



## COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 23-A2

### BCC ADOPTION PUBLIC HEARING, MAY 3, 2023

#### I. General Data

**Project Name:** 60<sup>th</sup> Street North TIM Amendment

**Element:** Map Series, Thoroughfare Right of Way Identification Map TE 14.1

**Project Managers:** Morton Rose, Director Roadway Production, Engineering Department and Khurshid Mohyuddin, Principal Planner, Planning Division

**Comm. District:** Commissioner Sara Baxter, District 6

**Staff Recommendation:** Staff recommends **approval** based on the findings and conclusions presented in this report

#### II. Item Summary

**Summary:** The proposed amendment would modify the Thoroughfare Right of Way Identification Map (TIM), TE 14.1 as summarized below:

- To widen the roadway right-of-way segment between 140<sup>th</sup> Ave. North and N State Road 7 Extension, from 80 feet to 100 feet to allow ultimate 5 lanes.

**Staff Assessment:** This County Initiated amendment proposes to widen the right-of-way depicted on the TIM for a segment of 60<sup>th</sup> Street North between 140<sup>th</sup> Ave. North and N State Road 7 Extension. This amendment will allow the segment to be widened to 5 lanes. Typically, a 5-lane roadway fits within 80' of right-of-way, however, the right-of-way is constrained by the City of West Palm Beach's M-Canal required facilities which encroaches into the 80' right-of-way on the north side. The City also holds a canal access & maintenance easement over the 80' right-of-way. Additional right-of-way is needed for the ultimate 5-lane roadway and the City's required berm with guardrail adjacent to the M-Canal. Residential properties east of 120<sup>th</sup> Ave N may not be affected as there is already an existing 40' of Indian Trail Improvement District road and drainage easement on the south side.

**ULDC Impacts:** The proposed amendments will not require changes to the Unified Land Development Code (ULDC).

### III. Hearing History

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**Local Planning Agency: Approval,** motion by Glenn Gromann, seconded by Sara Pardue passed in a 10 to 0 vote at the January 13, 2023 public hearing. The Commission discussed concerns regarding properties that may be affected by the expansion of the roadway and the timing of the construction. Three members of the public spoke in opposition stating concerns regarding expansion of the road.

**Board of County Commissioners Transmittal Public Hearing: Transmit,** motion by Commissioner Baxter, seconded by Commissioner Woodward, passed in a 6 to 0 vote (with Commissioner Bernard absent) at the February 1, 2023 public hearing. Board discussion included the need for east-west connectivity in the area, the need for staff with proficiency in languages commonly spoken in the County to assist with providing information to the public, and procedures regarding property takings and the compensation process. Two members of the public spoke in opposition, citing concerns about the impact of the proposed road on private parcels of land and the need for more information.

**State Review Agency Comments:** The State Land Planning Agency reviewed this amendment under Round 23-02 ESR and issued a letter dated March 16, 2023 stating that the Agency had no comment on the proposed amendment. The Treasure Coast Regional Planning Council (TCRPC) provided a comment to “make sure the County is aware of the Indian Trail Improvement District Mobility Plan” which “suggests particular roadway cross-sections, including along 60<sup>th</sup> Street North that may require rights-of-way different from the County’s typical practices.” In addition, the Florida Department of Transportation (FDOT) provided technical comments stating that the amendment should include a typical section, which promotes the increased use of non-motorized facilities, including sidewalks, bike lanes and lighting. The comments are provided in Exhibit 3.

#### **Board of County Commissioners Adoption Public Hearing:**

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## IV. Intent

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It is the intent of this amendment to amend the Thoroughfare Right of Way Identification Map (TIM), TE 14.1 for the segment of 60<sup>th</sup> Street North from 140<sup>th</sup> Avenue North to N State Road 7 Extension from 80 feet to 100 feet to accommodate the ultimate 5-lane construction.

## V. Background

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This amendment is proposed to increase the right-of-way width depicted on the Thoroughfare Right of Way Identification Map (TIM) for a segment of 60<sup>th</sup> Street North located between 140<sup>th</sup> Avenue North and N State Road 7 Extension. 60<sup>th</sup> Street North is a 2/3-lane mix of paved and unpaved road within the boundaries of the subject amendment, located within existing 80' ROW that is bordered by the City of West Palm Beach's M-Canal to the north, and large residential properties to the south. Funding for the design of the segment of 60<sup>th</sup> Street North from 140<sup>th</sup> Avenue North to 120<sup>th</sup> Avenue North was provided in Palm Beach County's Five-Year Road Program in FY 2017, and funding for ROW and Construction are shown in FY 2020 and FY 2024 respectively. 60<sup>th</sup> Street North from east of 140<sup>th</sup> Avenue North to 120<sup>th</sup> Avenue North is a 2-lane unpaved roadway constructed within 80' of ROW. The segment from 120<sup>th</sup> Ave North N to State Road 7 Extension is a 2/3-lane paved roadway within 80' of ROW and 40' of Indian Trail Improvement District road and drainage easement. Westlake (formerly Minto West) dedicated 100' of ROW for 60<sup>th</sup> Street N from Seminole Pratt Whitney Road to 140<sup>th</sup> Avenue North, providing continuous ROW from Seminole Pratt Whitney Road to N State Road 7 Extension.

This amendment was prompted by the need for additional ROW to construct the 3-lane (expandable to 5-lanes in the future) section that accommodates both the roadway need and required berm and guardrail adjacent to the M-Canal, in order to connect the existing and future segments of 60<sup>th</sup> Street North. The widening of Seminole Pratt Whitney Road to 4-lanes up to Northlake Boulevard is currently under construction. It is important to note that the ROW in the subject limits is constrained by the location of the M-Canal and an access and maintenance easement held by the City of West Palm Beach over the 80' ROW, therefore, the ultimate roadway cannot be built unless additional ROW is acquired to the south. Acquiring ROW to the north would require relocation of the M-Canal which would be cost prohibitive. Note that the residential properties east of 120<sup>th</sup> Ave N may not be affected as there is already an existing 40' of Indian Trail Improvement District road and drainage easement on the south side.

