

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

January 19, 2018

The Honorable Roger Manning
Mayor, City of Westlake
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470

Dear Mayor Manning:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan for the City of Westlake (Amendment No. 17- PLAN), which was received and determined complete on November 20, 2017. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified five objections and have included recommendations regarding measures that can be taken to address the objections. We are also providing five comments. The comments are offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is “in compliance” as defined in Section 163.3184(1)(b), F.S. Copies of comments received by the Department from reviewing agencies, if any, are also enclosed.

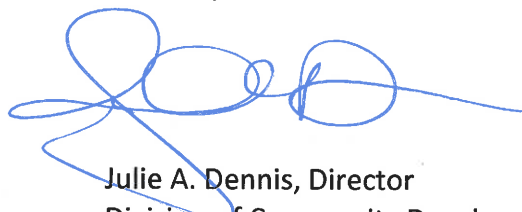
The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. Also, please note that Section 163.3184(4)(e)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department’s attached report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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If you have any questions related to this review, please contact Katherine Beck by telephone at (850) 717-8498 or by email at katherine.beck@deo.myflorida.com.

Sincerely,



Julie A. Dennis, Director
Division of Community Development

JD/kb

Enclosures: Objections, Recommendations, and Comments Report
 Reviewing Agency Comments
 City of West Palm Beach Comments
 Procedures for Adoption

cc: Ken Cassel, City Manager, City of Westlake
 Michael Busha, Executive Director, Treasure Coast Regional Planning Council

OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT

PROPOSED COMPREHENSIVE PLAN

CITY OF WESTLAKE (17-1ER)

The Department identified five (5) objections and offers five (5) comments in response to the City of Westlake's newly proposed comprehensive plan. The objections and comments are provided below, along with recommended actions the City could take to resolve issues of concern. If the City adopts the plan without addressing the objections, the Department may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S.

It should be noted that Department staff discussed the following objections and comments with representatives of the City of Westlake. The Department looks forward to continuing to work with the City to address any deficiencies in the proposed comprehensive plan.

I. Objections:

Objection 1: Future Land Use Element, Affordable Housing Density Bonus – Meaningful and Predictable Standards

Proposed Policy 1.1.13, Residential -1 Future Land Use Category, includes the following provision:

b) Density:

Bonus densities may be granted up to an additional 4 dwelling units per gross acre for the provision of senior, affordable, and workforce housing.

Proposed Policy 1.1.14, Residential -2 Future Land Use Category, includes a similar provision:

b) Density:

Bonus densities may be granted up to an additional 8 dwelling units per gross acre for the provision of senior, affordable, and workforce housing.

The standards, criteria, and process for granting the density bonuses set out in these policies are not provided within the proposed comprehensive plan, so that there is no direction provided to ensure their consistent implementation and achievement of desired outcomes. As drafted, the strategies are neither meaningful nor predictable.

Authority: Section 163.3177(1), F.S.

Recommendation: The City should revise these policies, prior to adoption, to provide criteria or parameters to qualify for density bonuses, to ensure their even implementation, and to further the achievement of desired outcomes. The revised strategy could specify that detailed provisions for implementation are (to be) provided in the City's land development regulations. The comprehensive plan could provide guidance regarding the magnitude of density bonus increase that may be obtained in exchange for a specific quantity of senior, workforce, or affordable housing.

Objection 2: Future Land Use Element – Planning Period

In accordance with section 163.3177(5)(a), F.S., each local government comprehensive plan must include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. The proposed *Future Land Use Map* does not include an associated planning horizon and thus does not satisfy the requirement to cover a period of at least ten years.

Authority: Sections 163.3177(2) and (5)(a), F.S.

Recommendation: The City should revise the *Future Land Use Map*, prior to adoption, to reflect at least a 10-year planning horizon. The updated horizon should be based on appropriate data and analysis including population projections for the long-range planning period. The specific planning horizon should be included in the title of the map.

Objection 3: Capital Improvements Element – Providing Public Facilities

As drafted, the strategies provided within the proposed Capital Improvements Element (CIE) are ambiguous regarding the City's responsibility for the construction and extension of public facilities and a transportation network to serve the new city and to achieve and maintain those levels of service standards for the associated public facilities and services proposed within this new comprehensive plan. Instead, the CIE defers the timely provision of the infrastructure, transportation network and facilities necessary to support the City to the Seminole Improvement District (SID). The proposed comprehensive plan does not include documentation of an effective agreement between the City and SID to construct and maintain the infrastructure, transportation network and facilities necessary to support the City.

Authority: Sections 163.3177(3)(a)(1) and (4), F.S.

Recommendation: The City should revise the CIE prior to adoption to provide principles for the construction and extension of public facilities and the transportation network to serve the new city and to achieve and maintain those levels of service standards for the associated public facilities and services proposed within this new comprehensive plan consistent with section 163.3177(3), F.S. The City should revise the comprehensive plan to clarify the relationship between any other entities, utilities, or assigns that the City will rely upon to provide infrastructures, facilities, or services on its behalf. This could include adding acknowledgement of or incorporating by reference any formal agreements between the City and other entities/utilities/assigns by name and date of execution.

Objection 4: Capital Improvements Element – Revenue Sources

As drafted, the CIE does not provide a delineation of when public facilities or a transportation network will be needed, the general location of the facilities, or projected revenue sources to fund the facilities.

Authority: Section 163.3177(3)(a)2, F.S.

Recommendation: The City should consider revising the CIE to provide information identifying public facility and transportation needs by timeframe and general location, and the projected sources of revenue to fund the provision of the facilities and infrastructure within the capital improvements schedule. Where

applicable, the CIE could also include additional annotation or description to clarify the relationship and extent to which the City may rely upon others to provide facilities or infrastructure on its behalf.

Objection 5: Transportation Element – Insufficient Transportation Circulation System Plan

The proposed comprehensive plan, as transmitted, does not demonstrate that the proposed transportation element addresses mobility issues in relationship to the size and character of the proposed City, in coordination with the proposed future land use map. The proposed comprehensive plan package does not include analysis demonstrating that the proposed transportation plan (i.e., the 2038 *Future Traffic Circulation Map* and associated strategies for providing transportation facilities within the transportation element) will adequately provide for a transportation circulation system that supports the future development potential that would be allowed by future land use element and future land use map. Based upon the analysis provided, it is not possible to determine if adverse impacts to existing roadway network facilities serving the City of Westlake, area local governments, and area State transportation facilities (State Road 80/US 98/Southern Blvd., and SR 710, both SIS facilities, and State Road 7) would occur if the future land use map is implemented as proposed.

The amendment is not based on adequate data and analysis. The data and analysis provided in support of the proposed comprehensive plan projects that the City's population for 2038 will be 16,091 (total permanent and seasonal population). The proposed transportation plan (i.e., the 2038 *Future Traffic Circulation Map* and associated strategies for providing transportation facilities) may be adequate to support this population and associated development, however the analysis does not demonstrate this. It is not clear what strategies identified within the proposed comprehensive plan would effectively manage development within the 2038 planning period at a level roughly proportional to the population projected.

Authority: Sections 163.3177(1)(f), 163.3177(3), 163.3177(6)(b), 163.3177(6)(b)1., 163.3177(1)(f), 163.3177(2), and 163.3184(4)(c), F.S.

Recommendation: The Department recommends that the City coordinate with the Florida Department of Transportation, Palm Beach County, the Palm Beach Transportation Planning Agency (TPA), and Treasure Coast Regional Planning Council to identify and address anticipated impacts to the state transportation facilities based on the City's proposed future land use map consistent with the provisions of Chapter 163, Part II, F.S., and to discuss when and how needed SIS and State Highway System improvements will be included as *cost feasible* in the TPA's *Long Range Transportation Plan (LRTP)* to more closely coincide with the timing of development impacts, pursuant to Chapter 163, F.S.

The City should revise the comprehensive plan, prior to adoption, to provide a traffic circulation plan and complimentary strategies that will ensure that adequate transportation facilities and services will be available commensurate with the demand for the facilities and services, consistent with the requirements in Chapter 163, Part II, F.S. The revised traffic circulation plan and strategies should be based upon future development potential and include funding sources and strategies, and maintain level of service standards. Revisions to the proposed comprehensive plan must be based on appropriate data and analysis.

Comments

Comment 1:

Proposed Policy INF 1.1.6 in the *Infrastructure Element*, provides that “Adequate water supplies and potable water facilities shall be in place and available to serve new development no later than the issuance by the City of a certificate of occupancy or its functional equivalent.” As drafted, this policy would not ensure that new development would have access to *central* potable water service. Should the City desire to enhance the potential that new development will have access to *central* potable water utility service in a timely manner, the City could revise this policy, prior to adoption, to establish a strategy to facilitate the provision of major *central* potable water facilities and infrastructure (e.g., water production facilities, transmission and distribution mains, storage facilities, etc.) in advance of anticipated development or at least concurrent with its approval (i.e., issuance of development order approval).

Comment 2:

Proposed Policy INF 1.1.5 in the *Infrastructure Element*, provides that “New developments and redevelopments will be required to connect to the centralized water facilities when such facilities become available.” As noted above, in Comment 1, to enhance predictability and reliability that new development will have access to central potable water utility service in a timely manner, the City could revise this amendment, prior to adoption, to establish a strategy to facilitate the provision of major central potable water facilities and infrastructure (e.g., water production facilities, transmission and distribution mains, storage facilities, etc.) in advance of anticipated development or at least concurrent with its approval (i.e., issuance of development order approval). Additionally, to enhance the clarity of this policy, the City may wish to define the term *available* as it applies to centralized water facilities.

Comment 3:

Proposed Policy INF 1.3.5 in the *Infrastructure Element*, provides that “Wastewater service and facilities shall be available to serve new development. New developments and redevelopment will be required to connect to the centralized wastewater facilities if such facilities are available at the time of development or redevelopment.”

