

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5L

From: Staff

Date: December 12, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Village of Royal Palm Beach Comprehensive Plan
DCA Reference No. 08-2ER

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 Village of Royal Palm Beach has proposed text amendments to all of the elements of the Village Comprehensive Plan. The Village has requested that the DCA formally review the proposed amendments.

Some of the amendments are related to an Evaluation and Appraisal Report (EAR) that was adopted by the Village on March 1, 2007 and found sufficient by the DCA on May 27, 2007. Other text amendments are to provide coordination of the Village's 20-Year Water Supply Facility Work Plan (WSFWP) (adopted on September 18, 2008) with the South Florida Water Management District's (SFWMD) Lower East Coast Water Supply Plan (LECWSP). These amendments are required in Chapters 373.0361(7) and 163.3177(6)(a), Florida Statutes.

Evaluation

Profile of Community

The Village of Royal Palm Beach is located in central Palm Beach County. Incorporated in 1959, the Village occupies 10.63 square miles (6,907 acres) bounded by unincorporated Palm Beach County to the north, east and west; the City of West Palm Beach to the northeast; the Village of Wellington to the south; and the Town of Loxahatchee Groves to the west. Since 1970 the Village has experienced dramatic population growth. Between 1970 and 1980, the Village's population increased from 475 to 3,423 (621%), and it increased to 15,297 (347%) between 1980 and 1990. The Village's population has grown by almost 50 percent since 1990, reaching 21,523 by 2000 and an estimated 29,361 in 2005.

The Village is substantially built-out, with only 270 acres of vacant, developable land remaining. Of the remaining vacant acreage in the Village, 85 acres are designated for residential use, while 185 acres are designated for industrial and/or commercial use. Based on development approvals and the adopted densities on the Future Land Use Plan Map, it is estimated that approximately 1,150 new residential units will be built within the Village. Currently, there are 10,298 households in the Village, with an average household size of 2.85. It is therefore estimated that Royal Palm Beach's population will increase by 3,278 to a total of 32,639 at build-out. This estimate is significantly less than the State's projection of 56,932 residents by 2025.

A. EAR-Related Amendments

The Village identified the following six major issues to be considered during the EAR process:

1. Future Growth and Management of Community Character/Neighborhood Planning Strategies
2. Maintenance and Enhancement of Existing Housing Stock/Code Enforcement
3. Development Impacts on Levels of Service
4. Fiscal Impacts of Build-out
5. Transportation Planning
6. Development Occurring in Neighboring Areas/Intergovernmental Coordination

The highlights of the EAR-related amendments follows:

1. Future Land Use Element

- Revised Policy 1.1.5.1 encourages Planned Unit Developments, mixed use development, and planned communities in appropriate areas to discourage urban sprawl.
- Revised Objective 1.1.6 is to coordinate with Wellington, West Palm Beach, Loxahatchee Groves, Palm Beach County, and other local governments to develop and refine a joint annexation plan and strategy.
- New Policy 1.10.2 is to evaluate the feasibility of developing a Neighborhood Planning and Code Enforcement Strategy, to tailor comprehensive planning, capital improvements, and code enforcement efforts to the needs of specific neighborhoods.
- New Objective 1.11 is that all development and redevelopment must be in accordance with the Future Land Use Map (FLUM); and new Policy 1.11.1 is that the FLUM contains an adequate supply of land in each district to meet existing and future needs.

2. Transportation Element

- Revised Objective 1.1 establishes a Level of Service (LOS) of C on local collector roads and a LOS of D on urban collector, minor arterial, and principal arterial roads.
- New Objective 2.3 is to explore strategies and tools that will increase the ability to address roadway congestion issues. New policies under this objective are to reduce the number of vehicle trips by increasing the viability of alternate forms of transportation, including mass transit, bicycle, and pedestrian; to implement transportation demand management processes; and to encourage master plans in areas around roadways designated as Constrained Roadways at a Lower Level of Service (CRALLS).
- New Objective 4.3 is to coordinate with the Florida Department of Transportation and Palm Beach County on easing congestion on Village roads. Policies under this objective support the implementation of mass transit projects; the implementation of transportation demand programs on a regional level; projects and improvements to increase the capacity of the regional transportation system; and periodic evaluation of designated CRALLS to minimize negative impacts to quality of life.

