COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 21-B

DEO TRANSMITTAL REPORT, JULY 28, 2021

I. General Data

Project Name:	**10th Avenue North TIM and Text Amendment**
Element:	**Transportation Element (TE) and Map Series, Thoroughfare Right of Way Identification (TIM) Map TE 14.1**
Project Managers:	Morton Rose, Director of Roadway Production, Khurshid Mohyuddin, Principal Planner, Planning Division and David Wiloch, Senior Planner
Comm. District:	Mayor Dave Kerner, District 3
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, to widen right-of-way from 80 feet to 110 feet for the segment of 10th Avenue North from Congress Ave to I-95 and to modify TE Policy 1.2-v accordingly to allow for a future 6-lane divided roadway.
Assessment:	This amendment proposes to widen the right-of-way depicted on the TIM for a segment of 10th Avenue North to reflect the needs of vehicular transportation in the area. This segment is currently four (4) lanes plus a center shared left turn lane and is planned to be a 6-lane roadway in the Palm Beach Transportation Planning Agency's (TPA's) adopted 2045 Long Range Cost Feasible Transportation Plan. The amendment will also modify Policy TE 1.2-v to removing a restriction on maintaining the year 2009 cross section at the intersection of 10th Ave N and Florida Mango Road.

III. Hearing History

Local Planning Agency Recommendation: ***Approval***, motion by Spencer Siegel, seconded by Eric Royal, passed in an 11 to 0 vote at the June 11, 2021 public hearing. There was minimal discussion. A representative from the Village, Joni Brinkman, spoke in support of the amendment with a request for County Engineering to coordinate throughout the design of the widened roadway. Morton Rose, Engineering Roadway Production Director, relayed that coordination would be ongoing.

Board of County Commissioners Transmittal Public Hearing: ***Transmit,*** motion by Commissioner Bernard, seconded by Vice Mayor Weinroth, passed in a 7 to 0 vote at the July 28, 2021 public hearing. There was minimal Board discussion and no public comment.

State Review Agency Comments:

Board of County Commissioners Adoption Public Hearing:

T:\Planning\AMEND\21-B2\Reports-Agendas\3-DEOTranPacket\C-2_TIM-10thAveNorth-Rpt.docx

IV. Background

This amendment proposes to increase the right-of-way (ROW) width depicted on the Thoroughfare Right of Way Identification Map (TIM) from 80 feet to 110 feet for a segment of 10th Avenue North located between Congress Avenue and Interstate I-95. 10th Avenue North is currently built as a 5-lane road for this segment, with four travel lanes and a shared turn lane. The additional ROW would allow a 6-lane divided configuration.

This portion of 10th Avenue North has been the subject of several amendments in the past. The 1989 PBC Comprehensive Plan Thoroughfare Right Of Way Protection Map (5A) identified 10th Avenue North as a 110-feet ROW. In Round 1996-1, a plan amendment changed this ROW to the current 80 feet from Jog Road to Federal Highway. Analysis at the time indicated that the road had been constructed as a 5-lane facility and the additional ROW would be costly and unneeded. In Round 99-1 the County adopted a Constrained Roadway at a Lower Level of Service (CRALLS) designation for 10th Avenue North in order to facilitate development of the Lake Worth Park of Commerce (LWPC). Subsequently, in October 2001, the City of Lake Worth Beach requested deletion of the CRALLS and creation of a Transportation Concurrency Exception Area (TCEA). The County adopted this TCEA designation in amendment Round 02-2, while also modifying the 10th Avenue N. CRALLS to clarify that it can only be used by the projects located outside the LWPC; this removed the overlapping effect of the CRALLS and the TCEA. During the adoption of the TCEA, the BCC directed staff to remove the CRALLS designation since the development of the LWPC was no longer restricted by the capacity of 10th Avenue North, therefore satisfying the original intent of the City of Lake Worth Beach's request for the CRALLS. In round 09-2, the Urban Redevelopment Area (URA) TCEA expansion amendment was approved. This amendment identified a portion of 10th Avenue North for infill and redevelopment, while identifying portions of the intersection of Florida Mango and 10th Avenue North as the 10th Avenue North Priority Redevelopment Area (PRA) and TCEA. PRAs exhibit prime redevelopment characteristics including vacant and underutilized lands, abandoned buildings, and commercial vacancies that could provide opportunities for infill and redevelopment. This TCEA amendment also limited the cross section at the intersection of 10th Ave N and Florida Mango to the cross section as of 2009.

Recent development and redevelopment in the area now warrants this ROW expansion. The 2045 LRTP also has widening from 5-lane to 6-lane to provide the adopted LOS "D". This road segment currently operates at LOS "F".