To ensure reliable and predictable implementation of this policy, the City could revise the comprehensive plan, prior to adoption, to define or clarify what availability is as used in this context. If the City ultimately revises this amendment to define this term, it could use the definition for *available* provided in section 381.0065(2)(a), F.S., Onsite sewage treatment and disposal systems; regulation; definitions.

Comment 4:

Proposed Policy INF 1.3.6 in the *Infrastructure Element*, provides that “Adequate wastewater facilities shall be in place and available to serve new development no later than the issuance by the City of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the City shall consult with SID to determine whether adequate wastewater facilities exist to serve the new development no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent.”

This proposed strategy relegates determination as to the availability of adequate wastewater facilities to the very end of the development application review-permitting sequence, severely limiting the ability to plan for and ensure construction of adequate central wastewater facilities to serve new development in advance of development order approval. This approach could also limit the ability to rely upon central wastewater utility systems being available to serve development and result in development defaulting to maximum densities of no greater than two dwelling units per acre, consistent with statutory and Florida Administrative Code limits for density for residential land use utilizing on-site sewage treatment systems. The City could consider revising this policy, prior to adoption, to require coordination with utility providers and land developers at the beginning stages of the development application review-permitting sequence, thereby increasing the certainty as to the type of wastewater treatment system that will be available to serve the new development (e.g., on-site or central system facilities), providing for adequate planning and financing of infrastructure as may be necessary and enabling much greater predictability as to the potential densities and intensities of land use that could obtain development approval.

Comment 5:

The attached correspondence from the Florida Department of Transportation and Palm Beach County include a number of recommendations regarding transportation planning for the City. The City should review and consider these recommendations and make appropriate revisions to the comprehensive plan, prior to adoption, to produce an improved transportation element.

Agency Comments:

1. South Florida Water Management District provided comments -- attached.
2. Palm Beach County provided comments -- attached.
3. Florida Department of Environmental Protection provided comments -- attached.
4. Florida Department of Transportation provided comments -- attached.
5. Treasure Coast Regional Planning Council provided comments -- attached.

Additional Comments:

1. City of West Palm Beach provided comments attached.
2. South Florida Water Management District -- additional comments in response to the City of West Palm Beach comments -- comments attached

SUBMITTAL OF
ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR STATE COORDINATED REVIEW
Section 163.3184(4), Florida Statutes

May 2011

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

[Continued on reverse]

_____ In the case of future land use map amendment, an adopted future land use map, in color format, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency to the ORC report from the State Land Planning Agency.

Beck, Katherine

From: Oblaczynski, Deborah <doblaczy@sfwmd.gov>
Sent: Monday, December 18, 2017 11:52 AM
To: DCPexternalagencycomments
Cc: Beck, Katherine; Biblo, Adam A; Michael J Busha (mbusha@tcrpc.org); Kenneth Cassel (kcassell@westlake.gov)
Subject: City of Westlake, DEO #17-PLAN Comments on Proposed Comprehensive Plan Amendment Package

Dear Mr. Eubanks:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from the City of Westlake (City). The package includes the City's proposed Comprehensive Plan including the Water Supply Facilities Work Plan. The District offers the following recommendations for consideration prior to adopting the amendment:

- Update Policy INF 1.2.1 in the Comprehensive Plan adopting the Town's proposed Work Plan by reference (Section 163.3177(1)(b) F.S.). The Statute states: "The reference must identify the title and author of the document and indicate clearly what provisions and edition of the document is being adopted." The District has drafted the following example draft policy for use by the City in adopting Work Plans by reference:
 - "The City hereby adopts by reference the City of Westlake Water Supply Facilities Work Plan (Work Plan), dated *October 2017*, for a planning period of not less than 10 years. The Work Plan addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the City's water service area. The City shall review and update the Work Plan at least every five (5) years within 18 months after the governing board of the water management district approves an updated regional water supply plan. Any changes affecting the Work Plan shall be included in the annual Capital Improvements Plan update to ensure consistency between the Work Plan and the Capital Improvements Element.
- Policy ICE 1.3.3 appears to be self-amending as worded. Revise the policy to reference the *2013 Lower East Coast Water Supply Plan Update* by the title referenced here.
- In the Comprehensive Plan and the Work Plan, all references to the regional water supply plan need to be updated to use the current document's title: *2013 Lower East Coast Water Supply Plan Update*.
- Clarify the Work Plan and Infrastructure Policies regarding reuse water to indicate that reuse water is provided by Palm Beach County and distributed by the Seminole Improvement District.
- Revise Table 4.1 Demand Generators, to indicate the second line for S.F. is a total of the Industrial and the other non-residential square footages.
- Revise references to the existing permitted water use allocation in the Conservation Element Data and Analysis Water Conservation and Reuse Water section. The existing Water Use Permit for diversion and impoundment has demands based on the irrigation requirements for agricultural crops. Due to the change in land use to residential/landscape, the permit will require a modification to adjust the allocation. Update the statement to reflect this potential condition.

- Include reuse water demand projections in the Infrastructure Element Data and Analysis as described in the Future Land Use Data and Analysis Reuse Water Section.
- If applicable, describe geographical areas and projected withdrawal amounts for existing and future domestic self-supply systems. Include details of future plans to provide regional water service to these areas within the planning period. If not applicable, please include a statement indicating the City will have no areas of domestic self-supply.
- Update Section 6.0 of the Work Plan to only address the Regional Issues for the *2013 Lower East Coast Regional Water Supply Plan Update*.

The District offers its technical assistance to the City in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,
Deb Oblaczynski

Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or doblaczy@sfwmd.gov



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

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Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb

**Palm Beach County
Board of County
Commissioners**

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Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

December 20, 2017

Ray Eubanks, Plan Processing Administrator
Bureau of Community Planning
Division of Community Development
Florida Department of Economic Opportunity
Caldwell Building, MSC 160
107 East Madison Street
Tallahassee, FL 32399

Re: City of Westlake Comprehensive Plan—State Coordinated
Review Process

Dear Mr. Eubanks:

Please be advised that the County is in receipt of the above
referenced Comprehensive Plan and provides the following formal
comments pursuant to s. 163.3184 FS.

As you may recall, the area that is now known as Westlake was the
subject of two prior land use amendments (in 2008 and 2014) under
the unique provisions of s.163.3162(4) FS, and met the provisions of
an "agricultural enclave" as defined in s.163.3164(4) FS. As
approved by the County, the development was limited to the
configurations as shown on the conceptual plan adopted with the land
use amendment, 4,546 dwelling units (at a density of 1.2 dwelling
units per acre), and a little over two-million square feet of
commercial/office/civic/light industrial uses. It had previously been
determined that the County's Comprehensive Plan and infrastructure
could support that increment of development at those densities and
intensities as approved in 2014. However, the technical documents
affixed to the Westlake Plan appear to suggest that higher densities
and intensities could be realized, and there is little data and analysis
to indicate the City adequately considered and determined the
potential impacts of the additional increment of development
anticipated at build-out.

It is unclear that the data and analysis for the Transportation Element
adequately addresses the County, Regional, or State road network.
The analysis appears to examine the internal road network and the
directly accessed roadways only. Additionally, the proposed
Comprehensive Plan does not appear to consider nor account for
extra-jurisdictional impacts and the extent of those impacts. Pending
a more detailed analysis by staff, and potential consultation with other
affected agencies, the overall impact of the proposed Comprehensive
Plan cannot be determined at this time—including transportation
facilities. Staff will continue to review the Westlake Comprehensive
Plan package and will provide additional comments as warranted.
Again, the County would welcome the chance to work further and



coordinate with Westlake, involved agencies, and other potentially affected municipalities to address and resolve these and other identified concerns. Furthermore, the County may object to the Westlake Comprehensive Plan if it is adopted as currently proposed based on the above uncertainties, ambiguities and apparent omissions.

If you have questions or comments, please contact me at (561) 233-5327, or Bryan Davis, Principal Planner at (561) 233-5308.

Sincerely,


Lorenzo Aghemo
Planning Director

cc: Faye W. Johnson, Deputy County Administrator
David Ricks, County Engineer
Patrick Rutter, AICP, Executive Director, PZB
Bryan Davis, CNU-A, Principal Planner, PZB
Khurshid Mohyuddin, AICP, Principal Planner, PZB

Beck, Katherine

From: DCPexternalagencycomments
Sent: Tuesday, December 19, 2017 3:49 PM
To: Biblo, Adam A
Cc: Beck, Katherine
Subject: FW: Westlake 17-1Plan Proposed

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street MSC 160
Tallahassee, Fl 32399-4120
850-717-8483
Ray.Eubanks@deo.myflorida.com



From: Plan_Review [mailto:Plan.Review@dep.state.fl.us]
Sent: Tuesday, December 19, 2017 9:51 AM
To: Eubanks, Ray <Ray.Eubanks@deo.myflorida.com>; DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Westlake 17-1Plan Proposed

To: Ray Eubanks, DEO Plan Review Administrator

Re: Westlake 17-1Plan – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review

2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400

Suzanne E. Ray





Florida Department of Transportation

**RICK SCOTT
GOVERNOR**

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

**MIKE DEW
SECRETARY**

December 20, 2017

Mr. D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
107 East Madison Street, MSC 160
Tallahassee, FL 32399-4120

Dear Mr. Eubanks:

**SUBJECT: New City of Westlake Comprehensive Plan, DEO #17PLAN
Adverse Impact Formal Comments**

The Department of Transportation ("Department") has reviewed the new Comprehensive Plan for the City of Westlake ("City") with DEO reference number "17PLAN" and is responding with this formal comment letter.