**Board of County Direction History for Segment Between 140<sup>th</sup> Ave N to 120<sup>th</sup> Ave N.** This amendment was previously presented to the Board for initiation on January 31, 2018 hearing. At the hearing, the Board voted to not initiate, with direction to staff to continue working with Indian Trails Improvement District (ITID) and the community on local transportation issues, motion by Commissioner McKinlay, seconded by Commissioner Kerner passed in a 7 to 0 vote. The Board discussed the need to address roadway impacts of planned and proposed developments in the area. Staff indicated that an update and initiation could be brought back to the Board. Two representatives of ITID spoke in opposition to initiating the item at this time, citing a need to examine the transportation issues on a broader scale in the area prior to proceeding with amendments to this segment.

Subsequent to the January 31, 2018 hearing, County staff proceeded with outreach efforts as summarized below:

- **Acreage Landowners Association Meeting, February 13, 2018**
  - Planning and Engineering staff attended and provided an update regarding planned road improvements, including 60<sup>th</sup> Street North, annexation, and status of the Westlake Comprehensive Plan.
- **Notice to Affected Parcel Owners, March 23, 2018**
  - Engineering staff sent letters to each of the 43 property owners that may be directly affected by the roadway improvements on 60<sup>th</sup> Street North. The letter relayed information regarding the upcoming 3-lane roadway design project and proposed amendment to the Comprehensive Plan. The notice included the April 10, 2018 Informational Meeting and May 2, 2018 BCC initiation hearing dates.
- **Notice and emails to Interested Parties and Property owners, March 29, 2018**
  - Planning staff sent notification letters to all of the property owners owning property within 500 feet south of 60<sup>th</sup> Street North, and emails to Improvement Districts (ITID, Seminole, Loxahatchee), cities (Westlake, West Palm Beach, Loxahatchee Groves, Royal Palm Beach), the Acreage Landowners Association, School District, Avenir Development District, and South Florida Water Management District. The notice included the April 10<sup>th</sup> Informational Meeting and May 2, 2018 BCC initiation hearing dates.
- **ITID Workshop, April 4, 2018**
  - Planning and Engineering staff presented information regarding the proposed 60<sup>th</sup> Street North amendment and other planned improvements. The ITID Board members and staff made comments and suggestions regarding 60<sup>th</sup> Street North improvements, roadway linkages, rural parkways, and engineering design features for improvements, and indicated that their comments and concerns would be sent to the County in a letter at a later date.
- **60<sup>th</sup> Street North Amendment Early Informational Meeting, April 10, 2018**
  - Planning staff presented information regarding the County's Comprehensive Plan, adopted Map Series, the Thoroughfare Right of Way Identification Map (TIM), the amendment process, and the proposed 60<sup>th</sup> Street North amendment. Engineering presented details regarding the proposed 3-lane roadway design project for 60<sup>th</sup> Street North and related information. Approximately 38 members of the public attended and expressed comments and concerns regarding the currently planned and the proposed improvements to 60<sup>th</sup> Street North.

Following the outreach, on May 2, 2018, the Board voted not to initiate the amendment.

**Board of County Direction for 60<sup>th</sup> St N from 140<sup>th</sup> Ave N to N State Road 7 Extension.** More recently, on December 20, 2022, as part of a discussion regarding the 5-Year Road Program Annual Update public hearing, the Board initiated the amendment in a 5 to 0 vote (with Commissioners Kerner and Baxter absent) as recommended by staff.

## VI. Data and Analysis

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This section provides background information and examines consistency with the Comprehensive Plan and the Unified Land Development Code.

### A. Consistency with the Comprehensive Plan

The following objective & policies from the Transportation Element (TE) are relevant to the proposed amendment:

**TE OBJECTIVE 1.4 Roadway System.** The County shall provide for identification and acquisition of existing and future roadway rights-of-way consistent with the adopted Thoroughfare Right of Way Identification Map and shall address certain specific corridors in the transportation planning process in Palm Beach County.

**TE Policy 1.4-a:** The County shall continue to construct the traffic circulation network and shall identify transportation corridors consistent with the County's adopted Thoroughfare Right of Way Identification Map (TE 14.1) in the Map Series.

**TE Policy 1.4-b:** Pursuant to Ch. 163.3177(6)(a)11.b F.S., the Transportation Element shall be coordinated with the plans and programs of the Metropolitan Planning Organization (MPO). The County hereby incorporates by reference the MPO 2035 Cost Feasible Plan-Highway Component map and the MPO 2035 Cost Feasible Plan-Transit Component map (adopted on October 15, 2009 by the MPO) into the Comprehensive Plan.

**Staff Analysis/Comment:** The proposed amendment is consistent with these provisions relating to the Thoroughfare Right of Way Identification Map (TIM) in the Transportation Element address the addition and protection of rights-of-way within the County.

**TE OBJECTIVE 1.13. General Plan Coordination.** The County shall provide for the coordination of transportation plans and programs among the appropriate land use and transportation planning and implementing organizations on a continuing basis.

**Staff Analysis/Comment:** The Palm Beach Transportation Planning Agency's (TPA) 2040 Long Range Transportation Plan (LRTP) shows this section of 60th Street North as two (2) lanes. The existing cross section is two (2) lanes. Coordination with the TPA and the County has taken place for this amendment. Public notice is outlined in Section VII.

### B. ULDC Review Criteria and Analysis

The Unified Land Development Code (ULDC) establishes requirements regarding applications for any proposed modification or elimination of an adopted link or intersection on the Thoroughfare Right of Way Identification Map, & requires that a **twelve** criteria analysis be made for the change. The criteria are contained in ULDC Article 12. Chapter H. Section 5-C, and are considered in determining whether a segment's lanes, proposed geometrics, a major intersection's proposed geometrics or the right-of-way width adopted in the Plan should be amended or eliminated. The criteria analyzed below are included in the ULDC.

