

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5H

From: Staff

Date: December 12, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Lake Worth Comprehensive Plan
DCA Reference No. 09-1ER

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, *Florida Statutes*, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

The City of Lake Worth has proposed text amendments to all elements of the City Comprehensive Plan. The amendments are pursuant to an Evaluation and Appraisal Report (EAR) that was adopted by the City on January 16, 2007 and found sufficient by the DCA on March 23, 2007. The City requested that the amendments be formally reviewed by the DCA.

During the EAR process, the City identified the following major issues to be addressed:

1. Assessment of transportation planning programs and comprehensive plan policies to address impacts of future growth.
2. Impact development trends and policies in the plan have had on ensuring a reasonable mix of housing types at varying levels of affordability.
3. Effectiveness of policies in the plan to stimulate economic growth and development.

4. Ability to ensure sustainability through the conservation of resources.
5. Evaluation of land use mix to accommodate future population and development activities.

Evaluation

Highlights of the amendments are as follows:

1. Future Land Use Element

- a. Section 1.1.3, Land Use Classifications, is revised to include new or modified definitions of the Mixed Use, Downtown Mixed Use, Transit Oriented Development (TOD), and Beach and Casino Future Land Use Map (FLUM) designations.
- b. New Section 1.1.3.10 defines and explains the TOD FLUM category “to promote a compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute.”
- c. New Section 1.1.3.11 defines and explains the Beach and Casino FLUM category.
- d. New Section 1.2.2.7 sets forth the location strategy for the TOD category.
- e. New Policy 1.3.4.8 addresses mixed use parking incentives and off-site parking credits in the Downtown, Dixie Highway Commercial Corridor and Federal Highway Corridor.
- f. New Goal 1.4 encourages preservation and rehabilitation of historic and natural resources.
- g. Several new policies under Objective 1.4.2 promote public awareness of historic and archeological resources and enforcement of historic ordinances.
- h. New Policy 1.5.1.1 commits to maintain and update the Hurricane Evacuation Plan.
- i. New Policy 1.6.1.2 is to implement a Strategic Master Plan to support redevelopment.
- j. New Policy 1.6.1.3 is to encourage new development, infill and redevelopment in conjunction with existing or planned transit improvements.
- k. New Policies 1.7.1.5 and 1.7.1.6 are to work with the CRA to prioritize transit improvements and transit supportive land use patterns and to develop transit supportive programs for inclusion in the Redevelopment Plan.
- l. New Policy 1.7.2.5 supports the provision of enhanced local transit service to support the potential for service on the Florida East Coast Corridor.
- m. Several new policies are proposed that support the implementation of the Lake Worth Park of Commerce Urban Redevelopment Area.

2. Transportation Element

- a. Revised Policy 1.2.1.10 indicates that lower levels of service may be adopted in the Community Redevelopment and TOD areas.
- b. New Policy 2.1.1.15 addresses proportionate fair share mitigation for transportation facilities.
- c. New Policy 2.1.2.3 indicates the City intends to evaluate land uses along public transit corridors to maximize use of and accessibility to the transit facilities.
- d. Several new policies are proposed under Objective 2.1.6 regarding uses, design guidelines, street treatments, and parking in the Lake Worth Park of Commerce.

3. Housing Element

- a. New Policy 3.1.1.4 indicates the City will take strict enforcement measures to eliminate over crowded conditions.
- b. Revised Policy 3.1.2.2 allows a density bonus of up to 15 percent to promote affordable housing.
- c. New Policy 3.1.2.3 indicates the City may establish a fund to ensure construction of affordable workforce housing.
- d. New Policy 3.1.2.4 indicates the City may consider allowing higher density without construction of affordable housing on site, if a developer makes a financial contribution to an established fund.
- e. Revised Policy 3.2.2.3 indicates that housing development for new affordable housing shall be compatible with the characteristics of adjacent neighborhoods.
- f. New Policy 3.2.2.4 allows affordable housing in any residential district.
- g. Revised Objective 3.2.3 and new Policy 3.2.5.3 promote the preservation of historic districts in the City.

4. Infrastructure Element

- a. New Policy 4.1.1.7 addresses the need to determine adequate water supply availability prior to issuing a building permit.
- b. New Policies 4.1.5.3 and 4.1.5.4 address the preparation and adoption of a water supply facilities work plan.

5. Coastal Management Element

- a. New Policy 6.1.1.4 addresses green building standards.

6. Recreation and Open Space Element

- a. Revised Policy 7.1.14 indicates the City adopts a level of service standard of 2.5 acres of neighborhood and community parks for every 1,000 persons.