3. Housing Element

- Objective 3.1.1 is revised to include the provision of decent, safe and sanitary housing that addresses the existing and future needs of all income groups.

- Revised Objective 3.1.2 is to promote a full range of housing types to meet the needs of all income and special needs groups.
- New Policy 1.2.5 is to utilize appropriate mechanisms to encourage a range of housing types and costs in proximity to employment and services, as feasible.
- New Objective 1.5 is to evaluate current and projected housing needs and the ability to meet those needs.
- New Policy 1.5.1 is to investigate and evaluate programs and strategies to facilitate the public and private sector delivery of housing to meet current and projected needs.

4. Recreation and Open Space Element

- Revised Policy 1.1.3 is to consider expanding services and programs at Seminole Palms Park.
- New Policy 1.1.5 is to coordinate with Palm Beach County public schools to evaluate the feasibility of entering into joint park-school agreements to expand the recreational opportunities available to Village residents.

5. Intergovernmental Coordination Element

- New Policy 3.1 is to continue efforts to coordinate with the Village of Wellington in the development of a mutually beneficial annexation plan and strategy.
- New Policy 3.1.14 is a repeat of Policy 1.1.5 in the Recreation and Open Space Element regarding joint park-school agreements.

6. Capital Improvements Element

- New Policy 1.1.4 commits the Village to an annual update of the Five-Year Capital Improvements Schedule through the comprehensive plan amendment process.

B. Amendments Related to Water Supply

1. Future Land Use Element

- A new policy is to coordinate current and future land uses with the availability of water supplies and water supply facilities.

2. Infrastructure Element

- New Goal 1 is to coordinate with Palm Beach County to ensure the provision of a high level of public service to address existing and projected demand.
- A new Objective is to comply with the 20-Year WSFWP and that the plan is to be updated at least every five years.
- A new policy is to incorporate the WSFWP by reference into the Village Comprehensive Plan.
- New Policy 2.1.5 is to prepare, implement, and update the WSFWP in accordance with State Statutes.
- New Policy 2.1.6 is to include projects identified in the WSFWP into the Capital Improvements Element.
- New Policy 2.1.7 is to coordinate with the SFWMD in the development and implementation of the Regional Water Supply Plan.

3. Conservation Element

- Revised Policy 2.1.4 addresses the conservation of potable water, including consideration of xeriscaping, low water use plumbing fixtures, and conservation related hardware and practices.
- Revised Policy 2.1.5 addresses implementation of the water shortage ordinance during drought events.
- New Policy 3.1.6 is to implement projects to protect the quality and quantity of potable water consistent with the Palm Beach County WSFWP.
- A new policy is to ensure that adequate water supplies and public facilities are available to serve the water supply demands of the Village.
- A new policy is to coordinate with the Palm Beach County Water Utilities Department, the Palm Beach County Department of Environmental Resources Management, the SFWMD, and others through the LECWSP.
- A new policy is to encourage low volume plumbing fixtures in all new and retrofitted residential projects.
- A new policy addresses conservation in the irrigation of landscaping.

4. Intergovernmental Coordination Element

- New Objective 1.5 is to coordinate with appropriate agencies in development of the WSFWP.
- New Policy 1.5.1 is to prepare, implement, and periodically update the WSFWP.

- New Policy 1.5.2 is to include projects identified in the WSFWP in the Capital Improvements Element.
- New Policy 1.5.3 is to coordinate with the SFWMD in development and implementation of the Regional Water Supply Plan.
- A new policy is to negotiate or renew interlocal agreements with water supply providers.

5. Capital Improvements Element

- A new policy indicates that availability of water supply must be ensured no later than the time of certificate of occupancy; and that the Village will implement a system to link water supplies to the permitting of new development.
- A new policy commits to the annual update of the 5-Year Schedule of Improvements.

Extrajurisdictional Impacts

Although the proposed amendments were not provided to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) prior to transmittal, the Village did provide copies of the amendment materials to surrounding local governments. Council sent a memorandum dated October 14, 2008 to Palm Beach County, Loxahatchee Groves, Wellington, and West Palm Beach requesting comments on the proposed amendments. As of the date of preparation of this report, no comments have been received. After transmittal to DCA, the Village provided notice of the proposed amendments to IPARC and the notice was distributed on October 24, 2008. It is not anticipated there will be significant detrimental extrajurisdictional impacts as a result of these amendments.