#### 1. Whether improvements are proposed to the Link or Major Intersection under consideration.

**Staff Analysis/Comment:** The five lane construction of 60th Street North from 140th Avenue North to N State Road 7 Extension (SR 7) is a planned future improvement for Palm Beach County. The County's Five-Year Road Program currently has the segment from 140<sup>th</sup> Avenue North to 120<sup>th</sup> Ave North under design to be widened/reconstructed from its existing 2 lanes to a 3-lane paved road with curb & gutter, sidewalk, bike lanes, and drainage improvements.

2. **Whether improvements are proposed to reliever Links or Major Intersections and the extent that such a reliever improvement would impact traffic on the Link under consideration.**

**Staff Analysis/Comment:** There are no improvements planned for reliever roads.

3. **The physical characteristics of the property adjacent to the Link or Major Intersection under consideration.**

**Staff Analysis/Comment:** The City of West Palm Beach's M-Canal is adjacent to 60th Street North's north right-of-way. The south right-of-way is bordered by single family homes and vacant parcels that are greater than 1 acre in size.

4. **The character of the area businesses or neighborhoods adjacent to the Link or Major Intersection under consideration and the extent of impact on such.**

**Staff Analysis/Comment:** 60th Street North is located within unincorporated Palm Beach County in an area known as The Acreage, and is rural in character. The right-of-way is bordered by residential properties on the south side, and the City of West Palm Beach's M-Canal on the north. Golden Grove Elementary School and Western Pines Community Middle School are located at the west project limit. Access to both schools will remain. There are no commercial properties within this segment of 60th Street North. Future right-of-way acquisition is expected along the south right-of-way line, impacting approximately 20 feet of frontage on those properties. Residential properties east of 120<sup>th</sup> Ave N may not be affected as there is already an existing 40' of Indian Trail Improvement District road and drainage easement on the south side.

5. **The projected cost of adding additional capacity to the Link or Major Intersection or reliever facilities and the amount of capacity that would be added.**

**Staff Analysis/Comment:** The projected cost of widening and reconstructing 60th Street North from 140th Avenue North to N State Road 7 Extension from its existing 2-lanes to a 3-lane roadway is approximately \$9 million.

6. **The existing and projected volume-to-capacity of the Link and the surrounding Major Thoroughfares before and after the proposed modification.**

**Staff Analysis/Comment:** See Table 1 and Table 2 below.

**Table 1 - Traffic Counts - Existing Year 2022<sup>1</sup>**

Roadway Segment	Lanes	Peak Hour Traffic Volume (V)	Capacity (C)	V/C Ratio
60th Street N 140th Ave to Royal Palm Beach Blvd	2	36	880	0.04
Royal Palm Beach Blvd to N State Road 7 Ext	3	616	880	0.70

<sup>1</sup> Turning Movement Count at Intersection with Royal Palm Beach Blvd

**Table 2 - Traffic Counts - Future Year 2035<sup>2</sup>**

Roadway Segment	Lanes	Peak Hour Traffic Volume (V)	Capacity (C)	V/C Ratio
60th Street N 140th Ave to Royal Palm Beach Blvd	2	935	880	1.06
Royal Palm Beach Blvd to N State Road 7 Ext	3	1134	880	1.29

<sup>2</sup> 2035 Traffic Performance Standards Database Volume

**7. The projected revenue for improving the Major Thoroughfare system and the likely priority of various improvements to the Major Thoroughfare system.**

**Staff Analysis/Comment:** The widening and reconstruction of 60<sup>th</sup> Street North from 140<sup>th</sup> Avenue North to 120<sup>th</sup> Avenue North is a partially funded project in Palm Beach County's Five Year Road Program. Revenue and priority for improvements are evaluated every year during the County's 5-Year Road Program updates.

**8. Environmental Character and extent of impact on such.**

**Staff Analysis/Comment:** Adverse impacts on the environment from the addition of the ultimate right-of-way for this roadway segment are not anticipated.

**9. Historical Significance and the extent of impact on such.**

**Staff Analysis/Comment:** Adverse impacts on items of historical significance from the addition of the ultimate right-of-way for this the roadway segment are not anticipated.

**10. Aesthetics and the extent of impact on such.**

**Staff Analysis/Comment:** The roadway will include the addition of a planted berm adjacent to the north right-of-way and will include the addition of bike lanes and sidewalk on 60<sup>th</sup> Street North.

**11. Amount of existing ROW and cost to obtain additional ROW.**

**Staff Analysis/Comment:** Eighty (80) feet of right-of-way exists today; the projected cost of acquisition for an additional twenty (20) feet of right-of-way is \$4.4 million.

**12. Impact on provision of other public facilities.**

**Staff Analysis/Comment:** Adverse impacts on publicly owned facilities are not anticipated.

**C. Unified Land Development Code Implications**

This proposed amendment will not require subsequent changes to the ULDC.

## **VII. Public and Municipal Review**

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*The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that “Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

**Intergovernmental Plan Amendment Review Committee (IPARC):** Notification and proposed hearing schedule was provided through IPARC on December 29, 2022. Correspondence received throughout the amendment process are added to Exhibit 3.

**Public Notice:** On December 23, 2023 and December 29, 2023, notices were sent to the Town of Loxahatchee Groves, City of Palm Beach Gardens, Village of Royal Palm Beach, City of Wellington, City of West Palm Beach, the City of Westlake, and Indian Trail Improvement District, North County Neighborhood Coalition, Acreage Land Owners Association, PBC School District, Avenir Community Development District, South Florida Water Management District as well as property owners fronting the segment. The notice included the date of the Planning Commission and BCC Transmittal Hearing as well as to an informational meeting via zoom to be held on January 10, 2023. Correspondence received throughout the amendment process are added to Exhibit 3.