7. Intergovernmental Coordination Element

- a. New Policies 8.1.1.5 and 8.1.1.6 address coordination with the South Florida Water Management District on regional water supply planning.
- b. New Policy 8.1.2.3 addresses coordination regarding the adopted Interlocal Agreement for Public School Facilities Planning.
- c. New Policy 8.1.2.4 commits the City to coordination with the Florida Department of Transportation and affected jurisdictions on the mitigation for impacted facilities as part of proportionate fair-share mitigation.

8. Capital Improvements Element

- a. New Policy 9.1.1.7 indicates the City shall update the 5-Year Schedule of Capital Improvements and the Capital Improvements Element as part of the annual budget process.
- b. New Policy 9.1.4.3 is to ensure a financially feasible Capital Improvements Element and Comprehensive Plan.

Extrajurisdictional Impacts

Although these amendments were apparently not noticed in advance of transmittal via the Palm Beach County Intergovernmental Plan Amendment Review Committee process, the City indicated that copies of the amendment materials were provided to surrounding local governments. The Treasure Coast Regional Planning Council (TCRPC) sent a memo to surrounding local governments and the School District of Palm Beach County on November 13, 2008 requesting comments on the proposed amendments. As of the date of preparation of the report, no comments have been received by the TCRPC.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

Comments/Recommendations

1. The first twenty pages of the goals, objectives and policies in the Future Land Use Element are not numbered. Numbering begins with Goal 1.3. The City should number all goals, objectives and policies in this element.

2. New Policy 8.1.2.2 in the Intergovernmental Coordination Element **requires** that a school board representative review plan amendments and re-zonings. This policy should be reworded to indicate the school board will be encouraged to review and comment on proposed plan amendments and re-zonings.
3. New Policy 3.1.2.3 in the Housing Element indicates the City may establish a fund as part of its program to ensure the construction of affordable and workforce housing. This policy is vague. It should be revised to indicate what would trigger the establishment of such a fund and how the fund would be utilized.
4. New Policy 3.1.2.4 indicates the City may consider allowing higher densities if the developer makes a contribution to an established fund in lieu of providing affordable and workforce housing (on site). This policy is vague. If the City requires a proportion of new housing units to be affordable, only in very special circumstances should an in lieu payment be permitted (e.g. in parts of the City where there is no affordable housing shortage). Also, this policy should be very straightforward on the amount of density bonus to be permitted and the amount of the in lieu payment.
5. Revised Policy 3.2.2.3 of the Housing Element indicates that housing developments for new affordable housing shall be compatible with the characteristics of adjacent neighborhoods. Units that prove to be affordable to low and moderate income members of the workforce generally must be developed at higher densities and contain less square footage than many higher priced units on larger lots. Since the revised policy indicates such units must be compatible with the characteristics of existing neighborhoods, this may preclude the location of new affordable housing units from entire portions of the City. The Regional Plan indicates that all neighborhoods should have a range of housing types, sizes and affordabilities. This policy should be revised or deleted.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

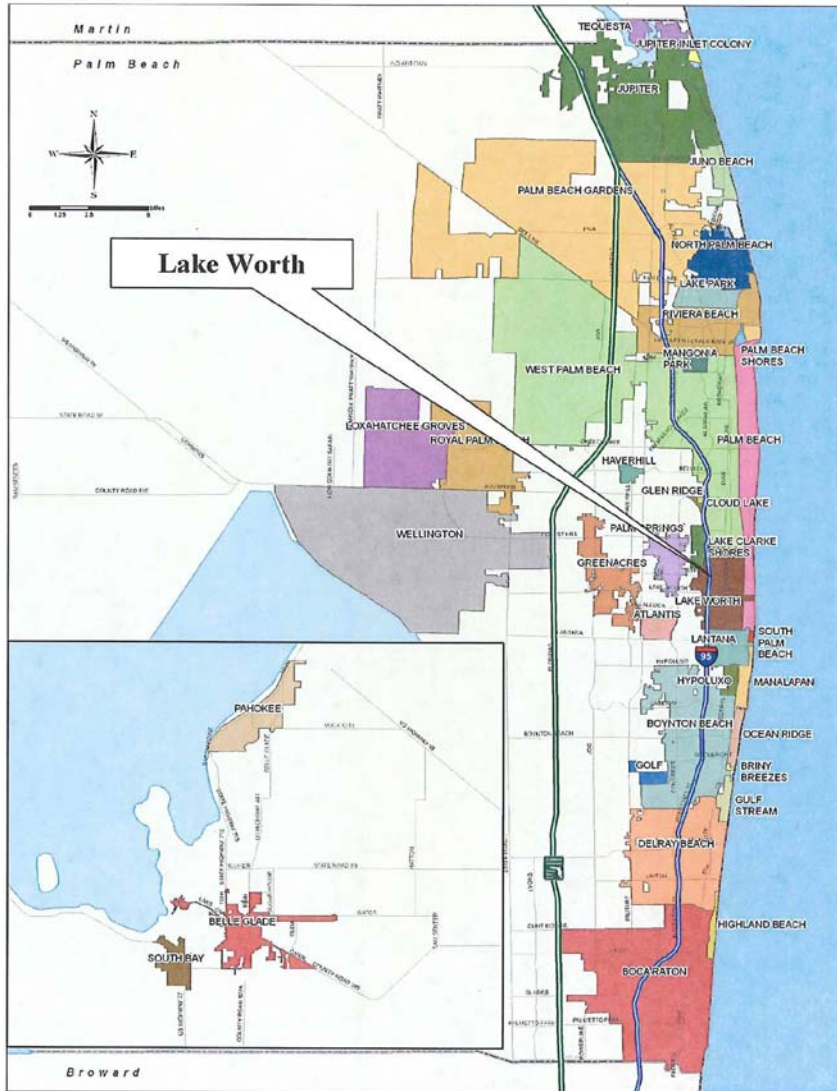
Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Current Future Land Use Map
- 3 Proposed Future Land Use Map