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

1. In its EAR, the Village did not identify affordable housing for the workforce as a major issue. The Village did indicate that a new policy would be adopted to encourage a range of housing types and costs in proximity to employment and services. The Village EAR contained a brief assessment of housing needs/maintenance and enhancement of existing housing stock. The assessment identified a significant number of cost-burdened households. In its review of the Village EAR, Council encouraged the Village to go beyond that proposed language and adopt policies that will result in a proportion of housing that is affordable to the workforce in all future development and redevelopment.

Council has further pointed out that only a very comprehensive program will lead to the development and maintenance of the range of housing types and affordabilities that can make a difference. Each local government should utilize an appropriate set of regulations, incentives, and programs; fine-tuned to local conditions.

The language in new or revised objectives in the Housing Element speak to promoting a full range of housing types to meet existing and future needs (Objective 1.2), and evaluation of current and projected housing needs (Objective 1.5). However, the Village has not included policy language that indicates what type of strategies and programs the Village will utilize to ensure housing needs are met. The Village has deleted Objective 3.1.5 and all implementing policies which called for a comprehensive study to assess the ability of the Village to meet existing and future needs. This has been replaced by new Objective 1.5 that indicates the Village will evaluate current and projected housing needs as part of periodic updates of the comprehensive plan. There is no information included to indicate whether an up-to-date evaluation has been prepared or what needs were identified. New Policy 1.5.1 indicates the Village shall “as appropriate” investigate and evaluate programs and strategies to facilitate the public and private sector delivery of housing to meet current and proposed needs. Again, there are no policies to indicate what programs and strategies the Village has decided to implement to ensure that identified needs will be met.

Recommendation for Modification: The shortage of housing affordable to meet the needs of the workforce in Palm Beach County has been well documented. While those needs may vary somewhat from community to community, it is time for local governments to implement specific programs and strategies to meet these needs. In its comprehensive plan, the Village has promised only to “evaluate projected needs”, to “investigate and evaluate programs and strategies as appropriate”, and to “utilize the appropriate mechanisms to encourage”. The Village should adopt policy language to implement its objectives that is specific to current needs. As soon as possible, the Village should clearly indicate, in policy, what programs will be implemented, what incentives will be offered and what tools will be utilized to ensure that at least a proportion of all new housing will be affordable to the workforce, and how existing affordable housing shortages will be addressed. An entire tool box of programs and strategies (accessory dwelling units, reduction of regulatory barriers, inclusionary zoning, density bonuses, community land trusts, impact fee assistance, trust funds, etc) is available. The Village needs to select those tools that are appropriate, include them as implementing policies in the comprehensive plan, and move forward to address the workforce housing problem.

2. If a current and detailed housing needs assessment has not been prepared, the Village should commit to do so as soon as possible (Objective 1.5).

3. Revised Policy 1.1.4 of the Conservation Element is confusing, since its intent appears to be to recommend that another policy (not referenced) should be implemented through various programs. This policy should be clarified.
4. In revised Policy 4.1.1 of the Conservation Element, the Village has deleted the requirement to implement a bikeway/pedestrian walk master plan as a means to reduce reliance upon automotive travel. It is not clear why the implementation of the master plan is no longer appropriate.
5. In new Policy 1.1.5, it may be more appropriate to indicate the Village will coordinate with the Palm Beach County School District or Board (rather than individual schools). Joint agreements are more likely to be between the Village and the School District, than directly with individual schools.
6. New Policy 1.5.1 of the Intergovernmental Coordination Element should be corrected to reference the 20-Year Water Supply Plan (rather than 10-Year Water Supply Plan).
7. New Policy 1.3.1 of the Capital Improvements Element indicates the Village “shall evaluate the feasibility of identifying needed capital improvement projects” in specific neighborhoods by the year 2012. By 2012, the Village should be able to actually identify these needed improvements, rather than evaluating the feasibility of doing so.
8. Many, but not all, of the proposed amendments to incorporate the WSFWP into the comprehensive plan are not numbered. This makes it difficult to review the nature and appropriateness of the proposed new objectives and policies. The objectives and policies should be organized and numbered prior to adoption.

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 Future Land Use Map

Exhibit 1
General Location Map
Village of Royal Palm Beach