In accordance with Sections 163.3161(3) and 163.3184(4)(c), F.S., the focus of our review was on major transportation issues, including adverse impacts to transportation facilities of state importance. These facilities include the Strategic Intermodal System (SIS) and significant regional resources and facilities identified in the Strategic Regional Policy Plan by the Treasure Coast Regional Planning Council. These facilities are vital to the economic vitality, growth and quality of life of the county, region and state. Local governments with transportation concurrency are required under Section 163.3180(5)(h)1.a., F.S., to consult with the Department when proposed amendments affect facilities on the SIS.

This submittal includes a new Comprehensive Plan pursuant to Section 163.3167, F.S. for the City of Westlake (incorporated June 2016) in Palm Beach County. The City was previously the subject of Palm Beach County Comprehensive Plan amendment #14-3ESR, which controls until the City adopts a Comprehensive plan.

FDOT has the following comments on the City's proposed Comprehensive Plan (#17-PLAN) along with measures the City may take to eliminate, reduce, or mitigate the adverse impacts to important state resources and facilities, thereby resolving the Department's recommendation of an objection to the Department of Economic Opportunity:

Comment #1

The proposed Comprehensive Plan package did not include an analysis to support the projected traffic demand, the planned transportation facilities, or the resulting future level of service. The Department received a copy of the detailed transportation element data and analysis on Friday, December 15, 2017, for review. The Department is still in the process of reviewing the analysis at this time and we anticipate supplementing this comment letter with additional comments in the near future.

The Department's preliminary review indicates that the new Comprehensive Plan allows for increased densities per the Future Land Use Element and Future Land Use Map and increased commercial development (Table 2.6 in FLU Element Data & Analysis) far beyond what is needed to support the future population and employment projections. The development allowed by the proposed future land uses also exceed what was previously approved as part of Palm Beach County amendment #14-3ESR for Minto West (22,693 additional dwelling units and 2.8 million square feet of additional commercial development). The implementation of the Plan in this regard should include a 5-Year and at least a 10-Year planning period, or longer per Sections 163.3177(5)(a) & (b), F.S.

Based on the increase in future development potential, the Department anticipates that cumulative project traffic from the density/intensity increases will result in incremental roadway impacts beyond those created by trips generated from previously approved developments in the area. The City of Westlake is generally surrounded by unincorporated Palm Beach County and abuts the Town of Loxahatchee Groves. In addition to Palm Beach County amendment #14-3ESR, several other Comprehensive Plan amendments that adversely impact roadway network facilities serving the City of Westlake have been adopted subsequently by Palm Beach County and Palm Beach Gardens (see table below).

Comprehensive Plan Amendment	Additional Trips
Westlake (Minto West) (Palm Beach County #14-3ESR)	52,970 gross trips (42,050 net trips)
Avenir (Palm Beach Gardens #16-1ESR)	78,697 trips (58,171 net)
Central Park Commerce Center (Palm Beach County #16-2ESR)	11,395 trips (# of trips limited in comp plan amendment)
Indian Trails Grove (Palm Beach County #16-3ESR)	51,323 trips (42,427 net)
IOTA/Delray Linton Groves (Palm Beach County #16-6ESR)	18,631 trips (13,375 net)
Total Additional Trips based	234,462 trips (167,418 net)

State transportation facilities impacted by the earlier amendments include State Road (SR) 80 (Southern Blvd. and US 98) and SR 710, both SIS facilities, and State Road 7. We anticipate that the proposed Comprehensive Plan could lead to future development that would create further impacts to these facilities of state importance. The Department's analysis considers the approved cumulative trips from the Minto West (Westlake), Avenir, and Indian Trail Groves developments.

Resolution of Comment #1

- 1. The City should coordinate with Department, Palm Beach County, the Palm Beach Transportation Planning Agency (TPA), and Treasure Coast Regional Planning Council to identify and address anticipated impacts to the state transportation facilities as a result of the proposed Comprehensive Plan. This should include planning, prioritizing, and ensuring proportionate share contributions and funds are available to deliver transportation improvements needed to serve anticipated growth as per Section 163.3180(5)(h)1.a., F.S. 7. The Department is immediately available to meet with the City, Palm Beach County, the Palm Beach Transportation Planning Agency, Treasure Coast Regional Planning Council, and DEO in this regard.**
- 2. It is not clear how the roadways identified on the 2038 Future Traffic Circulation Map will be funded. The City should therefore provide a basis upon which development will be assessed a proportionate share of the cost of addressing the transportation impacts, including to the State Highway System, resulting from development as per Section 163.3180(5)(h)1.d., F.S.**
- 3. The City should coordinate with the Palm Beach TPA and the Department to discuss when and how needed SIS and State Highway System improvements will be included as cost feasible in the Long Range Transportation Plan and ultimately funded. This coordination is important to facilitate the implementation of transportation improvements on SIS facilities to more closely coincide with the timing of development impacts.**
- 4. The City should identify the future roadway network connections and plan for improving the roadway network (additional lanes, new roadways, expanded intersections, etc.) needed to serve land uses with the proposed amendment at the adopted level of service standards. In addition, a coordinated multi-agency plan should be developed for the advancement of transit, Park and Ride opportunities, and Advanced Traffic Management System (ATMS) to address transportation needs in the Central Western Palm Beach County area.**

5. The supply of residential units (based on maximum densities and acreage allocated to future land use categories) and commercial development, as depicted in the Future Land Use Map and Element, is beyond what is needed to serve market needs and rectify land use imbalances in the Central Western Palm Beach County region. It is unrealistic given the capacity and connectivity constrained nature of the roadway network. The City should re-evaluate the land uses on the Future Land Use Map 2.1 to balance projected demand with the ability to provide needed facilities and services.
6. The necessary improvements to maintain the adopted level of service (LOS) standards should be identified and included in the City's Capital Improvement Element, Transportation Element maps, and the TPA's LRTP cost feasible component. The Capital Improvement Element and the LRTP should identify funding sources to address network deficiencies.

Technical Assistance Recommendations

1. The comprehensive plan does not address the ability to achieve the adopted LOS standard on Seminole Pratt Whitney Road consistent with the intensions of Objective FLU 1.4, FLU Policy 1.4.2, and CIE Policy 1.1.3. Tables 3.2 and 3.3 in the Transportation Element Data & Analysis section include incorrect capacities. Using the adjustment factor for non-state roadways, the correct capacity should be 1,800 vehicles. This places Seminole Pratt Whitney Road at LOS F. Additionally, Table 3.2 incorrectly identifies Seminole Pratt Whitney Road from Sycamore Drive West to Persimmon Boulevard as a six-lane divided facility. All City and County maps designate it as a four-lane divided facility.
2. The Transportation Element and associated maps do not reflect a well accessed and highly functional inter-connected roadway network that ensures a choice of viable travel routes that avoid over-reliance on the limited number of collector and arterial facilities serving the area, including the SIS. The City is geographically isolated within an expansive exurban area and, other than Seminole Pratt Whitney Road, is situated miles from the nearest arterial roadway. Many other local roadways abut the City but are not proposed to be connected. This results in a vast area that relies on a limited number of access points and a system of local and collector roads that lack connectivity and continuity for throughput and under-performs in terms of travel times.
3. No policies were identified to minimize adverse impacts from development on the SIS nor were related coordination mechanisms between the City, the Department and other appropriate agencies established in the Comprehensive Plan.

4. The Comprehensive Plan does not identify how the City will meet the identified needs of the projected transportation system based on data, analysis, and associated principles and strategies as required by ss.163.3177(6)(b)1.e., F.S.
5. The proposed plan does not include a Future 2038 Projected LOS Map.
6. The City should consider revising the Comprehensive Plan to reflect the functional classifications consistent with Section 334.03(10), F.S., which defines functional classification as the assignment of roads into systems using procedures developed by the Federal Highway Administration (FHWA). The functional classification is significant for roadway design, determining eligibility for funding under the Federal-aid program, and uniform performance measures. The Department has provided a link to the 2013 FHWA Functional Classification Concepts, Criteria and Procedures document:
https://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf

Categories in proposed Comprehensive Plan	Categories used by FDOT for Functional Classification
Urban Minor Arterial Urban Major Collector	Principal Arterial-Interstate Principal Arterial-Expressway Principal Arterial-Other Minor Arterial Major Collector Minor Collector Local

A GIS shapefile of the FHWA-approved functional classification map (FUNCLASS) is available at <http://www.fdot.gov/planning/statistics/gis/roaddata.shtm>. Another resource, included for functional classifications, is the ArcGIS online version of the District Four Atlas at <http://www.arcgis.com/apps/Viewer/index.html?appid=6bff486fdf0a494b828130be51386ec0>. A contact for more information on functional classifications is Min-Tang Li (954-777-4652, min-tang.li@dot.state.fl.us).

Resolution of Technical Assistance Recommendations 1-6

1. The City should include policies in the Comprehensive Plan to minimize adverse impacts from development on the SIS and establish coordination mechanisms between the City and the Department related to avoiding and/or mitigating SIS impacts.

Mr. D. Ray Eubanks
December 20, 2017
Page 6

2. The City should take note of all omissions and errors identified in Comments 1-6 and make necessary and appropriate revisions to the Comprehensive Plan.

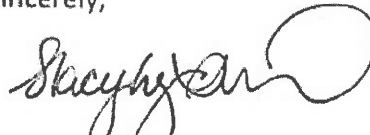
Recommendation

The Department recommends that DEO consider including Comment #1 above as an objection in its Objections, Recommendations and Comments (ORC) Report to the City.

The Department requests that a copy of the adopted Comprehensive Plan, along with the supporting data and analysis, be transmitted for agency review.

Thank you for coordinating on the review of this proposed Comprehensive Plan with the Department. We are committed to working with the City in pursuing mobility solutions. If you have any comments or questions about this letter, please contact Mr. Larry Hymowitz at (954) 777-4663.

