future 2020 Other Airport Clear Zones Map 9.1; and

Update one policy in the Future Land Use Element and one policy in the Intergovernmental Coordination Element to reflect the removal of the 2020 Bicycle Facilities map and incorporate references to the MPO Master Comprehensive Bicycle Plan.

The County staff report indicates the maps to be deleted were previously required to satisfy Rule 9J-5 requirements, but the maps are no longer needed due to legislative changes and the repeal of Rule 9J-5. The report also indicates where the information on the deleted maps is available in other locations. In addition, the report has identified existing Policies and Objectives that address the statutory requirements related to the deleted map subject areas, including: major public transit generators and attractors; bicycle facilities; pedestrian facilities; and coastal evacuation. Regarding coastal evacuation, the staff report points out that Palm Beach County Division of Emergency Management offers detailed hurricane evacuation routes.

3. Wellington Medical Arts District (MAD) Constrained Roadway at Lower Level of Service (CRALLS)

This proposed amendment will modify several provisions of the MAD CRALLS at the request of Wellington, and will modify the Transportation Concurrency Exception Area and CRALLS Map TE 15.1 to reflect these changes.

The MAD CRALLS was adopted on October 25, 2010. The request for the CRALLS was initiated by Wellington for the purposes of meeting concurrency for Wellington’s proposed MAD. The MAD is made up of nine separate properties, consisting of approximately 210 acres, which includes the existing Wellington Regional Medical Center. This site is located near the intersection of two major highways in central Palm Beach County: SR 7/US 441 and Forest Hill Boulevard. Wellington’s overall intent for the District is to create an integrated campus consisting of a hospital; medical and professional offices; professional and technical medical education facilities; medically-oriented activities such as research and development laboratories and manufacturing facilities; residential opportunities for students and employees; residential congregate living facilities; and commercial, retail and hotel uses to support the overall campus.

The proposed amendment is to modify or eliminate several conditions of the approved MAD CRALLS to reflect recent State legislative action and the current economic conditions. The proposed changes include the following:

- Eliminate two links (SR 80 and Lyons Road) from the list of CRALLS;
- Remove dorms from the dwelling unit count and include in the University/Medical/Technical College; include restaurants within the retail square footage to clarify the list of permitted uses based upon the traffic analysis submitted for the original CRALLS;
- Extend time for executing a development agreement until January 1, 2014 and eliminate a requirement to allocate uses by parcel;
- Eliminate a requirement for Florida Department of Transportation variance for Strategic Intermodal System roadways;
- Revise a condition to ensure that the additional fees are used within the western communities (west of the Florida Turnpike);
- Eliminate a sentence requiring requests for vehicular, bicycle, and pedestrian interconnectivity to be submitted directly to Black Diamond and Polo Lakes developments "if no development order amendments have been requested 6 months after the CRALLS effective date." Also change “provides” to “propose” when discussing future connectivity to both developments and the District;
- Modify the terms for Wellington to enter into a partnership agreement with South Florida Commuter Services to develop and implement a ridesharing program;
- Change the threshold required for appointment of a transportation coordinator from a percentage of building area to a trip threshold to be consistent with other conditions and eliminate the Car Sharing Program requirement;
- Modify the terms under which proportionate share payments will be made for certain roadway improvements; and
- Revise a condition to provide a trip generation threshold for the total development program of the District.

**Extrajurisdictional Impacts**

The proposed amendments were provided by Palm Beach County to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) and were circulated by the IPARC Clearinghouse Coordinator on May 20, 2012. No extrajurisdictional impacts have been identified.

**Effects on Significant Regional Resources and Facilities**

The proposed amendments for the MAD CRALLS have the potential to impact the regional roadway network, including SR 80, an SIS facility. The intent of the MAD is consistent with Regional Goal 3.6, Diversification of the year-round economy and establishment of an economic climate that will allow the Region to compete effectively in the global economy. However, SRPP Regional Strategy 8.1.1 is to provide levels of public services necessary to achieve a high quality of life, cost effectively; and Policy 8.1.1.1 is that all development should take place concurrent with or after the provision of necessary infrastructure and services. The SRPP also indicates that support for requests for lower levels of service and establishment of transportation concurrency areas should be in areas where it can be demonstrated that levels of mobility and convenience will be maintained or increased through other modes of transportation or land use corrections (SRPP Policy 7.1.4.4).

In order to minimize the potential for impacts to the SR 80 Corridor, Council supports a request from the Florida Department of Transportation for a new policy that commits to working with stakeholders to complete a SR 80 Corridor Management Plan. The primary goal of the SR 80
Corridor Management Plan is to determine an acceptable and comprehensive transportation plan to serve existing and future travel demand along the SR 80 corridor.

Conclusion

The proposed amendments are not in conflict or inconsistent with the SRPP.

Recommendation

Council should approve this report and authorize its transmittal to Palm Beach County and the Florida Department of Economic Opportunity.

