To: Council Members

From: Staff

Date: April 17, 2009 Council Meeting

Subject: Local Government Comprehensive Plan Amendment Review
Adopted Amendments to the Village of Golf Comprehensive Plan
DCA Reference No. 09-RWSP1 (formerly 08-RWSP1)

Background

On February 18, 2009, the Village of Golf adopted text amendments to several elements of the Village Comprehensive Plan. The purpose of the amendments was to address statutory requirements regarding water supply facility planning.

The Treasure Coast Regional Planning Council (TCRPC) reviewed the proposed amendments at a regular meeting held on December 12, 2008. The Florida Department of Community Affairs (DCA) issued an Objections, Recommendations and Comments (ORC) Report on the proposed amendments on December 5, 2008.

Evaluation

A. TCRPC Report

The report approved by the TCRPC included four comments/recommendations for modification. The comments are shown in Attachment A.

B. DCA ORC Report

The ORC Report contained four objections. The objections are shown in Attachment B.

C. Village Response

1. To TCRPC Comments/Recommendations for Modification

A response from the Village planning consultant is included as Attachment C. Two of the comments/recommendations by Council were similar to objections that appeared in the DCA ORC Report (regarding water conservation and coordination in water supply facility planning). The Village made modifications to the proposed amendments to address those objections.

2. To the DCA ORC Report

The Village response to the DCA objections is shown in Attachment B.
Conclusion

For information only.

Attachments
Excerpts from TCRPC report on Village of Golf
Comprehensive Plan Amendments (DCA Ref# 00-RWSP1 - previously 08-RWSP1)
Approved at December 12, 2008 Council Meeting, Agenda Item 5G

Comments/Recommendations

A. Infrastructure Element

1. Proposed Policy 1.2.1 indicates that water supply concurrency must be established during the building permit stage. It is not clear what is meant by “established”. Perhaps the policy should indicate that concurrency should be “met” or “satisfied”.

2. Proposed Policy 1.4.1 indicates that potable water will be conserved through the implementation of reuse programs and conservation strategies and techniques. The local government should be able to specify what programs, strategies, and techniques are to be utilized.

3. Objective 1.6.0 (and Objective 1.6.0 in the Capital Improvements Element) is to develop a financially feasible WSFWP that “recognizes” land uses within the area. This could be better stated as “to develop a financially feasible WSFWP to accommodate the existing and future land use types, intensities and densities within the area”.

B. Intergovernmental Coordination Element

4. Objective 1.7.0 and its implementing policies make reference to coordination with “interested parties” and “local governmental entities”. The Village should be more specific regarding who they will coordinate with (Palm Beach County, SFWMD, etc) and what types of coordination mechanisms shall be utilized.
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I. Consistency with Chapter 163, F.S., and Rule 9J-5, F.A.C.
The Village of Golf proposed comprehensive plan amendment consists of the Ten-Year Water Supply Facilities Work Plan and revisions to the Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements of the Village's Comprehensive Plan. The Department has identified the following objections and comments to the proposed comprehensive plan amendment:

II. Objections

Objection 1: The Water Supply Facilities Work does not include a service area map. Section 3.2 of the Work Plan references Figure 1, a map depicting the Village boundaries and the entire system service area. However, Figure 1 was not included in the plan that was transmitted to the Department for review.

Response: The revised Water Supply Plan includes a map depicting the Village boundaries and geographic service area for the Village of Golf Public Utilities. (see attached Figure 1.)

Objection 2: The proposed amendment does not address the requirements of Section 163.31 80(2)(a), F.S., pertaining to water supply concurrency.