Sincerely,



Stacy L. Miller, P.E.
Director of Transportation Development

SM:lh

cc: Verdenia C. Baker, County Administrator – Palm Beach County
Michael Busha, Executive Director – TCRPC
Jennifer Carver, Statewide Growth Management Coordinator – FDOT Central Office
Kenneth Cassel, City Manager – City of Westlake
Robert P. Diffenderfer, District Counsel – Seminole Improvement District
Susan Haynie, Mayor – City of Boca Raton
Gerry O'Reilly, District Secretary – FDOT District Four
David L. Ricks, County Engineer – Palm Beach County
Richard Shine, Attorney – FDOT Central Office
Nick Uhren, Executive Director – Palm Beach TPA

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM ____

From: Staff

Date: January 19, 2018 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Comprehensive Plan for the City of Westlake
Amendment No. 17-PLAN

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plans 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 comprehensive plan and must also send a copy of any comments to the state land planning agency.

The package from the City of Westlake contains a brand new comprehensive plan consisting of goals, objectives, policies, and maps along with supporting data and analysis for this community incorporated in 2016. The plan is divided into nine elements: Administrative, Future Land Use, Transportation, Infrastructure, Conservation, Recreation and Open Space, Housing, Capital Improvements, and Intergovernmental Coordination. This report includes a summary overview and specific Council comments.

Summary of Proposal

The proposed comprehensive plan is the first for the newly incorporated City of Westlake; the area is currently subject to the Palm Beach County comprehensive plan and will be until this proposed plan is adopted. The plan is organized into nine elements: Administrative, Future Land Use, Transportation, Infrastructure, Conservation, Recreation and Open Space, Housing, Capital Improvements, and Intergovernmental Coordination. Each element has a series of goals, objectives, and policies. There are also data and analysis chapters organized in the same manner as the elements, and a series of maps. Because of the extensive volume of material in the package, the plan has been provided as a supplement to this report on Council's website.

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Subject to Modifications

Overview

The Region has a population of nearly 2 million residents and has experienced explosive growth over the last four decades. The Region's resources and quality of life are sensitive to the impacts of poorly planned growth and development, however, and there are increasing signs that those resources and quality of life are at risk. There is evidence in many parts of the Region of deterioration in the quality of life: traffic congestion and mobility challenges, loss of agricultural lands, polluted waterways, loss of wetlands and forests, deteriorating urban centers and older suburban areas, lack of affordable housing, fiscal stress, and other impacts of poorly planned growth. Since the 1960s hundreds of square miles of native and agricultural lands have been converted to suburban development, a pattern of development that does not allow the efficient provision of public facilities and services, and is devoid of the sense of place that once defined the character of the Region. This is especially true in Palm Beach County.

The new City of Westlake is strategically located to correct certain inefficiencies and limitations associated with existing development patterns in this area and could influence development patterns in a positive way for years to come. There is a great opportunity for the City to ensure there is a regular network of streets and blocks, and a detailed plan is prepared which results in traditionally planned neighborhoods and mixed-use districts which connect all the important components of public and private life (sites for homes, shopping, parks, jobs, schools, churches, civic use, etc.). In other words, correcting the problems of community design, balance, and serviceability that plague the rest of this area.

Unfortunately, the proposed comprehensive plan for the City does not commit to the form or pattern of development necessary to take full advantage of the corrective and transformative opportunities offered by building a new city in this area from scratch. The choice for the City is between two models of growth: the traditional neighborhood and district or the continuation of suburban sprawl. They are polar opposites in appearance, impacts, function, and character. They look different, they act differently, and they affect us in different ways. In the absence of a strong and detailed commitment to traditional neighborhoods, the default pattern will be suburban sprawl.

While the City's proposed comprehensive plan likely meets all the minimum requirements of Chapter 163, Part II, Growth Policy; County and Municipal Planning; and Land Development Regulation, this statute provides little guidance for planning and building a new, sustainable city for 15,000 people. It is "one size fits all" state legislation that does not consider the context of this new city in Palm Beach County and its anticipated role in correcting and retrofitting certain limitations with surrounding land use patterns. The statute is also neutral on urban form. Without a commitment to traditional urban form and patterns of development, it is unlikely that the goals set forth in the draft plan can be achieved.

Council encourages the City to aim higher than the minimum requirements of Chapter 163; commit to a traditional urban form of development; and create a more aspirational plan worthy of the opportunity to plan a brand new city in the countryside. For example, the City could adopt a "Vision Element" which describes, with illustrations and text, the City's commitment to address the nature of suburban sprawl and its side effects by including goals, objectives and

DRAFT
Subject to Modifications

policies to: 1) increase the diversity, walkability, and self-containment of neighborhoods; 2) commit to a network of regularly spaced streets and blocks throughout the City; 3) strengthen the connections and walkability between districts and neighborhoods; and 4) link them together to establish more efficient, larger patterns of development in the area (Exhibit 2).

Along these lines, Council encourages additional policy language supported by a new Street Network or Future Traffic Circulation Map which commits to a regularly spaced local network of neighborhood streets, alleys, and blocks throughout the City that will connect the neighborhoods and districts to the backbone network of arterials and connectors. This could be accompanied by a Compendium of Street Sections for the City which articulates some examples of the various street types that are being considered for use within the city limits (Exhibit 3).

Council makes these suggestions to encourage the City to make a stronger and clearer long-term commitment to fundamental planning principles that assure the City will be built out using traditional urban forms and patterns, distinct from the surrounding suburban sprawl. This will be valuable in guiding the future growth of the City beyond the first phase of construction in the original development order as time goes by and as focus and priorities change. In addition, Council has provided below a series of comments, questions, and suggestions related to the City's proposed draft comprehensive plan.

Comments, Questions, and Suggestions

Administrative Element

- A description of the Palm Beach County approval of Minto West should be added. It is discussed in Chapter 2, but there is no explanation of what it is.
- Provide more information about the Interlocal Agreement with the Seminole Improvement District, including the date, resolution number, official record book and page, etc. so that this important agreement is documented in the comprehensive plan.
- Add Mobile Homes to the definitions since they are mentioned in Policy FLU 1.1.13 and Policy HE 1.1.6.

Future Land Use Element

- The Floor Area Ratio definition on page 10 of the data and analysis is not consistent with the definition in the Administrative Element.
- If, as Policy FLU 1.1.8 says, accessory dwelling units don't count for density calculations, how is the impact of a residential land use change to be estimated?

Transportation Element

- The analysis only considers the roadways within the City limits. Will the future residents and business employees and customers be able to get to Westlake on the limited roadway network connected to Seminole Pratt Whitney Road?
- Are the rights-of-way called for in Policy TE 1.1.3 and 1.1.5 adequate to accommodate the necessary travel lanes and separated bicycle / pedestrian pathways?
- What does the statement “The roadway levels of service are adopted for planning purposes only” in Policy TE 1.2.1 mean? This appears to contradict with the concurrency provisions and render them useless.
- Council suggests that Policy TE 1.4.10 be revised to indicate that the City will classify the context of their roads in accord with the new Florida Department of Transportation design manual and the Palm Beach County Transportation Planning Agency’s complete streets guide.
- Revise Objective TE 1.6 to “Construct the City and its transportation network to be supportive of mass-transit options.” As currently written, the Objective calls for the planning to be done once the mass-transit is available. This is too late and will likely mean it will never be feasible to provide mass-transit since the retrofit costs will be too high.
- Revise Policy TE 1.6.4 to supplement evaluation of parking requirements with “building placement” as part of encouraging alternate modes of travel. Council has found that the form of development has a significant impact on the practicality and desirability of using non-automobile transportation.

Infrastructure Element

- Policy INF 1.1.5 and 1.1.6 need to be aligned. The policy should require that new development and redevelopment connect to central water facilities in order to receive a certificate of occupancy; delete the text “when such facilities become available.”
- Policy INF 1.3.5 and 1.3.6 need to be aligned. The policy should require that new development and redevelopment connect to central sewer facilities in order to receive a certificate of occupancy; delete the text “when such facilities become available.”
- Policy INF 1.6.5 erroneously refers to water supply in the second sentence instead of drainage.

Recreation and Open Space Element

- The Data and Analysis does not contain any supply and demand analysis, plan for recreation, or projection of needs as the population grows.

DRAFT
Subject to Modifications

- In Policy REC 1.1.4, why not tie approval of new development to meeting the Recreation and Open Space Level of Service? Adequate area for recreation is a key component of a high quality of life and, as a brand new community, the City should not allow itself to get behind on any necessary infrastructure. Ensuring adequate infrastructure is installed in the beginning as development occurs is an opportunity that existing cities which struggle with the cost and logistics of retrofitting old neighborhoods would gladly welcome.
- Revise Objective REC 1.3 to “Encourage civic and park planning for development of open space within the City” to help ensure that spaces appropriate for community civic life are created.
- Council suggests that the policies incorporate a land dedication or cash in lieu requirement for new development in order to offset the recreation need impacts on existing residents caused by new development.

Capital Improvements Element

- On page 3 of the data and analysis, why are parks not “scheduled to be developed?” The comprehensive plan contemplates that a series of homes will be developed, therefore the associated recreation areas also need to be developed concurrent with the arrival of new residents.
- Why are the projects in Table 8.1 on page 4 of the data and analysis repeated twice in the table?
- In comparing Table 8.2a and 8.2b (revenue and expenses, respectively), in all 5 years after 2017/2018 the expenses exceed the revenues. How are these deficits addressed and what is the impact on the City’s ability to provide the needed capital improvements?
- The recreation level of service should be added to Table 8.2 within Policy CIE 1.2.1. While a recreation level of service is not required by Florida Statutes, the City can certainly choose to exceed the minimum requirements of the Statutes to ensure a high quality of life for the residents.
- Following Policy CIE 1.3.5 is Table 8.1, but it is not referenced in the text.