V. Intent

The intent of this county-initiated (Engineering Department) amendment is to modify the Thoroughfare Right of Way Identification Map (TIM) TE 14.1 for the segment of 10th Avenue North from Congress Avenue to I-95 to increase ROW from 80 feet to 110 feet to reflect the future increase to a 6-lane divided roadway. Policy 1.2-v of the Transportation Element would also be amended to maintain consistency with the TIM. A summary of the changes is provided below and specific strike out and underline revisions are provided in Exhibit 1A and 1B.

VI. Data and Analysis

This section provides background information and examines consistency with the Comprehensive Plan. Changes to the Element are addressed individually below.

A. Consistency with the Comprehensive Plan

The following objective & policies from the Transportation & Future Land Use Elements 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 (TPA) has included this segment of 10th Avenue North in long-range plans through many years. The currently adopted 2035 Long Range Transportation Plan, Cost Feasible component has this road segment at 4-lanes, as does the 2040 LRTP Cost Feasible component. The TPA 2045 LRTP Cost Feasible component now has this portion of 10th Avenue N. as a 6-lane segment consistent with the proposed amendment. Additionally, the county has provided notification of this amendment to the City of Lake Worth Beach and the Village of Palm Springs.

TE Policy 1.2-v: Urban Redevelopment Area (URA) - Transportation Concurrency Exception Area (TCEA) is hereby established and designated. Only projects that are consistent with the Urban Redevelopment Area Master Plan as adopted by the BCC shall utilize the provisions of this TCEA…*remainder omitted for brevity*

9. Military Trail, Lake Worth Road and Congress Avenue corridors shall maintain its current roadway sections accommodating a maximum of six lanes of traffic; three through lanes in each direction. The node at Florida Mango and 10th Avenue shall also maintain its current roadway sections as of 2009.

Staff Analysis/Comment: This policy contains language that prohibits the widening of 10th Avenue North at Florida Mango Road, which made this URA provision consistent with the TIM and the adopted 2035 LRTP. However, with the proposed modification to the TIM, a modification is also necessary to this policy to be consistent with the desired 6-lane divided section being proposed to address the future needs of vehicular transportation in the area. The proposed amendment to this policy would also maintain consistency with the TPA 2045 LRTP.

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 1-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: Currently, this roadway segment is a 5-lane section. There are no plans for widening it in the current 5-year Roadway Program, but there is need to widen it to 6-lanes divided. Intersection improvements for 10th Avenue North at Boutwell Road are listed in the current PBC Five Year Road Program and are scheduled for construction in FY 2021.

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

Staff Analysis/Comment: There are no improvements planned for any reliever roads. It is anticipated that the Florida Department of Transportation (FDOT) may make major future changes to the I-95 interchange at 10th Avenue North.

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

Staff Analysis/Comment: Commercial properties abut the roadway along the eastern portion of the roadway, with several commercial plazas, a car dealership and a few office plazas present. Closer to Congress Avenue, multi-family and single family residential takes over as the principal land use, with the exception being the Super Wal-Mart plaza constructed on the north side of the roadway. This segment of roadway also crosses over the Lake Worth Drainage District E-4 canal, which flows into Lake Osbourne south of 10th Ave North.

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: 10th Avenue North is a fully developed urban corridor flanked by a mix of commercial, single family and multi-family residential parcels. 10th Avenue North is located within the municipal limits of the Village of Palm Springs, City of Lake Worth Beach, as well as unincorporated Palm Beach County. Property setbacks to

residential properties and businesses will be reduced by approximately 15' after future right-of-way acquisition.

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: A 5-lane roadway segment (as currently built) has a daily capacity of 33,200 vehicles and peak hour directional capacity of 1,770 vehicles, whereas, a 6-lane divided roadway has a daily capacity of 50,300 vehicles and peak hour directional capacity of 2,680 vehicles.

10th Ave North

Design:	$2.4 M
Right-of-Way Acquisition	$14.5M
Construction:	$10.2M
Total	$27.1M

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:

Existing Peak Hour Peak Direction Volumes					
Roadway Segment	**Lanes**	**AM Peak Volume**	**PM Peak Volume**	**Capacity**	**V/C Ratios**
10th Avenue N from Congress Ave to I-95	5L	1762	1625	1770	1.00

Projected 2035 Peak Hour Peak Direction Volumes					
Roadway Segment	**Lanes**	**AM Peak Volume**	**PM Peak Volume**	**Capacity**	**V/C Ratios**
10th Avenue N from Congress Ave to I-95	6D	2240	2089	2680	0.84

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: Revenue and priority for improvements are evaluated every year during the County's 5-Year Roadway Improvement Program updates.

