Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council 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.

The amendment package from Palm Beach County was received on May 7, 2019 and contains one text amendment to the Transportation Element. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendment

At the request of the City of Boynton Beach, this amendment proposes to revise the Transportation Element to delete mitigation measures associated with the Congress/Old Boynton Constrained Roadway at Lower Level of Service (CRALLS). A CRALLS is one of several types of exceptions to level of service standards in the Palm Beach County Comprehensive Plan.

The subject CRALLS was adopted by the County in 2005 at the request of the City to allow development and redevelopment in the area. The intent was to preserve the landscaping and character of that area of the City by avoiding the need for additional roadway improvements that, at the time, would have included acquisition of private property, intersection improvements, and the widening of a major roadway. After evaluating the impacts that would include reduced parking, reduced building setbacks, and elimination of landscaping, the City determined the CRALLS designation and associated reduction in traffic flow performance was preferred to construction of some of the improvements.
The report indicates that in the long-term the subject roadway segment and intersections are anticipated to be over capacity, so all development in the area affecting the CRALLS facilities will continue to be required to meet the standards adopted by the CRALLS. As part of the amendment, the CRALLS volumes remain, but the mitigation measures are to be deleted and the road will be renamed from Spine Road (which was an unbuilt road in 2005) to Renaissance Commons Boulevard to reflect the current name of the road. The staff report supports the City’s statements that the mitigation measures associated with the CRALLS including provision of transit, affordable housing, additional impact fees, and roadway improvements, have been completed or are no longer appropriate with adoption of proportionate share legislation and the change in retail patterns surrounding the Boynton Beach Mall.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

The proposed amendments were circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on March 15, 2019. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

Recommendation

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

Council Action – June 21, 2019

Commissioner Smith from Martin County moved approval of the staff recommendation. Commissioner Johnson from the City of Fort Pierce seconded the motion, which carried unanimously.

Attachments
List of Exhibits

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A. Transportation Element, to revise the Congress/Old Boynton CRALLS

REVISIONS: To revise language in Policy 1-2.f.36 deleting mitigation measures associated with the CRALLS. The deleted text is shown in strikethrough and added text is shown in underline.

REVISED Policy 1-2.f: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. A County amendment to consider a CRALLS designation will rely upon, as appropriate, the data and analysis provided by the local government requesting the CRALLS designation. Mitigation measures shall be required for any new CRALLS designation adopted after 2001, pursuant to Policy 1.2-q. ... *(unchanged text omitted for brevity)*...

36. The following roadway segment and intersections are hereby designated as a CRALLS facility:
   a. Old Boynton Road from spine-read Renaissance Commons Boulevard to Boynton Beach Boulevard
      Peak Hour, Peak Direction Standard: 1,084
   b. Intersection of Congress Avenue and Gateway Boulevard
      Critical Sum: 1,498
   c. Intersection of Congress Avenue and Old Boynton Road
      Critical Sum: 1,744

Commencing in June, 2007-2020, the City shall prepare and submit an annual report that monitors traffic volumes on the affected roadway link and intersections, and provides a status report on compliance with all of the mitigation measures identified in this policy. Should any of the mitigation measures for the Congress/Old Boynton CRALLS not be satisfactorily completed, it shall be deemed that the City is in violation of the provisions of the CRALLS and no further building permits requiring the CRALLS for concurrency shall be issued.

Mitigation Measures to be implemented in conjunction with this CRALLS include the following:

1) Within three (3) years of adoption of this CRALLS, a Palm Tran Route and/or City Trolley route serving the Boynton Town Center and Boynton Village (Winchester Property) Developments with connections to the Congress/Old Boynton area (connects to Mall, Downtown and Tri-Rail station) shall be initiated. Should a Palm Tran route not be in place, the City must operate a trolley service for a minimum of 2 years after issuance of certificates of occupancy for 65% of the gross square footage on the Boynton Town Center and Boynton Village (Winchester Property); but after said 2-year period, if the trolley service operates with low ridership or excessive costs, the City may petition the County Engineer to eliminate said obligation.