Response: A new policy will be included as follows: Policy 1.5.3. In accordance with Section 163.3180(2)(a), F.S., the Village shall determine whether there will be adequate water supplies to serve the new development prior to approval of a building permit or its functional equivalent. All development is subject to the Village’s Concurrency Management system. The Village shall track current water demand and outstanding commitments in order to determine the availability of an adequate water supply for proposed developments. The Village will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Objection 3: While the Village has added Objective 1.4.0 and Policy 1.4.1 to the Conservation Element to address water conservation, alternative water sources and water reuse, the Village has not identified specific potential alternative water sources and conservation programs. The Village based the data and analysis in the work plan on the consumptive use permit that was renewed in March of 2008. The permit expires in March of 2013. The Water Management District has indicated that the water allocation may be lowered when the permit is renewed. The data and analysis in the work plan suggest that the Village may need to develop an alternative source of water supply beyond 2013.
Response: The Conservation Element has been revised to include the following conservation programs and policies as follows:

In addition, the following are some possible water conservation and reuse practices and policies that the Village of Golf should consider to be included as part of the Water Supply Facilities Work Plan and as part of the update to their Comprehensive Plan:

- Require water-efficient landscaping in new development.
- Require low-volume plumbing devices in new construction.
- Create a lawn and landscape irrigation rule, which limits irrigation to two days per week (based on address) between the hours of 12 a.m. to 10 a.m. and/or 4 p.m. to 11:59 p.m. with some exceptions, as may be revised.
- Develop a leak detection program for Village facilities.
- Inform and encourage all residents and businesses to participate in the Palm Beach County's water conservation programs such as Mobile Irrigation Laboratory (MIL)
- Provide a public education and outreach program to encourage responsible use of water.

Policy 1.4.2 The Village will promote water conservation through the enforcement of the adopted Florida Building Code which requires such items as low-volume commodes, water flow restrictions for showers and spigots and similar devices in all new construction and renovations, and will comply with the appropriate water management district water use restrictions.

Policy 1.4.3: The Village will continue to cooperate with the South Florida Water Management District (SFWMD) in its efforts to restrict the unnecessary consumption of potable water, particularly as it relates to irrigation, lawn watering, and car washing during periods of drought, supply reduction, and other emergencies.

Policy 1.4.4: Although irrigation of lawns and landscapes does not utilize the public water supply, the City shall create a lawn and landscape irrigation rule, which limits irrigation to two days per week between the hours of 12 a.m. to 10 a.m. and/or 4 p.m. to 11:59 p.m.

Policy 1.4.5: The Village shall adopt an Ordinance which requires the use water-efficient landscaping in all new development and redevelopment, and require functioning rain-sensor devices on all automatic irrigation systems on both new and existing systems.

Policy 1.4.6: The Village shall inform residents and businesses of, and shall encourage their participation in, the Palm Beach County's water conservation programs such as
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Mobile Irrigation Laboratory (MIL) which is provided to educate homeowners and system operators to maximize the efficiency of their irrigation systems, while providing a foundation for protecting water quality and quantity in our area.

Policy 1.4.7: The Village shall coordinate local water conservation education efforts with the SFWMD and the Palm Beach County School Board.

Policy 1.4.8: The Village will promote and encourage the use of low impact development techniques (such as the Florida Water Star™ program, which is a point based new home certification program for water-efficient developments, similar to the federal Energy Star program)

Policy 1.4.9: The Village shall prepare informational brochures on proper irrigation operating instructions for the public by the end of 2009. These brochures will be made available at Village Hall.

Policy 1.4.10: The Village shall develop a leak detection and repair program for all Village facilities by the end of 2009. It shall also inform and encourage its businesses and residents to adopt such a program for their own individual properties.

Policy 1.4.11: The Village will ensure that any new regulation to protect water resources is consistent with the South Florida Water Management District’s (SFWMD) environmental resource permitting and consumptive permitting use permitting rules.

These policies will provide an excellent start toward significant potable water conservation within the Village. However, there are many variables within the various policies that will make it difficult to determine exactly how much water can be saved through the implementation and enforcement of the policies, as some of the policies are strictly voluntary. For example, old plumbing fixtures can use as much as 9 gallons of water per minute vs. 2.5 gallons used by the newer low-volume fixtures. Exactly how many existing old fixtures vs. new ones are unknown. A dripping faucet can leak up to 20 gallons per day; a leaky toilet can waste up to 200 gallons per day; and a running garden hose can use 600 gallons per hour of water. To try to quantify the current loss, or potential saving caused by each new policy would be a shot in the dark at best.