## **VIII. Staff Assessment and Recommendation**

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This County Initiated amendment proposes to widen the right-of-way depicted on the TIM for a segment of 60<sup>th</sup> Street North between 140<sup>th</sup> Ave. North and N State Road 7 Extension. This addition will allow this segment to be widened to 5 lanes. Typically, a 5-lane roadway fits within 80’ of right-of-way, however, the right-of-way is constrained by the City of West Palm Beach’s M-Canal required facilities which encroaches into the 80’ right-of-way on the north side. The City holds a canal access & maintenance easement over the 80’ right-of-way. Additional right-of-way is needed for the ultimate 5-lane roadway and the City’s required berm with guardrail adjacent to the M-Canal. Residential properties east of 120<sup>th</sup> Ave N may not be affected as there is already an existing 40’ of Indian Trail Improvement District road and drainage easement on the south side. As such, staff recommends **approval** of this amendment.



**Attachments**

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Exhibit 1 – Proposed map revision	E - 1
Exhibit 2 – Aerial Map depicting the subject segment	E – 2
Exhibit 3 – Correspondence	E - 3

## Exhibit 1

**A. Map Series, Thoroughfare Right of Way Identification Map (Map TE 14.1), 60<sup>th</sup> Street North TIM Amendment**

**REVISIONS:** To increase the right-of-way for 60<sup>th</sup> Street North from 80 feet to 100 feet for the segment located between 140<sup>th</sup> Avenue North and N State Road 7 Extension on Map TE 14.1.

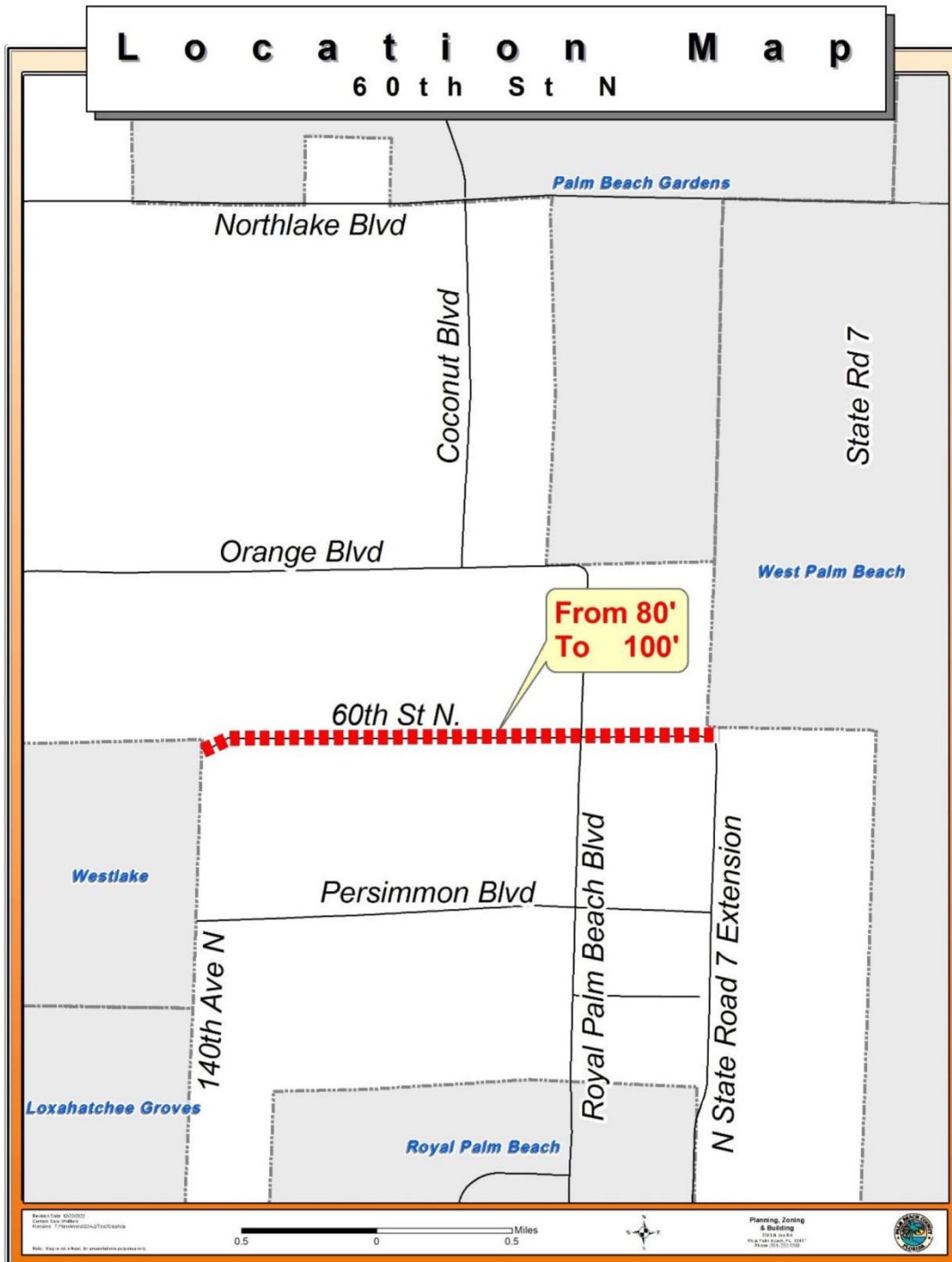


Exhibit 2  
Aerial Map depicting the subject alignment



## Exhibit 3

### Correspondence

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INDIAN TRAIL IMPROVEMENT DISTRICT  
13476 61<sup>ST</sup> STREET NORTH  
WEST PALM BEACH, FL 33412-1915  
Office: 561-793-0874  
Fax: 561-793-3716

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January 30, 2018

Hon. Melissa McKinlay, Mayor  
Palm Beach County  
301 North Olive Avenue  
West Palm Beach, Florida 33401

**Re: BCC Comprehensive Plan Public Hearing, January 31, 2018  
Agenda Item 5A. Proposed County-Initiated Amendments  
Exhibit 1: 60<sup>th</sup> Street North TIM Amendment  
Request to Defer Consideration to Amendment Round 18-D**

Dear Mayor McKinlay and Commissioners:

The Board of County Commissioners will consider the above-referenced matter at its Comprehensive Plan Public Hearing on Wednesday, January 31, 2018. The County Engineer proposes to amend Thoroughfare Right-of-Way Identification Map (TIM) TE-14.1 to increase the ultimate right of way for the segment of 60th Street North from 140th Avenue North to 120th Avenue North from 80 feet to 100 feet (see attached).

