MEMORANDUM

To: Council Members

From: Staff

Date: June 20, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Village of North Palm Beach Comprehensive Plan
DCA Reference No. 08-1

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 amendment within 30 days of its receipt.

Background

The Village of North Palm Beach has proposed one amendment to the Future Land Use Map (FLUM) of the Village Comprehensive Plan. The Village has requested the DCA to carry out a formal review of the amendment.

Evaluation

This 7.0 acre subject parcel is located on the east side of U.S. 1, approximately 1 mile south of PGA Boulevard (see Exhibits). The amendment cannot be processed as a small scale amendment because the proposed designation allows a density higher than 10 dwelling units per acre.

The property is currently vacant, although it had been cleared previously in anticipation of development. The proposed use is for a 168 unit residential development. As Exhibit 4 indicates, the property had both Medium Density Residential and Commercial FLUM designations, although it was restricted to those uses to be allowed under Special Policy
5.2 of the Future Land Use Element. This policy anticipated a mix of uses subject to Village Council approval of site and PUD plans. Certain uses were excluded. The proposed FLUM designation is High Density Residential, which allows a maximum of 24 dwelling units per acre.

The existing land use on surrounding properties includes a religious institutional use to the north, offices and a canal to the south, the Lake Worth Lagoon to the east and a private school across U.S. 1 to the west. The FLUM designations on surrounding lands include Medium Density Residential and Commercial (subject to Special Policy 5.1) to the north, and Commercial to the south and west.

The property was formerly part of a larger 25.4 acre parcel. The entire parcel was subject to Special Policy 5.2, allowing for a mix of residential and non-residential uses. The Village indicates that the proposed amendment is consistent with the comprehensive plan. The Village Evaluation and Appraisal Report indicated that certain areas of the Village may be appropriate for increased densities. The amendment is also considered consistent with the recommendations of the U.S. 1 Corridor Study.

Extrajurisdictional Impacts

The Village submitted the amendment to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC). It was processed by IPARC on June 29, 2007. The Village indicates there have been no objections to the proposed amendment.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendment indicates that it would not have serious adverse effects on significant regional resources or facilities. However, there could be impacts to the capacity of public emergency shelters and to critical evacuation links and intersections for hurricane evacuation.

Analysis of Consistency with Strategic Regional Policy Plan

The effect of this amendment would be to allow higher density development (an increase of 91 residential units) in an area which is susceptible to damage from the storm surge created by a tropical storm or hurricane. Regional Goal 5.1 of the SRPP is “Lives and property which are less susceptible to disaster”. Regional Strategy 5.1.1 is to direct development away from areas most vulnerable to the effects of natural disasters, and Policies 5.1.1.1 and 5.1.1.2 are to discourage the designation of land in coastal high hazard and flood plain areas which would increase development intensity and densities; and to develop strategies which will reduce existing population densities in coastal high hazard and flood plain areas. Other Regional goals, strategies and policies address reduced vulnerability to disaster, limitation of development to non-residential and water development land uses; full mitigation of impacts to existing public shelter capacities; and maintenance or reduction of hurricane evacuation clearance times.
In reference to questions from Council staff, the Village planning consultant has indicated (see Attachment A) that the proposed residential units (waterfront condominiums) are likely to be occupied only seasonally or occasionally. The Village Public Safety Department indicated there would be minimal adverse impacts to public safety concerning hurricane evacuation or storm surge as a result of the proposed development. However, no calculations have been provided regarding impacts on hurricane evacuation routes and no mitigation has been required by the Village to hurricane shelter capacity as a condition of the plan amendment.

Council recognizes that many coastal communities in the region have experienced or are experiencing redevelopment in traditional downtown areas, many of which are susceptible to damage from storm surge and flooding from coastal waters. Some redevelopment proposals seek to increase residential development in coastal locations. At least two of the counties in the region have identified concerns with the loss of working waterfront commercial uses to residential development. The redevelopment and revitalization of existing neighborhoods and districts would be consistent with Regional Goals 3.1 and 5.1. Clearly, there can be competing goals which must be weighted when infill or development activities are proposed in coastal locations that are susceptible to storm damage and subject to evacuation during a tropical storm or other natural or manmade disaster.

Comments/Recommendations

1. Prior to adoption of the Domani Parcel amendment, the Village should document that there will be minimal impact to hurricane evacuation clearance times as a result of the amendment. If there are impacts, mitigation should be required.

