

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 7C6  
From: Staff  
Date: September 16, 2016 Council Meeting  
Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the Palm Beach County Comprehensive Plan  
Amendment No. 16-5ESR

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 contains two proposed changes to the Future Land Use (FLU) Atlas, and a proposed change to the Thoroughfare Right of Way Identification Map in the Map Series of the comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

**A. Proposed Private Future Land Use Atlas Amendments**

1. Andalucia Residential

The proposed amendment is to change the FLU designation from Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5) on 38.57 acres, and revise conditions of approval on the entire 58.03-acre site. The subject property is located on the northeast corner of Lyons Road and 47<sup>th</sup> Place South. The 58.03-acre site is located within the West Lake Worth Road Neighborhood Plan (WLWRNP) area and the current uses are residential and equestrian. Adjacent land uses are Low Residential, 2 units per acre and Medium Residential, 5 units per acre to the north and west; Low

Residential, 2 units per acre, Low Residential, 3 units per acre and Medium Residential, 5 units per acre to the east; and Low Residential, 2 units per acre to the south.

The proposed amendment would increase the residential development potential of the entire site from 115 dwelling units to 192 units. The WLWRNP Conceptual Master Plan supports densities up to 3 and 5 units per acre where the proposed amendment is located. In order to ensure consistency with the neighborhood plan, the amendment carries forward the previously adopted conditions of approval specifying where the density is to be placed within the site and proposes to apply the conditions to the entire site. The conditions also establish a cap on the number of dwelling units, require connectivity, and require consistency with the WLWRNP. A condition requiring five percent open space is proposed to be deleted because the subject property would meet all open space requirements of the Unified Land Development Code, and the condition was established only for mixed-use projects.

The county's Traffic Engineering Department indicated the proposed amendment would result in an increase of 770 net daily trips and 144 AM and 189 PM net peak hour trips based on a maximum development potential of 192 dwelling units. The county staff report concluded the proposed amendment is compatible with surrounding land uses and there are adequate public facilities and services available to support the proposed amendment.

## 2. Stop and Shop

The proposed amendment is to change the FLU designation on 5.11 acres from Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR) with a voluntary condition limiting development to a maximum of 40,000 square feet (SF) of commercial uses. The subject property is located at the southwest corner of the intersection of Atlantic Avenue and State Road 7 (SR7). The property is currently vacant. However, the site formerly contained a convenience store with four fuel pumps, which were demolished in 1999 related to the expansion of SR7. Adjacent land uses are Agricultural Reserve to the north, west and south; and Industrial, with underlying Agricultural Reserve to the east. A U.S. Post Office is developed on the adjacent property to the west, and a propane storage facility is developed on the property directly south of the site.

This site is one of several commercial sites in the Agricultural Reserve Tier that pre-dated the creation of the Tier. The county's pre-existing commercial policy allows the subject site up to 7,980 square feet of commercial uses consistent with the Commercial Low land use designation and six fuel pumps. The applicant has requested the proposed amendment in order to develop a convenience store with gas sales, including 16 fueling positions, car wash, and retail. The applicant has proposed a voluntary condition of approval to limit the development to a maximum of 40,000 SF of commercial uses.

The county's Traffic Engineering Department indicated the proposed amendment would result in an increase of 1,904 net daily trips and 18 AM and 164 PM net peak hour trips based on the voluntary restriction of 40,000 SF of general commercial uses. The county

staff report concluded the proposed amendment is compatible with surrounding land uses and there are adequate public facilities and services available to support the proposed amendment. However, the county staff report recommended denial of the proposed amendment, because the Board of County Commissioners provided direction during the Agricultural Reserve Tier Roundtable and Workshops to limit the assignment of the Commercial Low future land use to sites located east of State Road 7. The proposed amendment is inconsistent with the current Board of County Commissioners policy of not assigning commercial future land use designations west of SR7.

## **B. Proposed County Initiated Amendments**

### **1. Palmwood Thoroughfare Right of Way Identification Map**

The proposed amendment is to modify the Thoroughfare Right of Way Identification Map (TIM), TE 14.1, to reduce right-of-way depicted for the segment of Palmwood Road from Donald Ross Road to Frederick Small Road from 110 feet to 80 feet. Palmwood Road is built as a two-lane road in this segment. The proposed amendment would reduce the right-of-way depicted on the TIM to reflect the currently built width of the road in this segment. This amendment will not result in the reduction of lanes in the current configuration. The properties adjacent to this segment of the road are mostly developed and contain residential uses. This segment is not planned for any additional lanes in the Palm Beach Metropolitan Planning Organization's adopted 2040 Long Range Transportation Plan. The county staff report concluded the additional right-of-way depicted in the TIM is not needed to accommodate existing or projected traffic in the corridor.