**On behalf of the Board of Supervisors of Indian Trail Improvement District (ITID), I respectfully request that the Board of County Commissioners defer consideration of this request to Comprehensive Plan Amendment Round 18-D.** Deferral will result in a minimal delay in final adoption of approximately four (4) months.

Representatives of the District met with the County Engineer and his staff on Friday, January 26, 2018. The meeting was positive and productive. While it is not clear that the adjacent landowners are aware that an expanded County right-of-way may ultimately result in loss of a portion of their properties, ITID and the County share the ultimate goal of improving 60<sup>th</sup> Street North as a vital regional transportation link. The County's goal of increasing efficient traffic flow and ITID's interest in minimizing negative impacts on its roadway system and on the quality of life in the Acreage are not mutually exclusive.

The County Engineer explained some of the physical, fiscal and contractual imperatives he is facing, and ITID is not unsympathetic. However, we suggested considering a broader vision that enhances the benefit of roadway expansion to the Acreage Community, to the adjacent landowners and to ITID. Our suggestions had not been considered by the County Engineer and they should be more fully vetted. The


Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Ralph Bair • Carol Jacobs • Gary Dunkley

brief, four month delay we are requesting should be sufficient to assess the benefits arising from a more thorough and thoughtful consideration of alternatives.

Your consideration in deferring action on this proposal until Amendment Round 18-D would be greatly appreciated.

If you have any questions, please feel free to call me or Acting District Manager Rob Robinson at 561-793-0874.

Sincerely yours,



Rob Robinson, Acting District Manager

Attachment

cc. Board of County Commissioners  
Hon. Mack Bernard, Vice Mayor, District 7  
Hon. Hal R. Valeché, Commissioner, District 1  
Hon. Paulette Burdick, Commissioner, District 2  
Hon. Dave Kerner, Commissioner, District 3  
Hon. Steven L. Abrams, Commissioner, District 4  
Hon. Mary Lou Berger, Commissioner, District 5  
Verdenia C. Baker, County Administrator  
David L. Ricks, P.E., County Engineer  
Tanya N. McConnell, P.E., Deputy County Engineer  
Omelio Fernandez, P.E., Director, Roadway Production  
Lorenzo Aghemo, Planning Director  
Khurshid Mohyuddin, AICP, Principal Planner  
Board of Supervisors, ITID  
Betty Argue, President  
Jennifer Hager, Vice President  
Ralph Bair, Treasurer  
Carol Jacobs, Assistant Secretary  
Gary Dunkley, Supervisor  
Rob Robinson, Acting District Manager  
Jay Foy, P.E., District Engineer  
Mary M. Viator, Esq, District Legal Counsel

Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Ralph Bair • Carol Jacobs • Gary Dunkley



**INDIAN TRAIL IMPROVEMENT DISTRICT**  
**13476 61<sup>ST</sup> STREET NORTH**  
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April 25, 2018

Hon. Melissa McKinlay, Mayor & Commissioner, District 6  
Hon. Mack Bernard, Vice Mayor & Commissioner, District 7  
Hon. Hal R. Valeché, Commissioner, District 1  
Hon. Paulette Burdick, Commissioner, District 2  
Hon. David Kerner, Commissioner, District 3  
Hon. Steven L. Abrams, Commissioner, District 4  
Hon. Mary Lou Berger, Commissioner, District 5

**RECEIVED**  
**APR 30 2018**  
PLANNING DIVISION

Palm Beach County Board of County Commissioners  
301 North Olive Avenue  
West Palm Beach, Florida 33401

Re: Palm Beach County Comprehensive Plan, Initiation of Proposed  
Amendment to Thoroughfare Right-of-Way Identification Map TE-14.1  
60th Street North, BCC Meeting of May 2, 2018

Dear Mayor McKinlay, Vice Mayor Bernard and Commissioners:

The Board of County Commissioners (BCC) will consider the above-referenced matter at its Comprehensive Plan Public Hearing on Wednesday, May 2, 2018. The County Engineer proposes to amend Thoroughfare Right-of-Way Identification Map (TIM) TE-14.1 to increase the ultimate right of way from 80 to 100 feet for the segment of 60<sup>th</sup> Street North between 140<sup>th</sup> Avenue North and 120<sup>th</sup> Avenue North.

We appreciate the BCC's previous deferral of this proposal so its impacts could be more fully assessed. County Staff met with ITID representatives on January 26, 2018 and with the Board of Supervisors on April 4, 2018. Our discussions were professional and positive. While ITID disagrees with the County Engineer's assessment that this roadway expansion is justified solely on the basis of traffic generated by Acreage residents, we share the County's goal of improving 60th Street North as a vital regional transportation link. This roadway improvement can benefit both the Acreage and the wider community the BCC serves.

As a special district, ITID is a service provider and has no legislative authority to engage in comprehensive planning. County development decisions impact the Acreage Community and the road and drainage facilities the District provides. ITID relies on the County to reflect our interests in its planning. Based on our discussions with your Staff, we respectfully offer the following suggestions with regard to initiation of this proposed Comprehensive Plan Amendment:

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This design should be considered an interim, "short-term" response. Development to the west, including the City of Westlake, GL Homes and Iota-Carol Properties, will increase traffic on 60<sup>th</sup> Avenue in the long-term far beyond any demand generated by the Acreage. In ITID's opinion, this demand, funneled eastward to State Road 7 along 60<sup>th</sup> Avenue, will require more radical solutions, including but not limited to expanding the right-of-way beyond 100 feet to accommodate a rural parkway. We understand the County Engineer will continue our dialogue regarding long-term traffic impacts and area-wide solutions that reflect ITID's and the Acreage Community's concerns.