Intergovernmental Coordination Element

- In Policy ICE 1.1.4, Council suggests the language be strengthened from “participate” to “join and participate” in the Intergovernmental Program (Issues Forum and IPARC).
- In Policy ICE 1.2.2, Council suggests the language be strengthened from “participate” to “join and participate” in the Coordinated School Planning Interlocal Agreement.

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Subject to Modifications

- In Policy ICE 1.3.4 and 1.3.5, consider revising these to allow for the City to self-provide or contract for Fire/Rescue and Law Enforcement services if the City decides to do so in the future. This will avoid the need for a text amendment to the comprehensive plan if the City's method of providing these services changes in the future.

Annexation

Council suggests that annexation criteria and a future annexation area be provided in a suitable element of the plan to provide guidance for future annexation activity in the event the City wishes to pursue that in the future. Given that the City is mostly surrounded by unincorporated area, it seems very likely that annexation will occur in the future. Ensuring that development or redevelopment of these new areas is consistent with the "core" of the community is critical for the future success of the City.

Emergency Preparedness

Council suggests that the comprehensive plan be enhanced by addressing the issue of hurricane and disaster preparedness, especially given the limited transportation options and the current uptick in the frequency of storms impacting Palm Beach County (Exhibit 2).

Regional Impacts

Without a commitment in the comprehensive plan to develop Westlake in a manner which takes full advantage of the opportunity to correct the inefficiencies and limitations of the existing development pattern, the additional residential units and commercial square footage to be developed will simply exacerbate the problems and impose impacts on the adjacent communities and regional transportation network and resources.

Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on November 30, 2017. Palm Beach County has expressed concern about negative impacts on the roadway network and adjacent residents. The County's comments will be provided directly to Westlake and the Department of Economic Opportunity.

Conclusion

The draft comprehensive plan for the City of Westlake is not consistent with the Strategic Regional Policy Plan (SRPP). Exhibit 2 includes objectives and policies that should be incorporated into a more robust vision for the future of this new city so that adverse effects on regional resources and facilities and extrajurisdictional impacts can be minimized. In addition, the specific concerns and questions raised in this report need to be addressed. Council staff is available to assist the City in this effort.

Recommendation

Council should approve this report and authorize its transmittal to the City of Westlake and the Florida Department of Economic Opportunity.

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Excerpt From Strategic Regional Policy Plan
- 3 Compendium of Street Sections

Exhibit 1 General Location Map

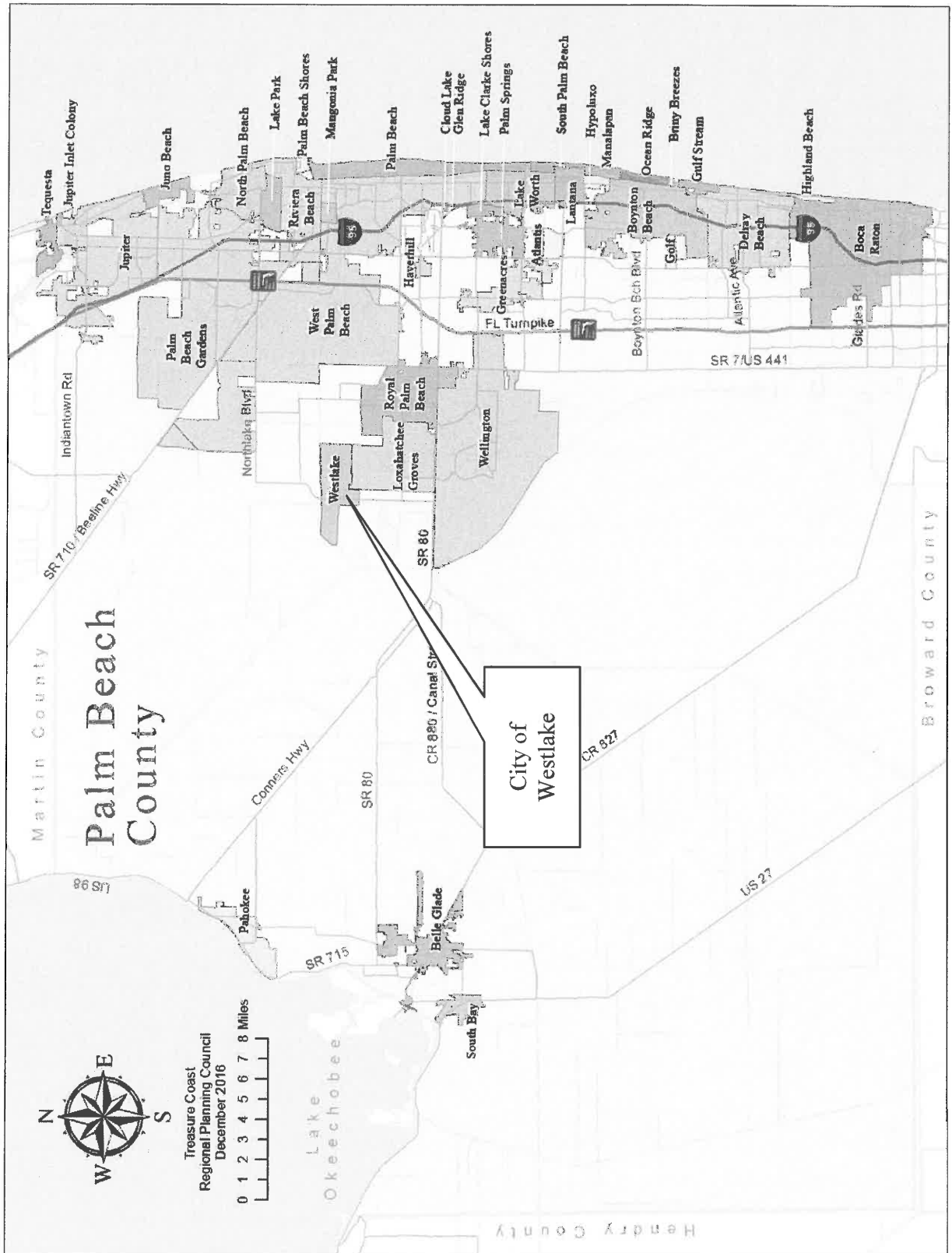


Exhibit 2

Excerpt From Strategic Regional Policy Plan

Goals, Strategies and Policies

This attachment contains a summary of the goals, strategies and policies from Council's Strategic Regional Policy Plan that are most relevant to the City of Westlake's Comprehensive Plan.

Future of the Region

MASTER PLAN

Goal 4.1: Future development should be part of existing or proposed cities, towns, or villages.

Goal 6.1: Create new neighborhoods and communities.

Goal 10.1: Neighborhoods and communities which are served by a variety of transportation modes.

Goal 15.1: Preferred forms of development which result in downtown redevelopment and infill, the containment of suburban sprawl and the creation of new cities, towns, and villages.

Goal 16.1: The formation of new towns, cities and villages.

Strategy 6.1.1: Encourage the formation of sustainable neighborhoods and communities.

Strategy 7.1.3: Promote improved community planning and urban design.

Strategy 7.2.1: Promote patterns of development which provide better opportunities for the transportation disadvantaged.

Strategy 7.3.1: Reduce vulnerability to natural and man-made disaster events through better transportation, land use and community planning.

Strategy 12.1.1: Encourage patterns of development and programs which improve the independence and self-sufficiency of children.

Strategy 13.1.1: Encourage patterns of development and programs which minimize dependency on the automobile, encourage and accommodate public transit, and reduce vehicle miles traveled and the amount of vehicle emission discharged into the atmosphere.

Strategy 16.1.1: Encourage and facilitate preferred forms of development.

Policy 6.1.1.1: New neighborhoods and districts should contain a balanced, well-planned, compatible mix of land uses appropriately located so that State, local and regional goals are achieved.

Policy 6.1.1.2: New neighborhoods and districts should have compact designs, with a mix of building types.

Policy 6.1.2.3: Require that an urban design study be prepared to evaluate development proposals in the countryside.

Policy 7.1.1.4: Urban design and architectural studies should be performed when evaluating residential and commercial projects. Such studies should analyze building typology and compatibility, land use mix and the overall impact of the project on the surrounding neighborhood or district.

Policy 7.1.3.1: Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

Policy 7.2.1.1: Encourage patterns and forms of development and redevelopment and street design that will improve mobility opportunities for transit dependent groups especially the poor, handicapped and young.

Policy 7.3.1.2: Plan and design new development and redevelopment to increase the ability of the internal and external roadway network to accommodate emergency traffic, enhance post disaster recovery efforts, and provide central locations for public shelters and emergency relief centers.

Policy 8.1.1.3: Encourage patterns of development which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

Policy 9.1.1.1: Encourage patterns of development and programs which reduce dependency on the automobile, encourage and accommodate public transit, and reduce the overall use of fossil fuels.

Policy 10.1.1.1: Plan and design development to effectively accommodate alternative modes of transportation.

Policy 12.1.1.1: Consider the special mobility needs of children in all development proposals.

Policy 12.1.1.2: Encourage the location and provision of schools, parks, recreational and other uses (e.g., retail, civic uses, etc.) within biking or walking distance.

Policy 12.1.1.4: Provide sites for civic uses such as schools, parks and libraries within neighborhoods.

Policy 15.1.3.13: Make non-preferred forms of development occurring in undeveloped areas responsible for the full and true infrastructure costs to support the development through buildout.

Policy 16.1.1.1: Local governments should identify appropriate locations for preferred forms of development.

Policy 16.1.1.2: Future land use plans should be prepared for locations considered appropriate for new towns, cities, villages, neighborhoods and districts.

Transportation

RIGHTS OF WAY

Policy 7.1.1.1: Reserve and protect sufficient road right-of-way on the regional roadway network to provide for an efficient multi-modal transportation system.