### Regional Impacts

The Agricultural Reserve is recognized in the Economic Development section of the SRPP as a significant regional resource, because of its unique potential for agricultural production important for providing food resources nationally. The Agricultural Reserve is approximately 22,000 acres of unincorporated land west of the Florida Turnpike and north of the Broward County line. The Agricultural Reserve was established in 1980 to facilitate preservation of agriculture. The Stop and Shop proposed amendment would reduce the potential for agricultural-related uses in the Agricultural Reserve and increase commercial uses. The direct impact of the proposed amendment on the potential for agricultural production in the Agricultural Reserve is very small, because the proposed change only affects about 5.11 acres of the approximately 22,000 acres in the Agricultural Reserve. However, the overall trend in the reduction of agricultural uses in the Agricultural Reserve is of concern, because the conversions result in the loss of a regional resource that may never be recovered.

### Extrajurisdictional Impacts

Palm Beach County staff circulated the amendments through the Intergovernmental Plan Amendment Review Committee process on April 26, 2016. No extrajurisdictional impacts have been identified.

### Conclusion

Council encourages the county to take a strong position in protecting agricultural use in the Agricultural Reserve.

### Recommendation

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

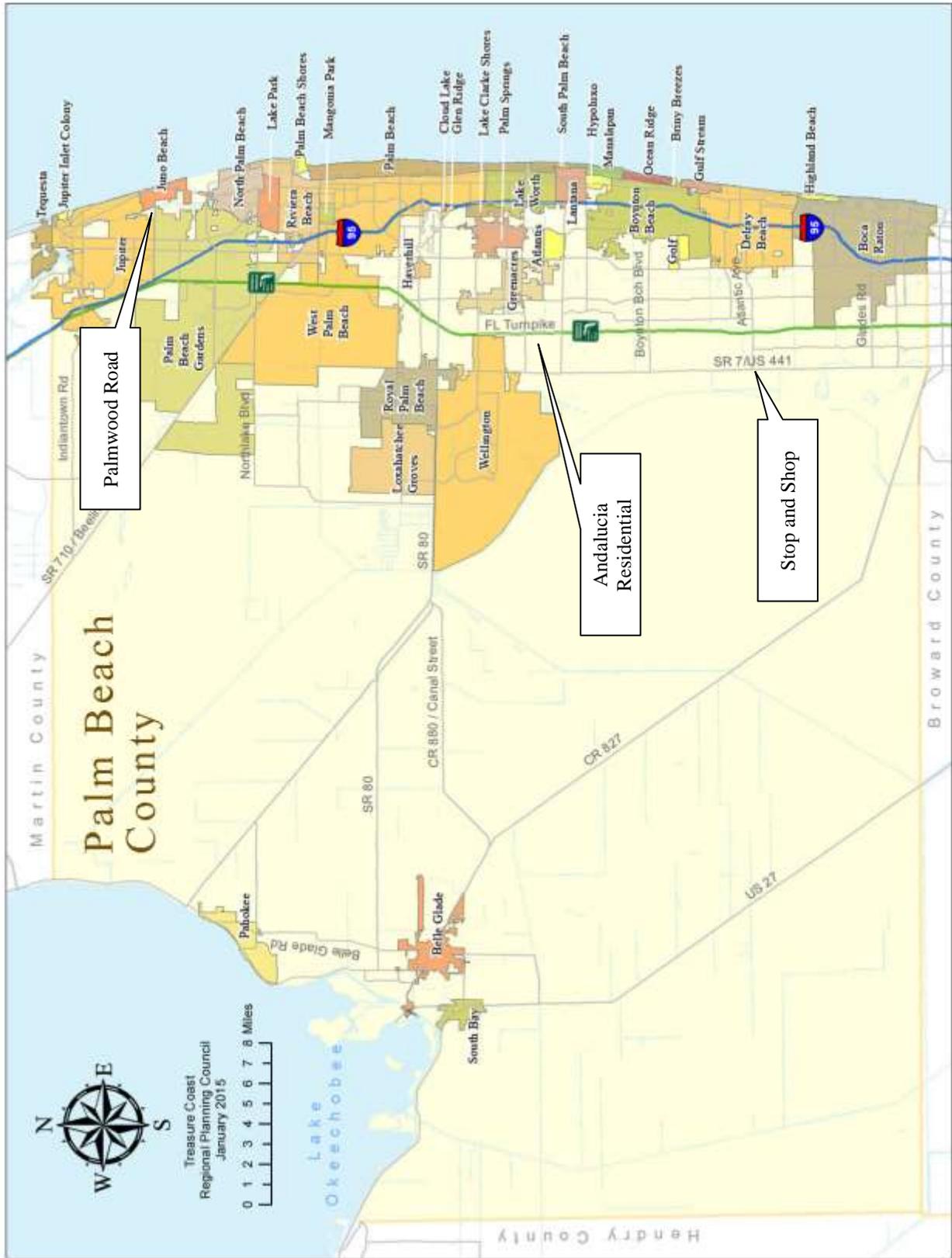
Attachments

# List of Exhibits

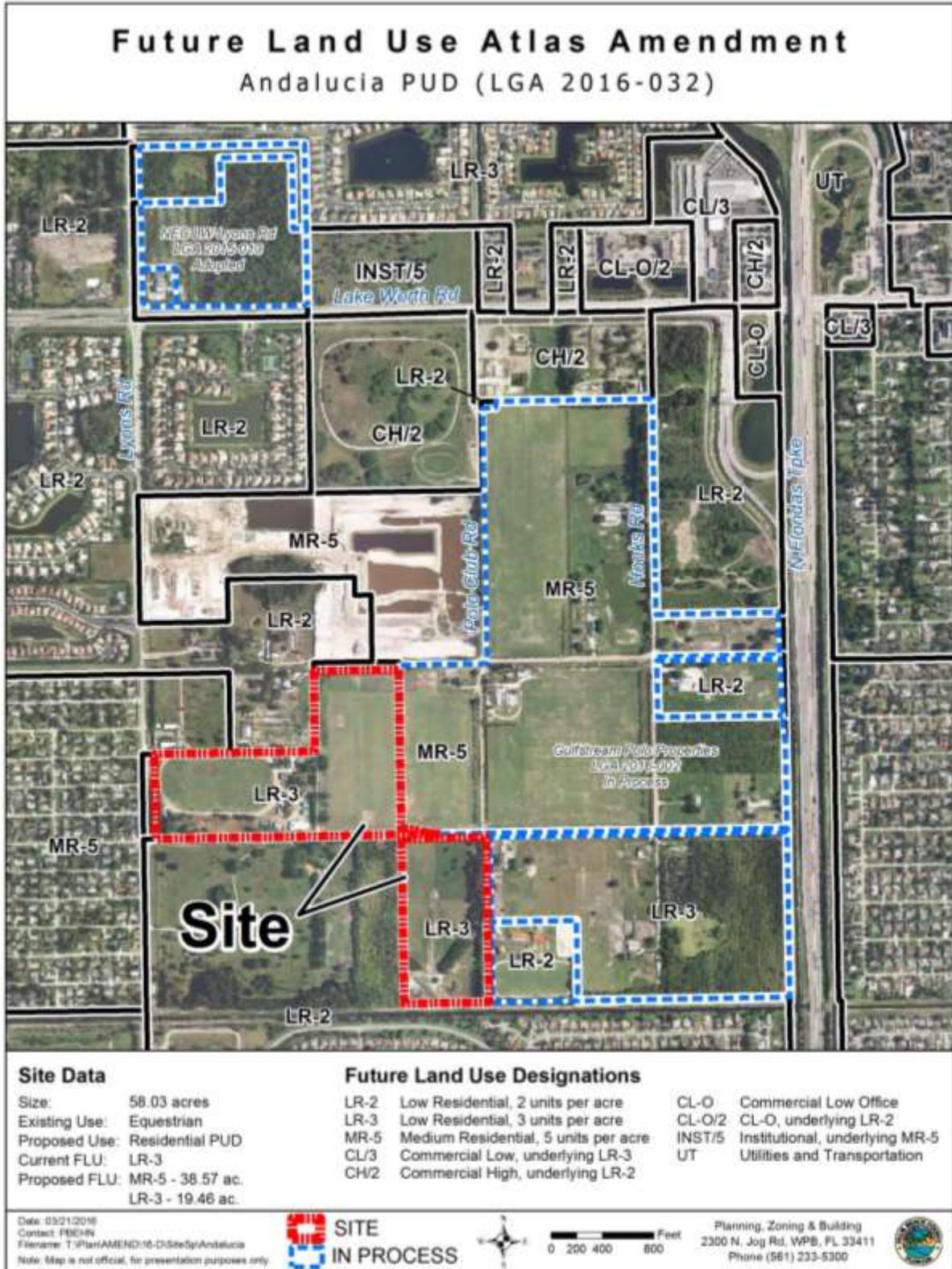
## Exhibit

- 1 General Location Map
- 2 Andalucia Residential – Aerial Map
- 3 Andalucia Residential – Conditions
- 4 Andalucia Residential – Location Map
- 5 Stop and Shop – Aerial Map
- 6 Stop and Shop – Conditions and Location Map
- 7 Palmwood Road TIM – Location Map
- 8 Palmwood Road TIM – Aerial Map

# Exhibit 1 General Location Map



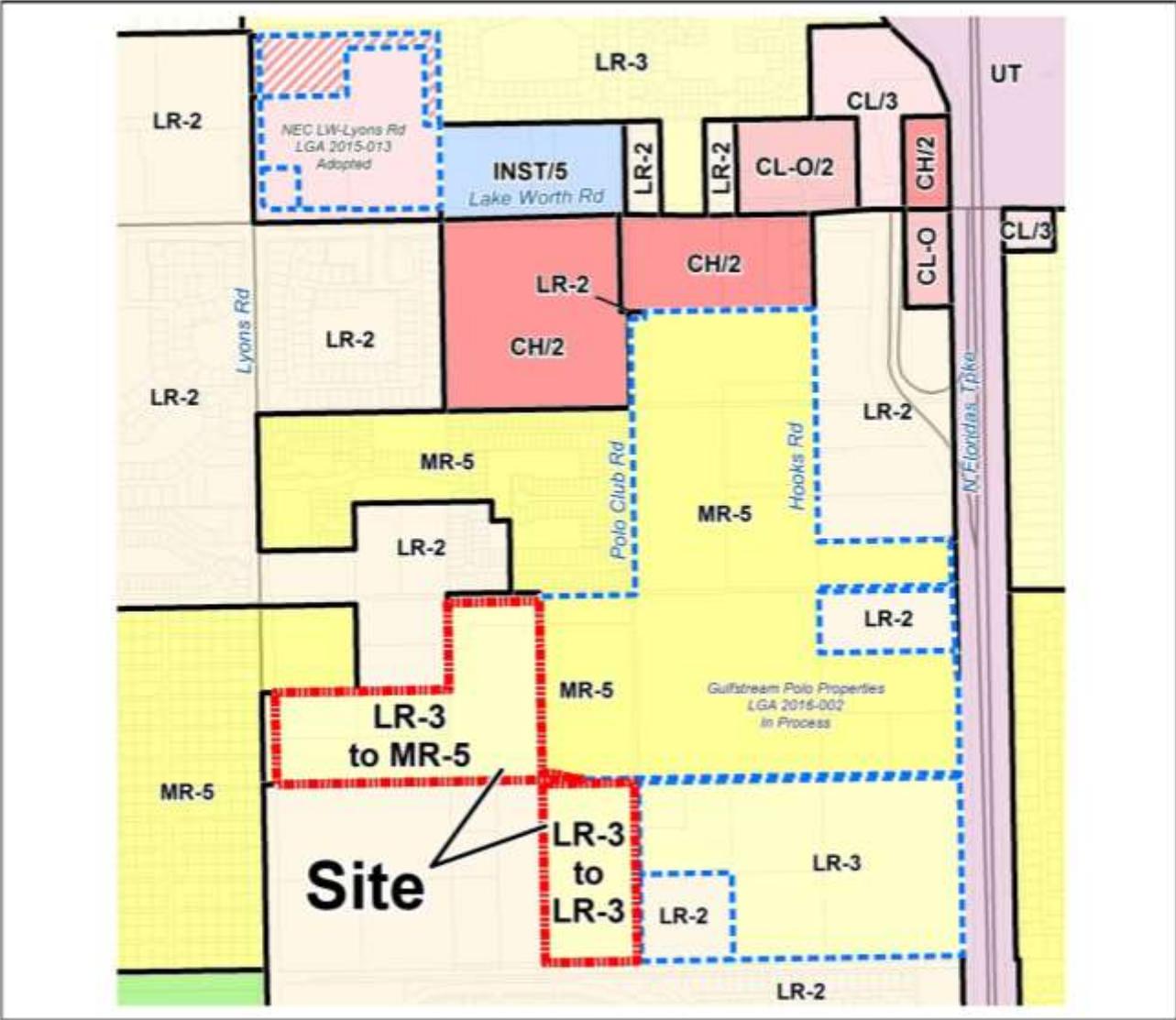
# Exhibit 2 Andalucia Residential – Aerial Map