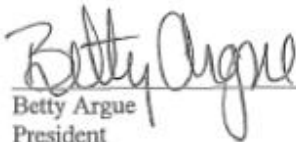
4. As part of any analysis of this Plan Amendment, the County should include amending its Land Development Regulations as necessary to assure that, following any taking through eminent domain, lots along 60<sup>th</sup> Street North between 120<sup>th</sup> Avenue North and 140<sup>th</sup> Avenue North are not treated as non-conforming as to minimum lot size, setback or other code requirements. This can be accomplished by adopting an overlay zone specific to this limited area.

ITID appreciates the courtesy extended by the Board of County Commissioners and County Staff, and remains prepared to work closely with the County as the design of 60<sup>th</sup> Street North advances.

Sincerely yours,

BOARD OF SUPERVISORS  
INDIAN TRAIL IMPROVEMENT DISTRICT

By:



Its:

Betty Argue  
President

cc. Verdenia Baker, County Administrator  
David Ricks, P.E., County Engineer  
Patrick W. Rutter, Executive Director, PZB  
Lorenzo Aghemo, Planning Director

Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Ralph Blair • Carol Jacobs • Gary Dunkley

**INDIAN TRAIL IMPROVEMENT DISTRICT**  
**13476 61<sup>ST</sup> STREET NORTH**  
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December 4, 2019

Nick Uhren, PE, Executive Director  
Palm Beach Transportation Planning Agency  
301 Datura Street  
West Palm Beach, FL 33401

RE: LRTP 2045

Dear Mr. Uhren:

Recently, the Board of Supervisors hired the Treasure Coast Regional Planning Council through a interlocal agreement to assist the District in developing a comprehensive roadway and pedestrian/bicyclist/equestrian trail system. Indian Trail is very interested in the future regional traffic patterns that clearly will impact our property owners and residents. During the Board of Supervisors Meeting on November 20, 2019, the Board discussed the Palm Beach County Long Range Transportation Plan 2045 (LRTP 2045). There were extensive discussions regarding the LRTP 2045. This letter outlines three (3) differing views from the Board.

The first include projects that are strongly supported by the Board:

1. PBC010-015 - widening of 60<sup>th</sup> Street to a Rural Parkway, provided it is in collaboration with Indian Trail and provides for safe pedestrian, bicycle and equestrian pathways and crossings. The design and landscaping must have a rural aesthetic that is complimentary to our area and helps with roadway noise and views from houses that are not walls.
2. PBC069-073 – The widening of Northlake Boulevard. from two lanes to six lanes and provides for safe pedestrian, bicycle and equestrian pathways and crossings.
3. PBC110 – extending Seminole Pratt Whitney from 100<sup>th</sup> to the new housing development, Avenir, and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
4. PBC107 – widen Seminole Pratt Whitney Road. from 60<sup>th</sup> Street North to Orange Boulevard from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
5. PBC111 – modify Seminole Pratt Whitney Road from the new housing development, Avenir, to State Road 710/Beeline Highway with four lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
6. TPA013 –strongly encourage the widening of State Road 7 from Okeechobee Boulevard to 60<sup>th</sup> Street from two lanes to four lanes.
7. TPA014 – strongly encourage the extension of State Road 7 from 60<sup>th</sup> Street to Northlake Boulevard with four lanes.

**Indian Trail Improvement District Board of Supervisors**  
**Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre**



The second are projects that are merely supported by the Board:

1. PBC105 – widen Seminole Pratt Whitney Road from Okeechobee Boulevard to Sycamore Dr. East from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
2. PBC108 – widen Seminole Pratt Whitney Road from Orange Boulevard to Northlake Boulevard from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
3. PBC104 – widen Seminole Pratt Whitney Road from State Road 80 to Okeechobee Boulevard from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
4. PBC106 – widen Seminole Pratt Whitney Road from Sycamore Drive East to 60<sup>th</sup> Street North from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
5. PBC109 – widen Seminole Pratt Whitney Road from Northlake Boulevard to 100<sup>th</sup> Lane North from two lanes to four lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.

The third are projects that the Board strongly opposes because each lack the appropriate level of capacity justification:

1. PBC079 – widening of Okeechobee Boulevard from 140<sup>th</sup> Avenue North (E Road) to Crestwood Boulevard from two lanes to four lanes.
2. PBC-77-078 – widening of Okeechobee Boulevard from Cheetham Hill Boulevard to 140<sup>th</sup> Avenue North (E Road) from two lanes to four lanes.
3. PBC076 – extend Okeechobee Boulevard from State Road 80 (Southern Boulevard) to Cheetham Hill Boulevard with a new two-lane road.
4. PBC085 – widening of Orange Boulevard from Seminole Pratt Whitney Road to Coconut from two lanes to 3 lanes.
5. PBC100 – widening Royal Palm Beach Boulevard from Persimmon Boulevard to 60<sup>th</sup> Street from two lanes to five lanes.
6. PBC101 – widening Royal Palm Beach Boulevard from 60<sup>th</sup> Street to Orange Boulevard from two lanes to five lanes.
7. PBC102 – widening of Royal Palm Beach Boulevard, Orange Boulevard and Coconut Boulevard to Northlake Road from two lanes to five lanes.

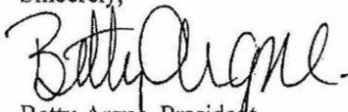
All the projects listed above are either on District-owned roadways or impact District roadways and most importantly, our residents. As indicated, there are some projects the Board strongly supports because the end results of these projects will provide a better quality of life for our residents in Indian Trail. We also hope that Palm Beach County will properly control the speed limits on these proposed roadway expansions to ensure safe travel for all users of the transportation system.