2) CRALLS Mitigation Measures to be implemented by all developments utilizing this CRALLS (including Boynton Town Center and Boynton Village — Winchester
Property), and to be included in all new concurrency approvals and Development Order (D.O.) conditions for those developments proposing more than 10 dwelling units and utilizing this CRALLS to set-aside at least 10% of their development for occupancy by very low income (less than or equal to 60% of the County’s median annual-adjusted gross income) households and low income (more than 50% but less than or equal to 80% percent of the County’s median annual-adjusted gross income) households, and 10% for moderate income (more than 80% but less than or equal to 120% of the County’s median annual-adjusted gross income) households. Units meeting this requirement shall include no more than 40% renter occupied units for low income and very low income households and no more than 30% renter occupied units for moderate income households. The remaining units must be owner occupied. The renter occupied units must continue to be affordable for a period of at least 20 years, and the owner occupied units must continue to be affordable for a period of at least 10 years. Attainability shall be assured through deed restrictions on these properties.

However, as an alternative to the above requirement, the Boynton Town Center and Boynton Village (Winchester Property) may choose to contribute a fee in lieu amounting to $750,000. Any other development with a residential component may also choose to contribute a fee in lieu of units. The sum amount of this fee shall be established by the City Commission and Board of County Commissioners and shall be paid to the City of Boynton Beach’s affordable housing program(s) to finance land acquisition, homeowner assistance, or other actions to further the City’s affordable housing objectives as specified in the City of Boynton Beach Comprehensive Plan.

3) All developments (including Boynton Town Center and Boynton Village—Winchester Property) will provide an additional contribution above the established road impact fee to help cover some of the funding shortfall for the various transportation related improvements, at 0.5 times the applicable impact fee to be used towards on-site roadway improvements. This contribution shall be payable upon issuance of each building permit. Impact fee credits may be applied to this contribution.

4) Other CRALLS Mitigation Measures to be implemented by the Boynton Town Center and Boynton Village (Winchester Property), in order to utilize this CRALLS, include the following:

   a) Prior to issuance of building permits that generate more than 733 new external PM peak hour trips per County Engineer’s determination for the Property, contracts shall be let for:

      1. Construction of spine road from Gateway Boulevard to Old Boynton Road.

      2. Construction of pathway within Greenway along C-16 and E-4 canals.

   b) A letter of credit shall be posted with the City for 110% of an engineer’s cost estimate for the widening projects prior to the first building permit for the Boynton Town Center and Boynton Village (Winchester Property), and prior to issuance of building permits that generate more than 963 new external PM peak hour trips per County Engineer’s determination for the
Boynton Town Center and Boynton Village (Winchester Property), contracts shall be let for:

1. Construction of 5-lane Old Boynton Road from Congress Avenue to spine road, with appropriate transition to 3-lane section east of spine road.
2. Construction of 3-lane Old Boynton Road from spine road to Boynton Beach Boulevard. As part of this construction, the Boynton Town Center and Boynton Village (Winchester Property) at its own cost must offer all homeowners, where geometrically feasible, to install circular driveways or "T" turn arounds.

e) A letter of credit shall be posted with the City for 110% of an engineer's cost estimate for the widening project prior to issuance of the first building permit, and within twelve months of the first building permit a contract shall be let for the widening of Gateway Blvd to 6 lanes from Congress Ave to High Ridge Rd including the required intersection improvements at the intersection of Gateway and Congress Avenue (with the exception of southbound right turn lane). The Boynton Town Center and Boynton Village (Winchester Property) Developments shall be entitled to County road impact fee credits for this improvement.

d) The Property must:

1. Provide Multiple Uses and Mixed Use Structures;
2. Unify residential and non-residential land uses through driveway locations and pathways;
3. Allow Home Businesses and Live Work Units;
4. Provide a minimum of 30% density/intensity reduction from the approved comprehensive Plan;
5. Introduce Non-Vehicular Corridor (bike lane/path) Along spine road;
6. Dedicate a local City Park within the property.

e) At time of project platting:

1. Provide easement (as required by PalmTran) for bus stop/shelter on the Property.

f) A letter of credit shall be posted with the City prior to the first building permit for the Property, and prior to issuance of building permits that generate more than 733 new external PM peak hour trips per County Engineer's determination for the Property, contracts shall be let for the following intersection improvements:

1. Raised median divider on West approach of Old Boynton Rd and Congress Avenue intersection, if geometrically feasible as determined by the County Engineer;
2. Extended storage length of northbound left turn at Boynton Beach Blvd and Congress Avenue, if geometrically feasible as determined by the County Engineer.

g) A letter of credit shall be posted with the County for 110% of an engineer's cost estimate for the improvement prior to the first building permit for the Property for traffic signal installation at spine road/Old Boynton Road, said traffic signal shall be installed if warranted by the County Engineer.