### Exhibit 3 Andalucia Residential – Conditions

<b>Amendment No:</b>	<b>Andalucia Residential (LGA 2016-032)</b>
<b>FLUA Page No:</b>	76
<b>Amendment:</b>	From Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5) on 38.57 acres, and to revise conditions of approval on the entire site.
<b>Location:</b>	East side of Lyons Road, south of Lake Worth Road
<b>Size:</b>	58.04 acres total
<b>PCN:</b>	<p><b>From LR-3 to MR-5 (38.57 acres)</b>  00-42-43-27-05-028-0381; 00-42-43-27-05-028-0382  00-42-43-27-05-028-0411; 00-42-43-27-05-028-0412  00-42-43-27-05-028-0421; 00-42-43-27-05-028-0441</p> <p><b>Remaining LR-3 (19.47 acres)</b>  00-42-43-27-05-028-0530</p>
<p><b>Conditions:</b> Revise conditions of approval adopted by Ordinance 2010-025 as shown with deleted text struck out and added text underlined.</p> <ol style="list-style-type: none"> <li>1) Development of the site shall comply with the Lake Worth Road Neighborhood Plan Design Guidelines dated November 19, 2009 and the following: <ol style="list-style-type: none"> <li><del>a. The project shall provide usable open space and/or institutional uses that may promote social and cultural activities. At least 5% of the project shall be designed as usable open space to create squares, greens, or plazas. Usable Open Space is defined in the Introduction &amp; Administration Element of the Comprehensive Plan.</del></li> <li><u>a.</u> <del>b.</del> Vehicular and pedestrian connection shall be provided to all existing and future adjacent development as identified in the Lake Worth Road Neighborhood Plan Master Plan (at a minimum).</li> <li><u>b.</u> <del>c.</del> The internal street network shall form a block structure to facilitate the pedestrian oriented design of the project.</li> </ol> </li>   <li>2) The project may utilize the Transfer of Development Rights and/or the Workforce Housing Program to obtain additional density subject to the following: <ol style="list-style-type: none"> <li>a. Transfer of Development Rights units may be purchased at a reduced cost.</li> <li>b. The 19.47 acre portion south of Polo Club Road is limited to maximum of 3 units per acre, with no further density increases permitted subsequent to adoption.</li> <li>c. The 38.56 acre portion north of Polo Club Road is limited to a maximum of 5 units per acre, <u>with no further density increases permitted subsequent to adoption.</u></li> </ol> </li> </ol>	

**Exhibit 4  
Andalucia Residential – Location Map**



# Exhibit 5 Stop and Shop – Aerial Map



## Exhibit 6 Stop and Shop – Conditions and Location Map

<b>Amendment No:</b>	<b>Stop and Shop (LGA 2016-023)</b>
<b>FLUA Page No:</b>	101
<b>Amendment:</b>	From Agricultural Reserve (AGR) to Commercial Low with an underlying Agricultural Reserve (CL/AGR)
<b>Location:</b>	Southwest corner of SR7/441 and Atlantic Blvd
<b>Size:</b>	5.11 acres approximately
<b>Property No:</b>	00-42-43-27-05-067-0013
<b>Conditions:</b>	
1. Development on the site under the Commercial Low future land use designation is limited to a maximum of 40,000 square feet of commercial uses, or other uses which do not exceed the equivalent traffic generating trips.	