2. Prior to adoption of the Domani Parcel amendment, the Village should ensure that there is adequate shelter space for residents expected to seek shelter during an event or required evacuation. Mitigation should be required if additional public or special needs shelter space is necessary.

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 amendment 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 Attachments

Attachment

A  May 14, 2007 memorandum from Jim Fleischmann, Village Planning Consultant
To: Terry Hess, TCRPC

From: Jim Fleischmann
Village Planning Consultant

Re: North Palm Beach Comprehensive Plan Amendment 07-2.1 (Domani Parcel)

Date: May 14, 2008

MEMO

Regarding your question regarding the issue of hurricane evacuation for the above referenced property, the following data and analysis is provided:

1. The current Medium Density FLU designation will allow a maximum of 77 residential units. The proposed High Density FLU designation will allow a maximum of 168 residential units, an increase of a maximum of 91 units.

2. Per Table 1 of the amendment package, the maximum potential increase of 77 units could result in a maximum increase in resident population of 149 residents. In reality, due to the location and proposed development concept (waterfront condominiums), many of the units will likely be occupied seasonally or occasionally. Using the resident occupancy rate of Old Port Cove (2000 Census), located directly adjacent to the Domani parcel, it is estimated that the proposed development will generate a full-time population of 197 residents, an increase of 107 residents above the current FLU designation.

3. During the review process, the North Palm Beach Public Safety Department (Police, Fire and EMS services) was asked to assess the impact of the proposed amendment upon its ability to provide services. The applicant, as part of the submittal package, submitted correspondence from the Public Safety Department stating that “no to minimal” adverse impacts to public safety concerning hurricane evacuation or storm surge are anticipated as a result of the proposed development.

4. U.S. Highway 1, which directly fronts the property and provides primary site access, and PGA Boulevard, located 0.5 miles to the north, are designated hurricane evacuation routes, with interchange access to both I-95 and Florida’s Turnpike.

5. Two designated hurricane shelters are located within a 5-mile radius of the site; William Dwyer High School (Donald Ross Road and Military Trail) and Independence Middle School (Greenway Drive, Abacoa). Combined, the two facilities have a capacity of 2,400 persons.
6. I have placed a call to Palm Beach County Emergency Management to determine if they have any criteria that we can use to estimate the number of persons that would use a shelter in the event of a hurricane event. To date, they have not responded. However, when and if they do, I will forward their answer.

Based upon the above, it is concluded that adequate facilities (evacuation routes and shelters) currently exist to provide for the safety of potential residents of the proposed project. This conclusion is supported by that of the Village Public Safety Department, as related above.

If you have any additional questions, please contact this office at: (561) 686-2481.

Jim Fleischmann
List of Exhibits

Exhibit

1    General Location Map
2    Location of Proposed Comprehensive Plan Amendment
3    Abutting Land Use Including Future Land Use and Zoning Designations
4    Proposed Future Land Use Designation
5    Hurricane Surge Zones – Surrounding Area
6    Hurricane Surge Zones – Immediate Area
Exhibit 2

Location Of Proposed Comprehensive Plan Amendment

NORTH PALM BEACH CORPORATE LIMITS
Village of North Palm Beach Planning Area
Future Land Use Map Series

NPBCP Amendment 07-2.1

Legend:
- Zoning Boundary for the Village of NPBCP
- Roads & Highways
- HL East Coast Rail Road
- Waterways

Source:
Land Research Management, Inc.
951.888.3481 Fax 954.8700
Exhibit 4

Proposed Future Land Use Designation
NPBCP Amendment 07-2.1

FIGURE 3 - 3
FUTURE LAND USE MAP
PLANNING AREA #2

FUTURE LAND USE
MAP SERIES
2010

Planning Area Boundary
Refer to Land Use Tables 3-1 and 3-2
Special Policies

NPBCP 07-2.1
Future Land Use Map Amendment:
From Special Policy 5.2
To High Density Residential

LAND USE KEY

- Medium Density Residential
  (5.81 to 11.00 Units/Acre)
- High Density Residential
  (11.1 to 24.0 Units/Acre)
- Educational
- Commercial

Source: Land Research Management, Inc.
561.686.2461 Fax 684.8709

Scale

500 Feet
Exhibit 5
Hurricane Surge Zones – Surrounding Area
Exhibit 6
Hurricane Surge Zones – Immediate Area