Regarding reuse irrigation, currently Village residents do not have ready access to reclaimed water. Reclaimed water is, however, used by three (3) major golf courses that exist within the Village service area. The Country Club of Florida, Quail Ridge, and Delray Dunes use reclaimed water to irrigate their golf course. By contract with the South Central Regional Wastewater Treatment and Disposal Board, 591 million gallons are contracted for purchase. This represents a major contribution to area water conservation.

Separate and apart from the Utility System, the Village had a study conducted to
determine the feasibility of constructing a Village wide reclaimed (irrigation quality) water supply system. The City of Boynton Beach has enough capacity in their reclaimed water supply and distribution system to support the 1.0 MGD required for this project. If approved by the citizens, a voting ballot question will be placed on the ballot in 2009 for public approval of the design, permitting, construction and financing of the such a project. Implementation of this project would have two major positive points, 1) it would provide for a reduction in ground water withdrawals, thus meeting one of the major objectives of the SFWMD along with some resulting ground water recharge, and 2) wastewater effluent that would be otherwise wasted to the Atlantic Ocean or to a deep underground waste disposal well would be put to a greater public use. This project would not, however, have a direct impact on the Village’s water supply system.

Objection 4: While the Village added Objective 1.7.0 and Policies 1.7.1 and 1.7.2 to address intergovernmental coordination, the Village did not include specific programs and activities to ensure ongoing coordination with Palm Beach County on water supply planning issues.

Response: The Intergovernmental Coordination Element has been revised to include an objective and policies to ensure a meaningful process for collaborative planning and intergovernmental coordination on water supply issues between the Village and Palm Beach County as follows:

Objective 1.8.0: The Village will continue to coordinate with State, Regional, and Local entities to ensure consistent level of service standards and updating of information for all public facilities provided.

Policy 1.8.1. The Village will maintain a water supply facilities work plan that is coordinated with SFWMD’s District Water Supply Plan and Palm Beach County by updating its own work plan within 18 months of an update to SFWMD’s District Water Supply Plan that affect the Village.

Policy 1.8.2. The Village will participate in the development of updates to SFWMD’s Water Supply assessment and district Water Supply Plan and in other water supply development related initiatives facilitated by the SFWMD that affects the Village.

Policy 1.8.3. Continue to maintain relationships with the SFWMD and Palm Beach County to maintain or reduce potable water consumption through education, conservation and participation in ongoing programs of the Region and County.

Policy 1.8.4. Coordinate with Palm Beach County and the SFWMD to ensure that the Village’s estimates and projections for potable water demand are incorporated into the County’s estimates of demand.
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Comments.

Comment 1: The Village should consider adopting potable water level of service standards for non-residential land uses such as office and commercial.

Response: The Village will look into and consider adopting potable water level of service standards for non-residential land uses.

Comment 2: The Village should consider adding a policy to indicate the Village's intention to implement a municipal reuse distribution project.

Response: At this time, such a policy is premature, but based on the aforementioned situation (see Objection #3) it is the Village's intent to pursue such a program.

Comment 3: The Village should consider adding a policy to indicate the Village's intention to coordinate with Boynton Beach as a supplier of reclaimed water.

Response: At this time, such a policy is premature, but based on the aforementioned situation (see Objection #3) it is the Village's intent to pursue such a program.

III. Consistency with Chapter 187, F.S.

The proposed amendment is inconsistent with the following provisions of Chapter 187, F.S., the State Comprehensive Plan:

Section 187.201(7), Water Resources, Policy (b) 3, 5, 9, 11, 13, and 14: Ensure that new development is compatible with existing local and regional water supplies, protect aquifers, and promote water conservation;

Section 187.201(17), Public Facilities, Policies (b) 3, 4, 5, 6, 7, and 9: Encourage the development, use, and coordination of capital improvements plans by all levels of governments and to ensure the availability of public facilities;

Section 187.201 (20), Governmental Efficiency, Policies (b) 1: Encourage greater cooperation between, among, and within all levels of Florida government.

Section 187.201(25), Plan Implementation, Policies (b) 1, 3 and 5: Ensure that local plans implement and accurately reflect State goals and policies.

By addressing the concerns noted in Section I., these inconsistencies with Chapter 187, Florida Statutes, can be addressed.

Response: By addressing Objections 1-4, consistency with the State Comprehensive
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Plan has been achieved.