**Exhibit 1
General Location Map
City of Lake Worth**



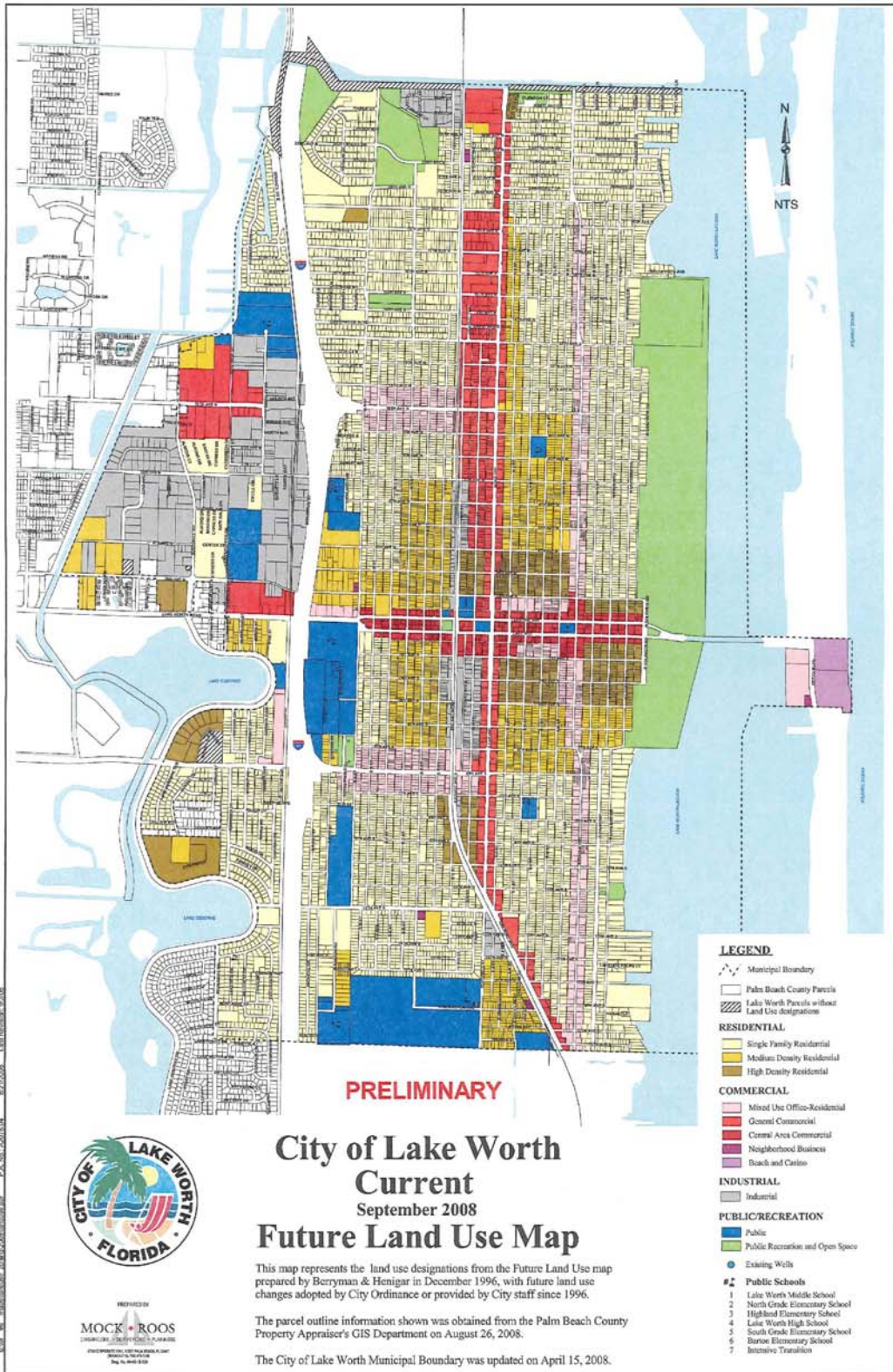