We also would request that the TPA and County work with us to improve the safety of the various intersections on these planned major roadway expansions that connect onto our local District residential roadways. In particular, we strenuously oppose using internal residential roadways as an alternative to the State Road 7 extension to Northlake Boulevard from Okeechobee Boulevard.

**Indian Trail Improvement District Board of Supervisors**  
**Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre**

The District is always open and willing to work with the Transportation Planning Agency and Palm Beach County to preserve and enhance the Indian Trail rural lifestyle and agricultural community. We welcome the TPA and its staff to attend and present your plan at a future Board Meeting. Thank you for considering our concerns and input regarding the LRTP 2045.

Sincerely,



Betty Argue, President  
Board of Supervisors

Respectfully,



Burgess Hanson,  
Executive Director

cc: Commissioner Melissa McKinlay  
Verdenia Baker, County Administrator  
Indian Trail Board of Supervisors  
District Engineer  
District Attorney  
Gerry O'Reilly, FDOT District Four Secretary  
David Ricks, County Engineer  
Valerie Neilson, Deputy Director of Multimodal Development  
Andrew Uhlir, Deputy Director of Program Development  
Jason Price, Lead Planner – TIP Coordinator  
Greg Gabriel, Transportation Planner II  
Alyssa Frank, Transportation Planner II  
Malissa Booth, Public Relations Manager  
Matthey Komma, Chief Financial Officer  
Margarita Pierce, Executive Administrator  
Kim Delaney, Treasure Coast Regional Planning Council

Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre

## Correspondence received subsequent to 2/1/23 BCC Transmittal

### **Stephanie Gregory**

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**From:** Stroh, Justin <Justin.Stroh@dot.state.fl.us>  
**Sent:** Thursday, March 16, 2023 7:06 PM  
**To:** DCPexternalagencycomments  
**Cc:** Hymowitz, Larry; Krane, John; Fasiska, Christine; Stephanie Gregory  
**Subject:** Palm Beach County 23-02ESR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

#### **This Message Is From an External Sender**

This message came from outside your organization.

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed the proposed Palm Beach County comprehensive plan amendments with DEO reference number 23-02 ESR. The reviewed amendments include (A.2) a modification of the Thoroughfare Right-of-Way Identification Map (TIM) to widen 60th Street right-of-way segment between 140th Ave. N. and N. State Road 7 Extension, from 80 feet to 100 feet; (B.1) changing future land uses from Agricultural Reserve (AGR) on approximately 39 acres to Essential Housing with an underlying Agricultural Reserve (EH/AGR) in respect to the Logan Ranch Site; and (B.2) changing future land uses from Agricultural Reserve (AGR) on approximately 47 acres to Commerce with an underlying Agricultural Reserve (CMR/AGR) in respect to the Commerce Center Site.

FDOT is providing the following technical assistance comments and recommendations consistent with Section 163.3168(3), Florida Statutes. These technical assistance comments will not form the basis of a challenge. These comments are intended to strengthen the County's comprehensive plan to foster a vibrant, healthy community and are designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

#### **A.2. Thoroughfare Right-of-Way Identification Map Amendment**

*Amendment: Modify the Thoroughfare Right-of-Way Identification Map (TIM), TE 14.1 to widen 60<sup>th</sup> Street right-of-way segment between 140th Ave. N. and N. State Road 7 Extension, from 80 feet to 100 feet to allow an ultimate 5 lanes.*

#### **Technical Assistance Comment #1**

The staff report and Palm Beach County Thoroughfare Roads Typical Sections document effective April 2018 do not contain a 100 ft 5-lane typical section. It is unclear how this amendment ensures that future roadway modifications to 60<sup>th</sup> St will accommodate all modes of transportation and improve safety, consistent with Objective 1.9 of the County's Transportation Element.

#### **Recommendations for Comment #1**

The amendmant should include a typical section that is consistant with Transportation Element Objective 1.9 to promote the increased use of non motorized facilities. That includes elements such as sidewalks, protected bike lanes, lighting and safety treatment that support an interconnected multimodal transportation system.

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Palm Beach County

From: Staff

Date: March 10, 2023

Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the Palm Beach County Comprehensive Plan  
Amendment No. 23-02ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, authorizes the regional planning council to 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 14, 2023 and contains text amendments to the Future Land Use, Housing, and Introduction and Administration elements of the comprehensive plan; a proposed modification to the Thoroughfare Right-of-Way Identification Map (TIM); and two small-scale Future Land Use Atlas (FLUA) amendments. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendments

**Alternative Affordable Housing Approval Process Text Amendments**

In 2020 and 2022, the Florida Legislature passed laws providing local jurisdictions the authority to approve affordable housing projects on any parcel zoned for residential, commercial, or industrial use, notwithstanding any other law, local ordinance, or regulation to the contrary. This legislation provides an opportunity for the Palm Beach County Board of County Commissioners (BCC) to expeditiously consider affordable housing proposals that meet certain criteria to aid in addressing the lack of affordable housing units in the County. The proposed text amendments add and revise policies in the Comprehensive Plan to recognize the BCC's authority provided by Ch. 125.01055 F.S. and to provide guidance to ensure a consistent approach is utilized when

processing requests for affordable housing. The proposed amendments are summarized below with the new text shown in underline format:

Future Land Use Element: Revises Objective 2.2 and adds an underlying policy to indicate that the Board of County Commissioners (BCC) has the authority to approve affordable housing projects pursuant to Ch. 125.01055(6) Florida Statutes (F.S.) on any parcel zoned for residential, commercial, or industrial use:

**Objective 2.2 Future Land Use Provisions – General**

Palm Beach County shall ensure development is consistent with the County's diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property's future land use designation, and the applicable Goals, Objectives and Policies of this Element except for affordable housing projects approved pursuant to Ch. 125.01055(6) F.S., which states, in pertinent part, that notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.