Attachments
List of Exhibits

Exhibit

1  General Location Map – Palm Beach County
2  Commercial Low Single Tenant Amendment – Location Map
3  Hungryland Slough Natural Area – Future Land Use Map
4  Congress Avenue Extension TIM & 2020 Map Amendment Location Map
5  Correspondence from the Florida Department of Transportation
Exhibit 1
General Location Map
Palm Beach County
Exhibit 2
Commercial Low Single Tenant Amendment – Location Map

Sluggett Property
Exhibit 3
Hungryland Slough Natural Area – Future Land Use Map
Exhibit 4
Congress Avenue Extension TIM & 2020 Map Amendment
Location Map
Exhibit 5

Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

August 30, 2012

Mr. Lorenzo Agemo
Planning Director
Palm Beach County
2300 North Jog Road
West Palm Beach, FL 33411-2741

Dear Mr. Agemo:

SUBJECT: Palm Beach County 12-2ESR Proposed Comprehensive Plan Amendments

The Department has reviewed the proposed Palm Beach County Comprehensive Plan amendments. In accordance with subsection 163.3184(3)(b), Florida Statutes, the focus of our review was on major transportation issues, particularly adverse impacts to the Strategic Intermodal System (SIS).

We have concerns regarding the proposed amendment to modify the Wellington Medical Arts District (MAD) Constrained Roadways at Lower Level of Service (CRALLS). This CRALLS affects over five miles of State Road (SR) 80, a SIS corridor extending from eastern Palm Beach County to the west coast of Florida. The CRALLS also affects segments of SR 7 and Okeechobee Boulevard, and the SR 7/SR 80 and SR 7/Forest Hill Boulevard intersections. SR 7, Okeechobee Boulevard, and Forest Hill Boulevard are part of the Regional Roadway Network identified in the Strategic Regional Policy Plan for the Treasure Coast Regional Planning Council and the Regional Transportation Network designated by the Southeast Florida Transportation Council (SEFTC). SEFTC includes the Palm Beach Metropolitan Planning Organization (MPO).

One of the proposed modifications to the Wellington MAD CRALLS is removal of the condition not allowing utilization of the CRALLS volumes for affected segments of SR 80 without a variance or a written determination from the Department that such waiver or variance is not necessary. Local governments are no longer required to adopt LOS standards established by the Department for purposes of implementing concurrency. In turn, they are no longer required to seek variances to obtain relief from application of LOS standards established by the Department. Local governments that retain transportation concurrency, however, are required to consult with the Department when proposed comprehensive plan amendments affect facilities on the SIS.

A reliance on piecemeal CRALLS mitigation measures will not produce the long-term, system-oriented solution for access and mobility needed to make the MAD and other such districts or projects in central Palm Beach County successful. No additional widening projects for the segments of SR 80 affected by the Wellington MAD CRALLS are planned. The ability of SR 80 to serve its function of providing intra- and inter-regional mobility is being compromised. Additional concerns are fairness to other properties in the area required to meet the “traditional” adopted LOS standards and the potential for additional CRALLS affecting SR 80 and other transportation facilities in the area, including site-specific ones such as the Wellington MAD CRALLS.

www.dot.state.fl.us
As mitigation and to avoid any additional CRALLS affecting SR 80, the Department recommends replacing the variance condition with a comprehensive plan policy requiring the County to develop and help implement a corridor management (or mobility) plan for central Palm Beach County centered on SR 80. The area covered by the plan should, at a minimum, encompass the area shown on the attached map. The plan should be developed with public and private partners, including municipalities in the area, the Palm Beach MPO, Palm Tran and the Department, and address congestion and other transportation issues from a long-term, system-oriented perspective. It should be developed in coordination with development of the 2040 long range transportation plan for the Palm Beach MPO, due in late 2014, and the 2040 regional transportation plan for SEFTC. The planning process would afford an opportunity for meaningful consultation with the Department.

The plan should set out the strategies that need to be implemented for SR 80 and regionally significant transportation facilities to serve their functions and for communities to achieve their mobility, economic development, and other goals. It also should specify how and when the strategies will be implemented. Examples of potential strategies are creating parallel facilities, improving roadways and roadway network connectivity, enhancing transit service, supporting safe and convenient movement of bicyclists and pedestrians, improving interconnectivity between developments, minimizing travel flow interruptions on regionally significant facilities with access management, undertaking transportation system management and operations (TSM&O) projects, maximizing the use of transportation demand management, and ensuring there is alignment between transportation and land use.

The Department appreciates the opportunity to participate in the review process. We remain committed to working with the County and other partners in pursuing mobility solutions. If you have any comments or questions about this letter, please contact Andrew Riddle at (954) 777-4605.

Sincerely,

Gerry O'Reilly, P.E.
Director of Transportation Development
District Four

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Attachment

cc: James Stansbury, DEO
Peter Merritt, TCRPC
Tim Stillings, Wellington
Randy Whitfield, Palm Beach MPO
Kathy Neill, FDOT Central Office
Maria Cahill, FDOT Central Office
Nancy Ziegler, FDOT District Four
Lois Bush, FDOT District Four
Karen Kischelewski, Renaissance Planning Group