See attached Figure 1.
Figure 1 – Geographic Service Area for the Village of Golf Public Utilities.
Memorandum

To: Terry Hess, AICP  
    Deputy Director, Treasure Coast Regional Planning Council

From: James G. LaRue, AICP

Date: March 10, 2009

Subject: Village of Golf Water Supply Plan Amendment 09-RWSP1  
          Comments/recommendations from the Treasure Coast Regional Planning Council dated 12-12-08.

In response to your email memo of March 9, 2009, you are correct that two Planning Council Comments from the December review resulted in revisions to the Village’s Water Supply Facilities Work Plan. One comment in particular, regarding the request to provide specific conservation programs, was followed completely. Although Potable Water Policy 1.2.1 was not changed at this time, the comments were taken under advisement.

As always, the Regional Planning Council’s comments and recommendations are appreciated.

JGL:vr

c: Mark Hull, Village Manager  
    Henry Glaus, Mock-Roos
To: Council Members

From: Staff

Date: April 17, 2009 Council Meeting

Subject: Local Government Comprehensive Plan Amendment Review
        Adopted Comprehensive Plan for the Town of Loxahatchee Groves

Background

On February 17, 2009, the Town of Loxahatchee Groves adopted its first comprehensive plan. The Town was incorporated in 2006.

The Treasure Coast Regional Planning Council (TCRPC) reviewed the proposed (draft) comprehensive plan at a regular meeting held on December 12, 2008. The Florida Department of Community Affairs (DCA) issued an Objections, Recommendations and Comments (ORC) Report on the proposed plan on November 21, 2008.

Evaluation

A. TCRPC Report

    The report approved by the TCRPC on the proposed plan contained 11 comments/recommendations for modification. The comments/recommendations are shown in Attachment A.

B. DCA ORC Report

    The ORC Report contained 27 objections. The objections are summarized by the Town in Attachment C.

C. Town Response

   1. To TCRPC Comments/Recommendations for Modification

       A response to the TCRPC comments/recommendations from the Town’s planning consultant is included as Attachment B.
2. To the DCA ORC Report

The Town’s response to the DCA objections is provided in Attachment C.

Conclusion

For information only.

Attachments
Excerpts from TCRPC report on  
Town of Loxahatchee Groves Comprehensive Plan  
Approved at December 12, 2008 Council Meeting, Agenda Item 5G

Comments/Recommendations for Modification

1. Section 163.3177(6)(a) Florida Statutes, indicates that when delineating the land use categories on which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools. Each local government is to include lands contiguous to existing school sites with the land use categories in which public schools are an allowable use. In Policy 1.5.1 of the Future Land Use Element, the Town limits public school location to the Institutional and Public Facilities land use category. According to the Town FLUM, there are a number of sites designated as Institutional and Public Facilities, but they total only 31 acres. It is not clear how many of these sites are vacant. The restriction of public school sites to land designated as Institutional and Public Facilities may not be consistent with the statutory requirements, and is clearly not consistent with the spirit of the law which is to allow adequate lands "by right" for the location of public schools.

Recommendation for Modification: Allow public schools to be located in areas designated for residential use, consistent with the recommendation in the letter from the School District of Palm Beach County dated October 20, 2008 (see Attachment D).

2. Objective 2.3 in the Transportation Element indicates that a greenway and trail system will be developed to meet the needs and intents of the residents of Loxahatchee Groves. However, Policies 5B.3.1 and 5B.3.2 in the Recreation and Open Space Element are to preserve direct connections and access to the trail systems of Royal Palm Beach and Wellington.

Recommendation for Modification: Objective 2.3 should be revised to indicate the trail system should meet the needs of the residents of the Town and adjacent communities.

3. Many of the plan policies in several elements address the development of a greenway and equestrian trail system. Objective 2.4 in the Transportation Element indicates that the trail system should be financially feasible. The Town intends to complete a trail master plan within a year and presumably move forward with the development of the trail system. However, the Town has allocated no funds in the Five Year Capital Improvements Schedule in the Capital Improvements Element to help fund this trail system.

Recommendation for Modification: The Town indicates it will explore the possibility of obtaining grants, gifts, contributions, and other financial resources for the acquisition, development, and maintenance of trails. The Town should make a local financial commitment to this high priority capital improvement.