**Policy 2.2.1-x: Alternative Affordable Housing Approval Process.** The Board of County Commissioners may approve the development of eligible, permanent affordable housing projects pursuant to Ch. 125.01055(6) F.S. on any parcel designated on the Future Land Use Atlas and the Official Zoning Map for residential, commercial, or industrial use, following a public hearing. Affordable housing approved under this policy must comply with the definition of affordable as defined in Section 420.0004, F.S.

Housing Element: Adds a policy under Objective 1.1 to state the County shall implement a procedure for consideration of affordable housing projects as described in the new policy noted above:

**Policy 1.1-x:** The County shall implement a process for consideration of affordable housing projects pursuant to Ch. 125.01055 (6) F.S. as described in Policy 2.2.1-x in the Future Land Use Element.

Introduction & Administration Element: Revises the definition of Affordable Housing to include a reference to the new policy noted above:

**AFFORDABLE HOUSING** - A dwelling unit is considered to be affordable when a household spends no more than 30 percent of its gross income on housing costs. Rental housing costs include contract rent and utilities. Owner occupied housing costs include mortgage principal and interest, property taxes, utilities, insurance, and where applicable, homeowner's association fees. For projects approved pursuant to Policy 2.2.1-x: Alternative Affordable Housing Approval Process in the Future Land Use Element, this definition has the meaning given it in s. 420.0004, F.S.



## **Thoroughfare Right-of-Way Identification Map (TIM) Amendment**

This County-initiated amendment will modify the TIM (Map TE 14.1) to widen a segment of 60<sup>th</sup> Street North between 140<sup>th</sup> Avenue North and N. State Road 7 Extension, from 80 feet to 100 feet, which will allow this segment to be widened to 5 lanes. The County staff report notes that typically a 5-lane roadway fits within 80' of right-of-way. However, the right-of-way is constrained by the City of West Palm Beach's M-Canal required facilities that encroach into the 80' right-of-way on the north side. The City holds a canal access and maintenance easement over the 80' right-of-way so additional right-of-way is needed for the ultimate 5-lane roadway and the City's required berm with guardrail adjacent to the M-Canal. The County staff reports states that residential properties east of 120<sup>th</sup> Ave N may not be affected as there is already an existing 40' Indian Trail Improvement District road and drainage easement on the south side. The proposed map revision and an aerial map depicting the subject segment are included as Exhibits 2 and 3.

### **Small Scale Amendments**

Under 163.3187, Florida Statutes, small scale amendments 50 acres or less are not required to be reviewed under the state's Expedited Review Process. Small scale amendments adopted under this section require only one public hearing before the governing board, which is the adoption hearing. Therefore, Council will not be providing a review of the two proposed small scale amendments, which are summarized below:

1. BC Commerce Center: The amendment proposes to change the future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR) on a 47.21 acre site located on the northeast corner of Boynton Beach Boulevard and Acme Dairy Road. The proposed amendment includes conditions that development of the site under the Commerce designation be subject to the following: a maximum of 3,835 net daily trips, 723 net AM peak hour trips, and 571 net PM peak hour Trips; a limit of 719,764 square feet (0.35 Floor Area Ratio) of uses; and the proposed future land use amendment and the proposed rezoning shall be considered for adoption by the Board of County Commissioners at the same public hearing.
2. Logan Ranch Residential: the amendment proposes to change the future land use designation from Agricultural Reserve (AGR) to Essential Housing with an underlying Agricultural Reserve (EH/AGR) on a 39.24 acre site located in the Agricultural Reserve Tier, at the southeast corner of Boynton Beach Boulevard and Acme Dairy Road. The proposed amendment includes conditions that development of the site under the Essential Housing designation be subject to the following: the site shall be limited to a maximum of 314 dwelling units; the zoning development order shall require a minimum of 25% of the total dwelling units to be built as onsite workforce housing units that shall be evenly distributed among four income categories for households ranging from 60 to 140% of area median income, and subject to the requirements of Article 5.G.1 of the Unified Land Development Code; and the proposed future land use amendment and the proposed rezoning shall be considered for adoption by the Board of County Commissioners at the same public hearing.

### 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 December 30, 2022. No extrajurisdictional impacts have been identified.

### Conclusion

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

Regarding the Alternative Affordable Housing Approval Process text amendments, Council suggest that the County closely monitor the progress of Senate Bill 102 which proposes, among other things, to remove “residential” from the provisions of Section 125.01055(6). It is critical for clarity and legal consistency that the county’s comprehensive plan language not conflict with Florida Statutes. As an optional process in statute, the County’s rules cannot be less restrictive (i.e. allow something not allowed by statute) but can be more restrictive if desired. Therefore, the County will need to remove “residential” prior to adoption if SB 102 has become law before then. In addition, in order to ensure adequate workplaces countywide to provide wages for housing, Council suggests that the County not include industrial land in the Alternative Affordable Housing Approval Process. Industrial land is precious economically, hard to create, and vulnerable to incompatibilities (and complaints) created by inserting housing into industrial areas. There are plenty of suitable commercial sites available for housing infill without the need to consume limited industrial land.

Regarding the amendment to the Thoroughfare Identification Map, Council would like to make sure the County is aware of the Indian Trail Improvement District Mobility Plan prepared by Council in December 2020. The Plan suggests particular roadway cross-sections, including along 60<sup>th</sup> Street North, that may require rights-of-way different from the County’s typical practices. The Plan is available on Council’s website ([www.tcrpc.org](http://www.tcrpc.org)) or upon request.

### Council Action – March 10, 2023

The next scheduled Council meeting is March 24, 2023. In order to avoid unnecessary delay and meet the 30-day agency review deadline, Council’s Executive Director, Thomas J. Lanahan, approves this report and authorizes its transmittal to Palm Beach County and the Florida Department of Economic Opportunity.

### Attachments