8. Environmental Character and extent of impact on such.

Staff Analysis/Comment: Pending the final roadway design, minimal impacts on environment can be 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 bike lanes and sidewalks. Pending the final roadway design, minimal impacts on aesthetics can be anticipated.

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

Staff Analysis/Comment: ROW acquisition cost is estimated to be $14.5M.

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 specifically require any subsequent changes to the ULDC.

VII. Public and Municipal Review

Intergovernmental Plan Amendment Review Committee (IPARC): Notification prior to initiation of this amendment was sent to the County's Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments, on November 20, 2020. Another notification for the amendment was sent on May 20, 2021.

Other Notice and Comments: Notification of initiation was sent by the County Planning Division to the City of Lake Worth Beach and the Village of Palm Springs through IPARC on November 20, 2020. A meeting was also held with staff from the Village of Palm Springs on November 5, 2020. Notification of the amendment was sent to the City of Lake Worth Beach, the Town of Lake Clarke Shores and the Village of Palm Springs on May 21, 2021. At the time of the printing of this report, one email in objection to the amendment has been received and is available in Exhibit 3 of this report.

VIII. Staff Assessment and Conclusions

This amendment proposes to increase the ROW depicted on the TIM from 80 feet to 110 feet for a segment of 10th Avenue North between Congress Avenue and I-95, and to remove restriction on widening intersection of 10th Ave N and Florida Mango Road, accordingly. This segment of roadway is located in a mostly built-out commercial and residential area, where traffic has increased over time. The additional ROW proposed will allow for an additional westbound through lane to accommodate the increased traffic in the area.

Therefore, staff recommends ***approval***.

