TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To:     Council Members
From:   Staff
Date:   February 28, 2020
Subject: Local Government Comprehensive Plan Review
         Draft Amendment to the Palm Beach County Comprehensive Plan
         Amendment No. 20-03ESR

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 February 13, 2020 and contains a text amendment to the Future Land Use Element of the comprehensive plan and a future land use amendment to modify the adopted conditions of approval for the subject property. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendments

The subject property is a 6.85-acre parcel that is assigned a future land use designation of Commercial Low with underlying Agricultural Reserve (CL/AGR). The site is located on the northwest corner of Boynton Beach Boulevard and Acme Dairy Road. Adjacent land uses are Agricultural Reserve (AGR) to the north, east, and south; and Institutional and Public Facilities with underlying Agricultural Reserve (INST/AGR) to the immediate west. With the adoption of the Agricultural Reserve Master Plan in 2001, the amount of commercial retail, service, and office uses were limited in the Agricultural Reserve Tier. Since that time, the commercial cap in the tier has been reached and no additional square footage is allowed. The owner of the property, West Boynton Center, Ltd. For Smigiel Partners VII, Ltd., is requesting the proposed amendments in order to construct a three-story self-storage facility.
The proposed text amendment would modify Policy 1.5-n to exempt self-storage uses from the commercial cap in the Agricultural Reserve Tier and make related changes to allow a higher floor area ratio (FAR) to accommodate those uses. The amendment would not change the future land use designation of the subject property, but rather the text of the policy in the comprehensive plan. The proposed amendment, shown in strikeout and underline format, is included as Exhibit 3.

Additionally, a proposed future land use amendment would revise an adopted site specific condition of approval that limits the amount of commercial square footage on the property. Currently, the condition of approval caps the commercial uses to 48,000 square feet. The amendment changes the site specific condition to allow up to 20,000 square feet of commercial retail and office uses and a maximum of 130,000 square feet of self-storage uses, resulting in the release of 28,000 square feet of commercial development potential back to the pool under the cap. This proposed amendment, shown in strikeout and underline format, is included as Exhibit 4.

The County staff report supports the proposed amendments citing the following:

- the commercial cap was initially adopted to limit the amount of retail and office uses in the Tier, and self-storage is not related to either of these uses;
- the cap is intended to ensure that commercial does not exceed local demand and self-storage uses are not typically considered regional draws;
- self-storage is already allowed within the Tier up to .45 FAR in the Industrial future land use designation, which has no location requirements or cap;
- allowing a higher FAR and cap for these uses in commercial would foster the clustering of self-storage in locations where commercial is currently allowed;
- self-storage uses typically have a higher FAR, but produce less trips and lower impacts compared to other uses allowed in the current Commercial Low future land use designation;
- revising the conditions of approval to allow the additional square footage to accommodate the incorporation of self-storage uses on the site is consistent with the policy capping commercial uses in the Tier (with approval of the text amendment to exempt self-storage) and meets applicable comprehensive plan requirements, including traffic; and
- the amendments are compatible with surrounding land uses.

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 November 22, 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 – March 13, 2020

Commissioner Smith from Martin County moved approval of the staff recommendation. Commissioner Adams from Indian River County seconded the motion, which carried unanimously.

Attachments
List of Exhibits

Exhibit

1  General Location Map
2  Aerial Location Map
3  Proposed Amendment to Policy 1.5-n in Strikeout and Underline Format
4  Proposed Amendment to Conditions of Approval in Strikeout and Underline Format
Exhibit 1
General Location Map
Exhibit 3
Proposed Amendment to Policy 1-5.n in Strikeout and Underline Format

A. Future Land Use Element, West Boynton Center Commercial Ag Reserve

REVISIONS: To exempt self-storage uses from the commercial cap in the Agricultural Reserve Tier. The revisions are numbered below, and shown with the added text underlined.

OBJECTIVE 1.5 The Agricultural Reserve Tier

Policy 1.5-n: The County shall ensure a sustainable development pattern is achieved in the Agricultural Reserve by allowing commercial uses while ensuring that the supply of commercial square footage does not exceed the demand of the farm workers and residents of the Tier. Self-storage uses are not subject to the commercial cap.

<table>
<thead>
<tr>
<th>Future Land Use</th>
<th>FLU Category</th>
<th>Urban/Suburb</th>
<th>Exurban</th>
<th>Rural</th>
<th>Ag Reserve</th>
<th>Glades</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Low</td>
<td>CL-O</td>
<td>.35</td>
<td>.20</td>
<td>.20</td>
<td>.20 w/MUDP^4</td>
<td>.20</td>
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<tr>
<td>(Neighborhood</td>
<td>Commercial)</td>
<td>.20 w/o PDD</td>
<td>.10</td>
<td>1.0 w/TMD</td>
<td>.10^5</td>
<td>.20 w/MUDP^4</td>
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<tr>
<td></td>
<td></td>
<td>.25 w/o PDD</td>
<td></td>
<td></td>
<td>.20 w/TMD</td>
<td>.40 w/TMD^2</td>
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</table>

Notes:
1. For Commercial Low (CL) and Commercial High (CH), the maximum allowable FAR for medical or professional offices and self-storage projects is .50.
2. For Commercial High (CH) and Commercial High Office (CH-O), the maximum allowable FAR is .50 for MUDP, and .85 for MXPD, as defined in the ULDC.
3. A maximum FAR up to 1.0 may be permitted to allow for: infill development; mixed-use development (MXPD); Traditional Neighborhood Development (TND); Traditional Market Place Development (TMD); or Lifestyle Commercial Centers (LCC).
4. For Ag Reserve TMDs and Ag Reserve MUPDs, the FAR is calculated on the total area of the development, including both the developed and preserve area.
5. Commercial properties which received a commercial future land use designation prior to January 31, 2016 and/or identified in Policy 1.5-i are limited to a maximum FAR of .10 unless developed as an AGR-MUDP or AGR-TMD.

Unaltered text omitted for brevity

9. Industrial and self-storage related uses may be approved for up to .85 FAR in the industrial future land use designations the Urban Suburban Tier, and self-storage uses may be approved for up to .65 FAR in the commercial future land use designations in the Agricultural Reserve Tier.
Proposed Amendment to Conditions of Approval in Strikeout and Underline Format

<table>
<thead>
<tr>
<th>Amendment No:</th>
<th>West Boynton Center (LGA 2020-006)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FLUA Page No:</td>
<td>89</td>
</tr>
<tr>
<td>Future Land Use</td>
<td>Commercial Low with an underlying Agricultural Reserve (CL/AGR)</td>
</tr>
<tr>
<td>Amendment:</td>
<td>To revise conditions of approval adopted by Ordinance 2016-036 as shown with added text underlined and deleted text struck out below.</td>
</tr>
<tr>
<td>Location:</td>
<td>Northwest corner of Boynton Beach Boulevard and Acme Dairy Road</td>
</tr>
<tr>
<td>Size:</td>
<td>6.85 acres</td>
</tr>
<tr>
<td>Property No:</td>
<td>00-42-43-27-05-050-1171</td>
</tr>
</tbody>
</table>

Conditions: Development on the site under the Commercial Low future land use designation is limited to₂ (Condition 1 deleted at Feb. 5, 2020 transmittal public hearing)

1) a maximum of 40,000 square feet of commercial retail uses, or other uses which do not exceed the equivalent traffic generating trips of 40,000 square feet of commercial retail use; or
2) a maximum of 20,000 square feet of commercial uses and a maximum of 130,000 square feet of self-storage uses.