Exhibit 2

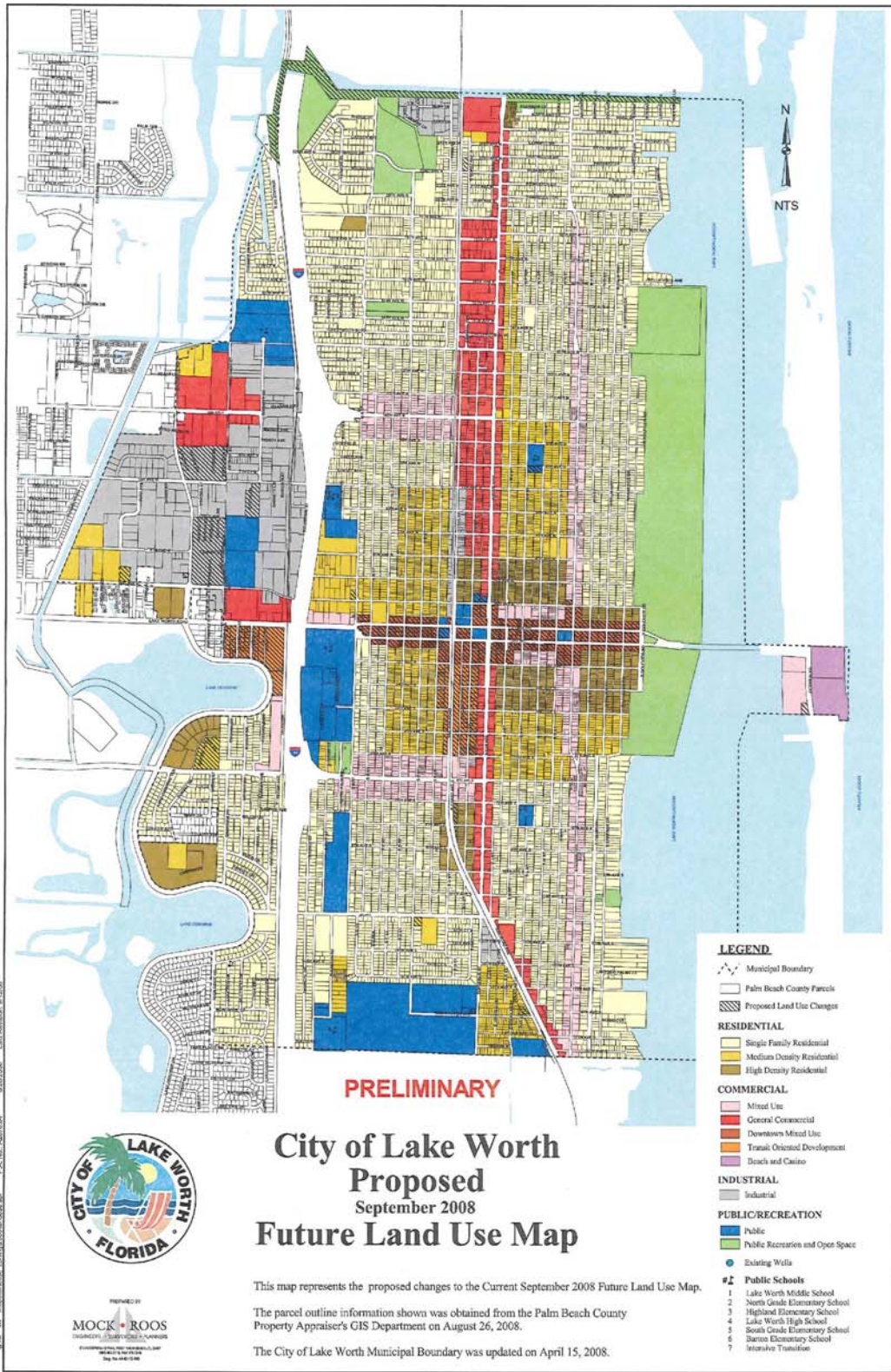


Exhibit 3