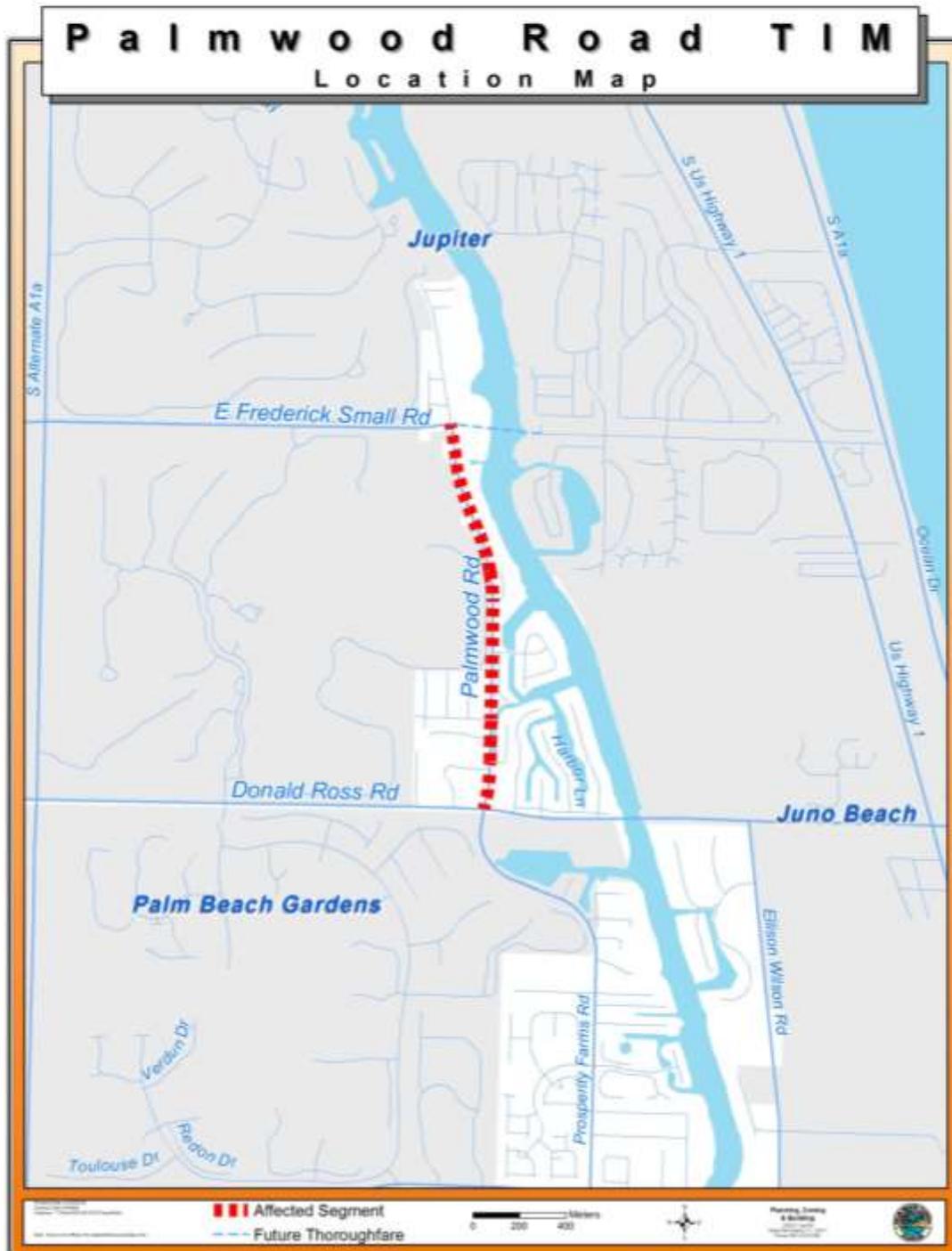


# Exhibit 7

## Palmwood Road TIM – Location Map

- A. Map Series, Thoroughfare Right of Way Identification Map (Map TE 14.1), Palmwood Road Right-of-Way Reduction TIM Amendment

**REVISIONS:** To reduce the right of way for the segment of Palmwood Road between Donald Ross Road and Frederick Ross Road from 110 feet to 80 feet on Map TE14.1.



# Exhibit 8 Palmwood Road TIM – Aerial Map