EXTERNAL ROADWAY IMPROVEMENTS

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effective.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

INTERSECTION IMPROVEMENTS

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effective.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

ACCESS DRIVEWAYS

Goal 7.1: A balanced and integrated transportation system.

Strategy 7.1.3: Promote improved community planning and urban design.

Policy 7.1.3.1: Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

ANNUAL REPORTING AND MONITORING

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effective.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

NEIGHBORHOOD IMPACTS

Policy 7.1.2.1: Assist public and private agencies and entities in implementing TDM strategies that reduce congestion, energy use and the number of single-occupant auto trips.

Policy 7.1.2.2: Give consideration during the planning of transportation system expansion to providing incentives for use of high-occupancy vehicles and alternative modes of transportation (e.g., car pools, van pools, buses, bicycles, etc.).

Policy 7.1.2.3: Increase land use densities and the mix of land uses around commuter rail stations and at strategic locations along designated public transportation corridors where consistent with other local and regional goals and strategies.

Policy 7.1.2.4: Develop and redevelop downtowns and strategic locations along designated public transportation corridors. In order to improve the feasibility of public transportation, residential densities should be no less than 8 units per acre.

Policy 7.1.2.5: Develop a regional roadway system of predictably spaced and interconnected east-west, north-south streets. Ideally, streets should be spaced every one-quarter to one-half mile to offer multiple route choices, disperse traffic, and discourage local travel on interstates and arterials.

Policy 7.1.3.2: Suggests planning development to provide interconnections for pedestrians and public transportation within and between residential areas, schools, employment and retail centers, recreational areas and other public facilities.

Policy 7.1.3.3: An urban design study should be prepared prior to the development and redevelopment of building sites or changes to the street network.

Policy 7.1.3.5: Orient buildings toward streets to create better pedestrian environments.

Policy 7.1.3.6: Locate buildings so they are as convenient and accessible to public transportation facilities and sidewalks as they are to auto parking.

Policy 7.1.3.7: Locate parking to the sides and backs of buildings so that pedestrian access and access from public transportation does not require walking through large parking lots to reach building entrances.

Policy 7.1.3.9: Design and locate parking lots and garages to enhance pedestrianism and the character and attractiveness of the area, and to encourage use of alternate modes of transportation.

Strategy 7.1.4: Encourage public transportation alternatives.

Policy 7.1.4.1: Review and where necessary amend public policy governing parking requirements to support "transit first" policies and to promote public transit as a viable alternative in high density areas, designated public transportation corridors, and central business districts.

Policy 7.1.4.2: Have new development or redevelopment provide transit ridership amenities (shelters, route information, and schedules) and appropriate and effective incentives whenever transit use is assumed or required to maintain acceptable roadway level of service.

Policy 7.1.4.4: Support requests for lower levels of service and establishment of transportation concurrency exception areas in higher density areas, downtowns, and along designated public transportation corridors where it can be demonstrated that levels of mobility and convenience will be maintained or increased through other modes of transportation or land use corrections.

Policy 7.1.4.5: Support development and implementation of corridor management plans which are consistent with the SRPP.

Human Resource Issues

HOUSING

Goal 2.1: An adequate supply of safe and affordable housing to meet the needs of the very low, low, and moderate-income residents of the Region.

Goal 2.2: A range of housing types and affordabilities in proximity to employment and services.

Strategy 2.1.1: Create a planning/regulatory climate which is conducive to the production of affordable housing.

Strategy 2.1.1.2: Create and expand public/private partnerships among all entities involved in the provision of affordable housing including financial institutions, developers, contractors, government agencies, social service and other non-profit organizations, churches and realtors.

Strategy 2.2.1: Ensure that all areas have a reasonable mix of housing, employment opportunities, and services.

Policy 2.1.1.1: Local governments should reduce unnecessary regulatory barriers which make it more difficult to build affordable housing. Examples of such barriers are large lot sizes, minimum unit size and floor space, and setbacks.

Policy 2.1.1.2: Local governments should allow zero lot line development, cluster development, accessory apartments, high-density zoning, mixed-use buildings, modified site improvement standards, alternate construction techniques, etc.

Policy 2.1.1.4: Local governments should consider the enactment of incentives such as density bonuses, linkage programs, and inclusionary housing policies.

Policy 2.1.1.5: Local governments should designate adequate sites where affordable housing can be developed.

Policy 2.1.2.1: Work closely with non-profit organizations who are interested in sponsoring housing projects which serve very low, low and moderate-income residents.

Environment and Natural Resources

UPLAND PRESERVATION

Strategy 1.1.1: Preserve and manage complete natural systems as a network of connected nature preserves.

Strategy 6.1.1: Preserve and manage natural systems as a network of connected nature preserves and promote the establishment of greenway systems in the region.

Policy 6.7.1.2: Development plans should be designed to maximize the amount of protected habitat. Protected natural communities and ecosystems should be preserved in viable condition with intact canopy, under-story, and ground cover. Where possible, preserve areas should be designed to interconnect with other natural areas that have been set aside for preservation. A restoration and management plan for the protected areas should be developed.

As a minimum baseline measure for consistency with the SRPP, Council strives to achieve protection of 25 percent of upland natural communities in the evaluation of development plans. Council supports the maximum protection of natural communities,

and recommends that more than 25 percent of the upland habitat be preserved where appropriate.

Policy 6.7.1.9: Preserve areas should be designed to protect integrated systems of uplands and wetlands.

Strategy 6.8.1: Preserve areas should be designed and established to protect endangered and potentially endangered species.

Policy 7.1.2.6: Redirect development patterns away from interstates and major arterials to town and neighborhood centers along collector and minor arterials.

Policy 8.1.1.3: Encourage patterns of development which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

LISTED SPECIES

Strategy 1.1.1: Preserve and manage complete natural systems as a network of connected nature preserves.

Strategy 6.8.1: Preserve areas should be designed and established to protect endangered and potentially endangered species.

Policy 6.8.1.2: All endangered and potentially endangered plant and animal populations should be protected and all habitat of significant value to existing populations of endangered and threatened species should be preserved and protected.

WETLANDS

Policy 6.6.1.1: No activity should be allowed that results in the alteration, degradation, or destruction of wetlands and deepwater habitats, except when:

1. Such an activity is necessary to prevent or eliminate a public hazard;
2. Such an activity would provide direct public benefits which would exceed those lost to the public as a result of habitat alteration, degradation, or destruction;
3. Such an activity is proposed for habitats in which the functions and values currently provided are significantly less than those typically associated with such habitats and cannot be reasonably restored;
4. Such an activity is water dependent or, due to the unique geometry of the site, minimal impact is the unavoidable consequence of development for uses, which are appropriate given site characteristics.

Policy 6.6.1.2: Whenever any wetland or deepwater habitat is degraded or destroyed, mitigation should be provided through the creation of new wetland and deepwater habitat, through the restoration of degraded habitat, or through the enhancement of functions and values provided by existing habitats.

Policy 6.6.1.3: A buffer zone of native upland edge vegetation should be provided and maintained around wetland and deepwater habitats, which are constructed or preserved on new development sites. The buffer zone may consist of preserved or planted vegetation but should include canopy, under-story, and ground cover of native species only. The edge habitat should begin at the upland limit of any wetland or deepwater habitat.

EXOTIC SPECIES

Policy 6.7.1.4: All nuisance and invasive exotic vegetation listed by the Florida Exotic Pest Plant Council should be removed and where appropriate replaced with plant species adapted to existing soil and climatic conditions. Removal should be in such a manner that avoids seed dispersal by any such species. State and federal agencies and local governments should coordinate and assist in the removal and replacement of nuisance exotic pest species.

STORMWATER MANAGEMENT

The following strategy and policies in the SRPP apply to the project:

Strategy 1.1.2: Promote compatibility of urban areas, regional facilities, natural preserves and other open spaces.

Policy 6.3.1.1: All new, reconstructed or substantially expanded storm and surface water management systems should be designed and constructed to meet state water quality standards. Where feasible, retention is the preferred method for treatment of stormwater, recharging the aquifer, and protecting the region's estuaries.

Policy 6.3.1.2: A vegetated and functional littoral zone should be established as part of new surface water management systems where possible. Prior to construction of the surface water management system for any phase of a project, the developer should prepare a design and management plan for the wetland/littoral zone that will be established as part of these systems. The littoral zone established should consist entirely of native vegetation and should be maintained permanently as part of the water management system.

Policy 6.3.1.6: Design drainage systems that maintain the natural discharge pattern of stormwater from a site.

WATER SUPPLY

Goal 8.1: Public facilities which provide high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effectively.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of the necessary infrastructure and services.

Goal 6.2: A regional water supply managed to provide for all recognized needs on a sustainable basis.

Strategy 6.2.1: Develop and implement water conservation programs.

Policy 6.2.1.1: Use reclaimed wastewater for irrigation and other suitable purposes when such use is determined to be feasible.

Policy 6.2.1.3: Protect natural communities on development sites as a method to reduce the need for irrigation.

Policy 6.2.1.4: In order to protect and conserve the water resources of the Region and southern Florida to ensure the availability for future generations:

1. All landscaping material used on the primary dune system should be composed of native plants adapted to soil and climatic conditions occurring on-site. In all other locations the majority of landscaped areas should be composed of native or drought tolerant plants adapted to soil and climatic conditions occurring on-site.
2. The lowest acceptable quality water should be used to meet nonpotable water demands.
3. Potable water rates should be structured to encourage conservation.
4. All new and expanding wastewater treatment facilities should make reclaimed wastewater available for use in irrigation. Where possible, all new development should rely on wastewater reuse for irrigation.
5. Use of water saving device, irrigation systems, and plumbing fixtures should be required to the maximum extent justified. Where appropriate, existing systems should be retrofitted to make use of the most cost efficient water saving devices.
6. Leak detection programs should be developed and implemented.

WASTEWATER MANAGEMENT

Goal 8.1: Public facilities which provide high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effectively.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of the necessary infrastructure and services.