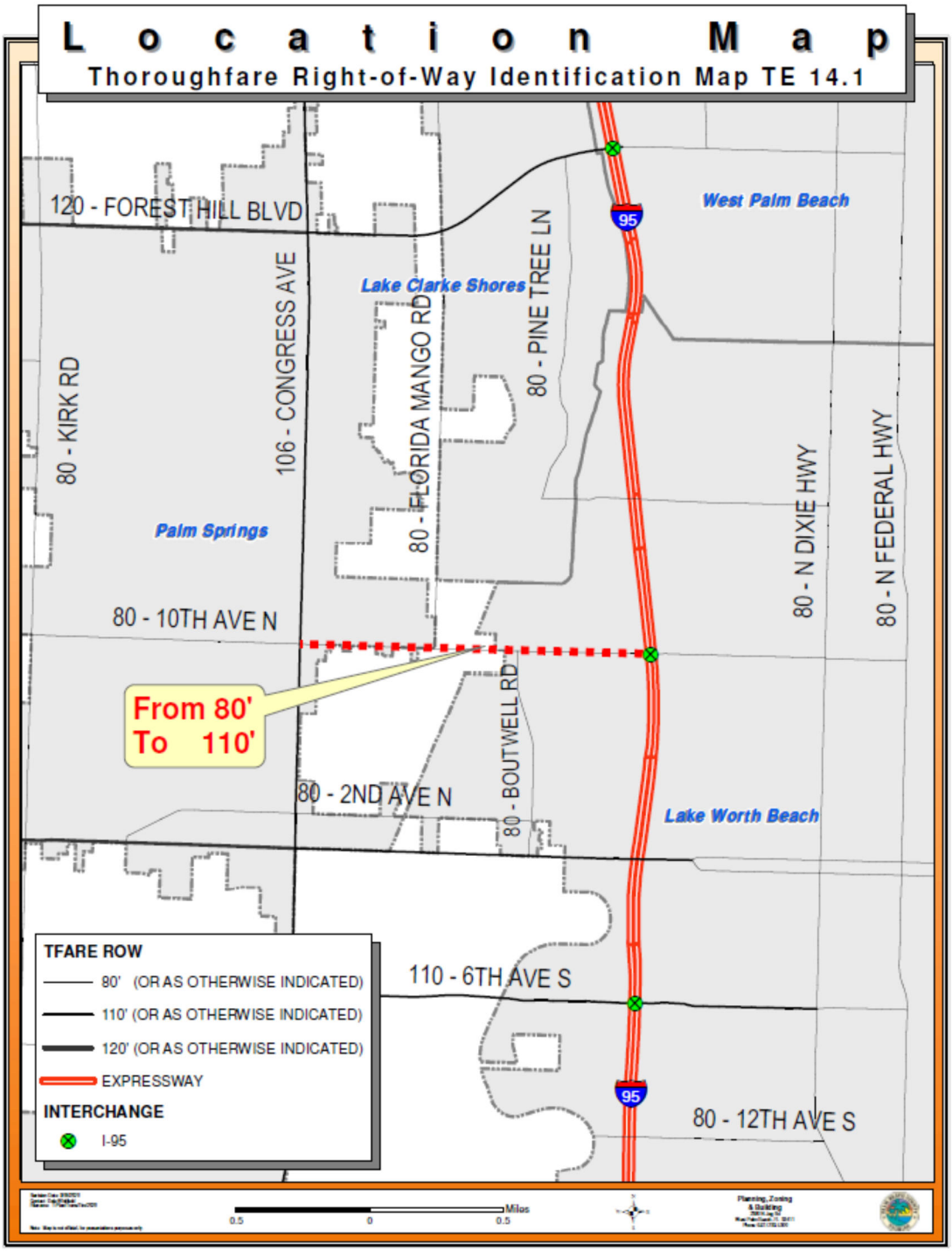
Attachments

Exhibit 1-A – Proposed revisions and Map depicting the alignment	E - 1
Exhibit 1-B – Text Revisions	E - 2
Exhibit 2 – Aerial Map depicting the alignment	E - 3
Exhibit 3 – Correspondence	E - 4

Exhibit 1

A. **Map Series, Thoroughfare Right of Way Identification Map (Map TE 14.1),** 10th Avenue North TIM

REVISIONS: To increase the right of way for the segment of 10th Avenue North between Congress Avenue and I-95 from 80 feet to 110 feet on Map TE 14.1.



B. Transportation Element, 10th Avenue North TIM

REVISIONS: To revise Policy 1.2-v to accommodate the widening of 10th Avenue North.

1. REVISED Policy 1.2-v: Urban Redevelopment Area (URA) - Transportation Concurrency Exception Area (TCEA) is hereby established and designated. Only projects that are consistent with the Urban Redevelopment Area Master Plan as adopted by the BCC shall utilize the provisions of this TCEA. The boundaries of the TCEA are shown in TE Maps 15.1, 15.3, 15.5, and 15.6 in the Map Series. Projects within municipalities may utilize this TCEA provided that municipalities adopt regulations consistent with this policy, adopt affordable housing policy consistent with the County's workforce housing regulations if proposing residential development, be consistent with the URA Master Plan and the County's land development regulations adopted to implement this plan. The residential and non-residential developments and projects described above may be able to utilize this TCEA, at any time, provided Palm Beach County determines that these projects are generally consistent with the goals and objectives of the URA Master Plan and Regulating Plan. The TCEA shall be limited to the maximum allowable number of units, square footage, total daily trips, and total pm peak hour trips identified in Tables TE-7A through TE-7E of this policy. Any project utilizing this TCEA and significantly impacting the Strategic Intermodal System (SIS) shall be required to address its impacts on SIS facilities pursuant to the ULDC.

Prior to issuance of any Development Order for a project within the TCEA, the project must submit a traffic generation study for approval to the County Engineer. This traffic study shall show external project traffic and all other existing and committed development traffic in the area to demonstrate that the proposed project is within the limits for allowable land uses and trips set forth in Tables TE-7A through TE-7E.

Beginning March 1, 2011, the County's Planning Division in coordination with the Traffic Division shall prepare a biennial report to demonstrate compliance with the conditions set forth in this policy. Upon review by the Planning Director and the County Engineer, the biennial report will be submitted to the Board of County Commissioners (BCC) for consideration. In the event that any of the conditions below is not met, the BCC may amend or rescind any or all of this policy. The conditions are:

…*Unaltered text omitted for brevity...*

~~9. Military Trail, Lake Worth Road and Congress Avenue corridors shall maintain its current roadway sections accommodating a maximum of six lanes of traffic; three through lanes in each direction. The node at Florida Mango and 10th Avenue shall also maintain its current roadway sections as of 2009.~~

…*Unaltered text omitted for brevity...*

Exhibit 2

Aerial Map

Exhibit 3
Correspondence

Subject: Expansion of 10th Ave N right-of-way

****** Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source

Good morning,

We have received your notice regarding the proposed expansion of 10th Ave n right-of-way and we have many concerns.
Our property is located at 2886 10TH Ave N.
This is an architect office.
With the proposed expansion we will lose the whole front portion which includes our office sign, landscape buffer, walkway and entrance to our office.
Our office door will be located directly on the main street without the clearance area infront of the entrance which will create a safety issue.

We are asking for these concerns to be reviewed and taken into consideration please.

Thank you,

Yvette Louka
Cell 561-644-3702
Fax 561-948-3275
e-mail: ylouka@yahoo.com