HURRICANE PREPAREDNESS

Goal 5.2: Reduced vulnerability to disasters.

Strategy 5.2.1: Utilize land use, transportation, and community planning processes to address vulnerability issues.

Policy 5.2.1.1: Plan and design new development and redevelopment to increase the ability of the internal and external roadway network to accommodate emergency traffic, enhance post disaster recovery efforts, and provide natural central locations for public shelters and emergency relief centers.

Regional Goal 5.3: Adequate and safe shelter within the Region for residents in coastal high hazard and floodplain areas.

Strategy 5.3.1: Provide shelter space for residents of areas susceptible to flooding from the effects of hurricanes and other storms.

Policy 5.3.1.10: In accordance with State, local, and regional hurricane evacuation studies and emergency evacuation plans, require new developments to fully mitigate impacts on existing public shelter capacities by providing additional shelter space which can safely accommodate the development's residents who are likely to seek public shelter locally during a hurricane event.

SOLID WASTE AND HAZARDOUS MATERIALS

Goal 6.3: Protection of water quality and quantity.

Goal 8.1: Public facilities which provide a high quality of life.

Policy 8.1.1.1: All development should take place concurrent with or after the provisions of necessary infrastructure and services.

AIR QUALITY

Goal 13.1: Maintenance of acceptable air quality levels

Strategy 13.1.1: Encourage patterns of development and programs which minimize dependency on the automobile, encourage and accommodate public transit, and reduce

vehicle miles traveled and the amount of vehicle emission discharged into the atmosphere.

Policy 13.1.1.1: Implement practices, which minimize airborne dust and particulate emission.

Strategy 7.1.3: Promote improved community planning and urban design.

Policy 7.1.3.1: Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

Policy 7.1.3.4: Reduce VMT per capita by private automobile within the Region through a combination of the following:

- (1) provision of public transportation alternatives;
- (2) provision of housing opportunities in proximity to employment opportunities;
- (3) provision of essential services and recreational opportunities in proximity to demand;
- (4) concentration of commercial and other essential services;
- (5) provision of a street network designed for the pedestrian the disabled, the automobile and transit;
- (6) provision of parking in ways that will encourage pedestrianism and public transportation alternatives;
- (7) provision of incentives encouraging infill and downtown redevelopment;
- (8) support of public and private sector efforts to carry out TDM strategies that will reduce congestion; and
- (9) expansion of commuter rail and intermodal connections.

POLICE AND FIRE PROTECTION

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effectively.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

HISTORIC AND ARCHAEOLOGICAL SITES

Strategy 15.1.1: Identify and protect archaeological and historical resources in the Region.

ENERGY

Goal 9.1: Decreased vulnerability of the Region to fuel price increases and supply interruptions.

Strategy 9.1.1: Reduce the Region's reliance on fossil fuels.

Policy 9.1.1.1: Encourage patterns of development and programs, which reduce the dependency on the automobile, encourage and accommodate public transit, and reduce the overall use of fossil fuels.

Policy 9.1.1.3: Encourage energy efficient buildings. Strategies should include: 1) proper siting according to solar orientation; b) design of passive architectural systems; c) site designs that provide shade to buildings; d) use of sustainable building materials; and e) use of solar mechanical systems.

ECONOMIC AND FISCAL IMPACTS

Policy 8.1.1.3: Encourage patterns of development, which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

Policy 8.1.2.2: Give high priority to restoring or establishing new public facilities only in areas that have been designated as locations that will be built following preferred development form principles.

Strategy 3.4.1: Promote patterns of development, which allow public services and facilities to be provided more cost effectively.

Policy 3.4.1.3: Non-preferred forms of development, which occur in undeveloped areas should be responsible for and bear the full and true infrastructure costs to support the development through build out.

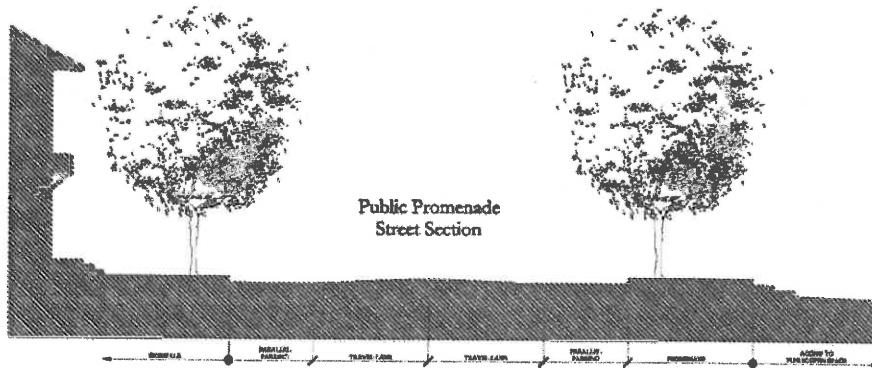
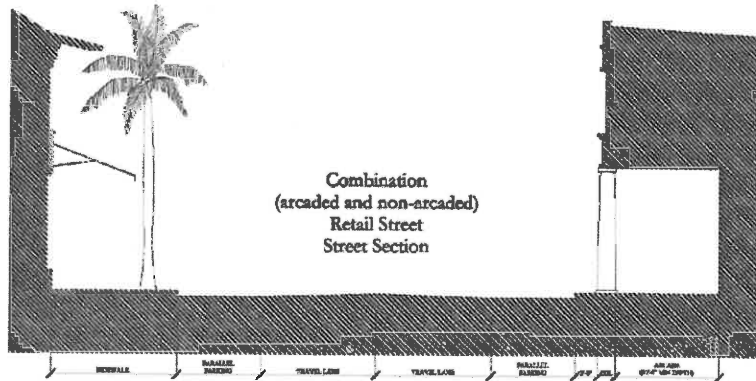
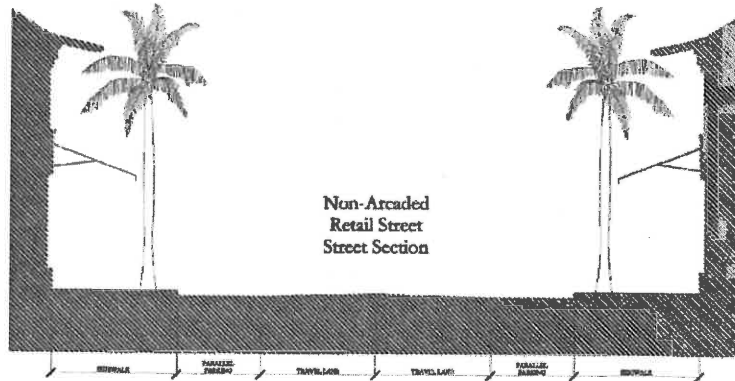
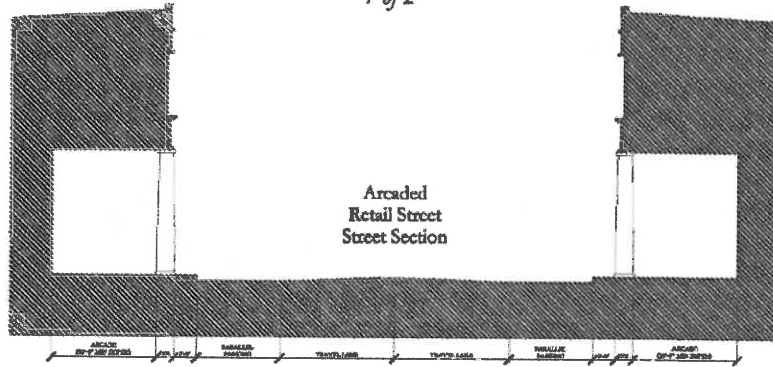
Policy 3.4.1.4: Develop a tiered system of impact fees which recognizes cost differences of providing public services to the development based on the size, type, form, location and service demands of the development proposed.

Exhibit 3

Compendium of Street Sections

Compendium of Street Sections

Mixed-Use Areas
Street Sections
 1 of 2



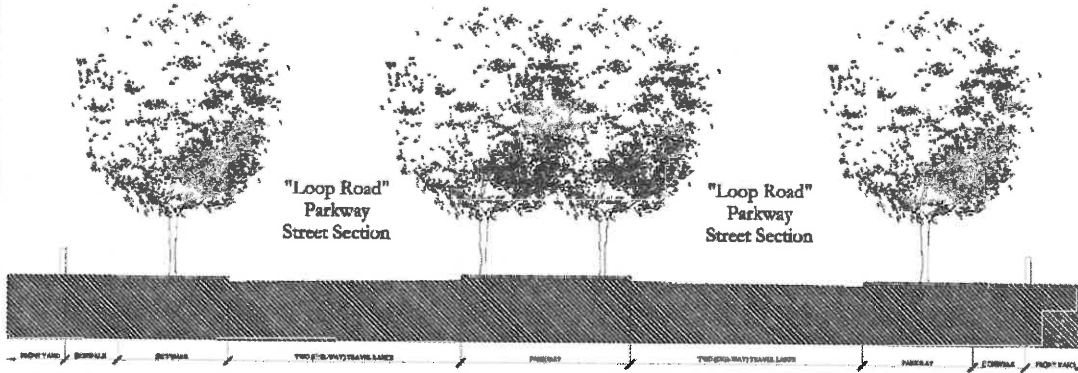
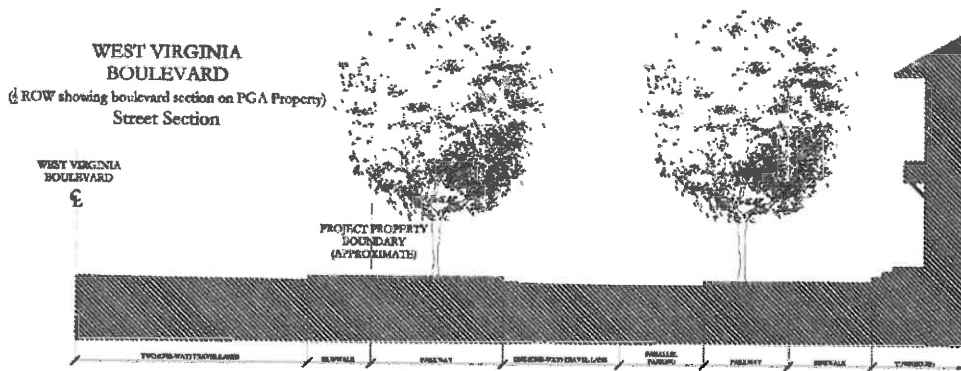
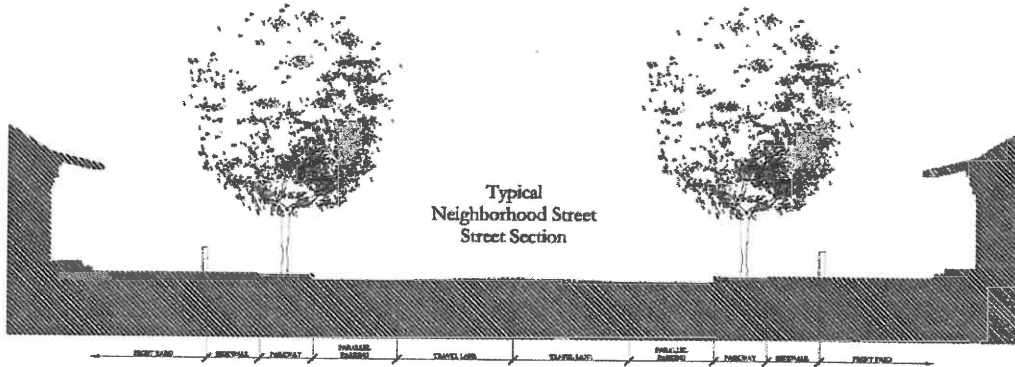
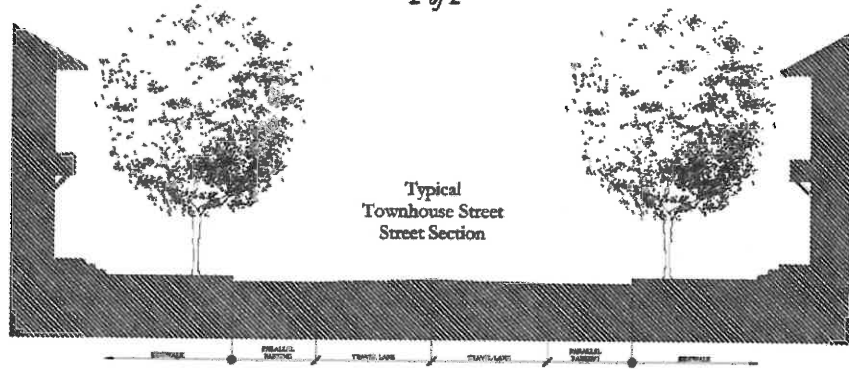
Scale: 1"=10'-0"

Source: TCRPC, 2012

Sheet 1 of 2

Compendium of Street Sections

Mixed-Use Areas
Street Sections
2 of 2



Scale: 1"=10'-0"

Source: TCRPC, 2012

Sheet 2 of 2



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

MIKE DEW
SECRETARY

January 12, 2018

Mr. D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
107 East Madison Street, MSC 160
Tallahassee, FL 32399-4120

**SUBJECT: New City of Westlake Comprehensive Plan, DEO #17PLAN
Adverse Impact Formal Comments --- Addendum #1**

Dear Mr. Eubanks:

This letter is an addendum to the Florida Department of Transportation's December 20, 2017 formal comments letter regarding the City of Westlake's Comprehensive Plan. The Department has the following comments regarding the Transportation Element Data and Analysis (dated September 18, 2017) submitted December 15, 2017.

- (1) Study area used to evaluate roadway impacts includes only those facilities within the City boundaries and does not consider potential adverse impacts to transportation facilities of state importance. Trip lengths and vehicle miles traveled per capita are characteristically greater in rural and semi-rural areas, such as Central Western Palm Beach County (City of Westlake) than in urban areas. The study area should be expanded to include all roadways where the traffic volumes from the City's planned development significantly impact the capacity of the roadway.
- (2) Submitted data and analysis document is not reflective of the maximum potential roadway impacts associated with the City's future land uses due to inconsistency with the Future Land Use Element. The document evaluated a mixture of uses (residential and non-residential) that includes a residential total of 6,500 dwelling units. This exceeds the existing residential development approved by Palm Beach County (4,546 dwelling units). It is also substantially less than the maximum residential development potential as outlined in the Future Land Use Element densities and the Future Land Use Map land use allocation.
- (3) It is not clear how the City will ensure necessary improvements to transportation facilities will be funded commensurate to the impacts of development. Palm Beach County established a county-wide transportation concurrency system to address the impacts of

Mr. D. Ray Eubanks
January 12, 2018
Page 2 of 2

development across municipal boundaries. The City appears to be opting out of the County's system by identifying a need for a "Mobility System" in Policy TE 1.2.3. However, the Plan does not include a detailed system for effective implementation upon adoption. The City must include a "Mobility System" with sufficient detail per Chapter 163.3180(5)(i), Florida Statutes.

If you have any comments or questions about this letter, please contact Mr. Larry Hymowitz at (954) 777-4663.

Sincerely,



Stacy L. Miller, P.E.
Director of Transportation Development

SM: lh

cc: Verdenia C. Baker, County Administrator — Palm Beach County
Michael Busha, Executive Director — TCRPC
Jennifer Carver, Statewide Growth Management Coordinator — FDOT Central Office
Kenneth Cassel, City Manager — City of Westlake
Robert P. Diffenderfer, District Counsel — Seminole Improvement District
Susan Haynie, Mayor — City of Boca Raton
Gerry O'Reilly, District Secretary — FDOT District Four
David L. Ricks, County Engineer — Palm Beach County
Richard Shine, Attorney — FDOT Central Office
Nick Uhren, Executive Director — Palm Beach TPA



WEST PALM BEACH

Development Services

January 5, 2018

Ray Eubanks, Plan Processing Administrator
Bureau of Community Planning
Division of Community Development
Florida Department of Economic Opportunity
Caldwell Building, MSC 160
107 East Madison Street
Tallahassee, Florida 32399

Re: Comments Regarding City of Westlake's Proposed Comprehensive Plan

Dear Mr. Eubanks,

The City of West Palm Beach (West Palm Beach) respectfully submits the following comments regarding the City of Westlake's proposed Comprehensive Plan, which was transmitted to the Department of Economic Opportunity on November 16, 2017.

West Palm Beach is a municipality located in Palm Beach County, and additionally owns real property located within the municipal boundaries of the City of Westlake, consisting of the M Canal. The M Canal is a significant conduit for the transportation and control of stormwater and surface water in the region. In addition, the M Canal, which is designated as a Class I waterbody, constitutes a primary source of potable water for West Palm Beach's public water supply system. West Palm Beach's system provides potable water to over 190,000 persons within West Palm Beach and neighboring communities.

Based upon our review of the draft Comprehensive Plan as well as associated data and analysis, West Palm Beach believes the Comprehensive Plan does not include goals, objectives, policies, principles, guidelines, or standards required by Section 163.3177, Florida Statutes, and is not supported by relevant and appropriate data and analysis.

In particular, the Future Land Use Element of the Comprehensive Plan appears to contemplate build-out of residential and mixed development immediately adjacent to and in close proximity to the M Canal. The Comprehensive Plan and supporting data and analysis fail to sufficiently address how adverse impacts to natural resources, including the M Canal will be addressed by the contemplated development in the Future Land Use Element. Similarly, the Comprehensive Plan also indicates that a series of stormwater lakes will be constructed in support of the

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contemplated development. The construction of these lakes also has the potential to adversely impact the M Canal by dewatering this critical component of West Palm Beach's potable water system. Such impacts would place West Palm Beach's potable water system at a greater risk of running out of water during drought conditions. It is well documented that in 2011, West Palm Beach's potable water system came within a few weeks of running out of water. Since then, West Palm Beach has invested considerable resources to ensuring that a similar public health and welfare disaster will not occur by developing a long-term water supply plan. Maintaining the water supply through the M Canal is a significant component of that strategy.

In addition to the Future Land Use Element, the Infrastructure Element and Conservation Element of the Comprehensive Plan, as well as their supporting data and analysis, also do not sufficiently address potential adverse impacts to the M Canal and impacts to its use as a potable water supply source for West Palm Beach. For example, among other requirements, the Conservation Element is specifically required to contain principles, guidelines, and standards which, among other things, "protect the quantity and quality of ... surface waters used as a source of public water supply." No such principles, guidelines or standards regarding the M Canal appear in the Conservation Element.

The proposed Comprehensive Plan does not appear to address potential impacts to the M Canal, or any other natural resource or public water supply source outside of Westlake's municipal boundaries as a result of the development contemplated in the Comprehensive Plan. Without additional guidelines or standards, or supporting data and analysis, the draft Comprehensive Plan, as currently written, does not appear to provide sufficient consideration of these issues. West Palm Beach staff stands ready to coordinate with the City of Westlake and other affected agencies and local governments to address these and other identified concerns.

Please do not hesitate to contact Scott Kelly, Assistant City Administrator, at (561) 822-1421 or sdkelly@wpb.org, if you have any questions or would like to discuss this matter further.

Sincerely,



Rick Greene, AICP
Development Services Director

cc: Kenneth Cassel, City Manager, City of Westlake
Scott Kelly, West Palm Beach Assistant City Administrator

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