4. Policy 2.5.1 of the Transportation Element is to "encourage" connectivity among new development and redevelopment to minimize impacts on the roadway network. The Town should require connectivity for all new development and redevelopment.
5. The Town’s level of service for recreation in Policy 5A.1.1 of the Recreation and Open Space Element should be revised to indicate the Town will provide public parks, recreation and open space land to meet its adopted level of service.

6. Policy 7.1.3 of the Intergovernmental Coordination Element indicates the Town will initiate public meetings with surrounding communities to discuss growth management and upcoming development. The Town is encouraged to execute the interlocal agreement to participate in the Issues Forum and IPARC.

7. Policy 6.1.2 of the Housing Element designating a Town housing official should be revised to include a more specific role for this office. At a minimum, the Town housing official should be responsible for: 1) evaluating the Town’s housing stock and living conditions both in terms of habitability and building code requirements; 2) preparing both a housing needs projection and an affordable housing assessment on an as-needed basis; and 3) monitoring the delivery of housing by the private sector to determine whether alternative housing programs should be implemented and/or alternative delivery mechanisms should be considered.

8. Policy 6.2.8 of the Housing Element does not specifically identify what locations or land use designations should be utilized on the FLUM to encourage job creation. The policy should be revised to cite Town locations (nodes, perhaps) and/or appropriate FLUM designations that would support the development of job centers to employ very-low, low and moderate income Town residents proximate to their residences.

9. The Town should consider adopting a new policy that commits to the preparation of an analysis of existing housing conditions and needs using best available data. This analysis should not wait for the initial EAR as suggested by the Town (7 years), but should be completed as soon as it is practical.

10. While the policies in the Public School Facility Element encourage the location of schools “proximate to urban residential areas”, the plan is silent regarding the promotion of neighborhood schools or development patterns to promote increased pedestrian/bicycle access to school facilities. Inclusion of additional policies addressing these issues would improve the plan, enable the Town to play a proactive role in school siting, and make the plan more consistent with the SRPP.

11. The Town should address the concerns raised in the letters from the Loxahatchee Groves Water Control District.
Terry Hess

From: Lorraine Tappen [ltappen@calvin-giordano.com]
Sent: Thursday, March 12, 2009 4:00 PM
To: Terry Hess
Cc: Shelley Eichner; Matthew Lippman
Subject: Loxahatchee Groves Comprehensive Plan

Terry-

This email serves to provide responses to the TCRPC's Comments/Recommendations on the draft Loxahatchee Groves Comprehensive Plan.

It is important to note that 49% of the Town is made up of thriving agricultural uses including nurseries, tropical fruit farms, aviaries, and horse boarding among others. Pages 1-16 and 1-17 in the Future Land Use Element outline how the Town's extensive amount of open space and plans for a more safe efficient, roadway system with equestrian trails and greenways, and a rural style activity center contribute and reduced greenhouse gas emissions. An introduction was added to the Comprehensive Plan to describe this community's eclectic mix of uses and character. Loxahatchee Groves should not be considered a "New Town" as it has a long history and regionally, the area within the Town should be considered an "edge" or "countryside" according to the principles in the Strategic Regional Policy Plan.

1. The TCRPC suggested allowing public schools as recommended by the School District of Palm Beach County. Future Land Use Policy 1.5.1 was modified to state that public schools would be allowed in all future land use categories except Conservation.

2. The TCRPC recommended revising Transportation Objective 2.3 so that the greenway and trail system meets the needs of residents of Loxahatchee Groves and adjacent communities. Please note that Transportation Policy 2.4.3 and Recreation and Open Space Policy 5B.2.3 as revised provide for joint efforts with all affected local jurisdictions in the development and maintenance of trails. Also, please note that Policies under Objective 5B.3 refer to connections to the Loxahatchee Groves County Park, Royal Palm Beach Pine Nature Area, and the Village of Wellington's trails. These references are made due to the fact that these two parks and the Village of Wellington have existing trails.

3. The Town is expecting to adopt the Master Roadway Equestrian and Greenway Plan this month. Because the MREG had not be adopted before the comprehensive plan, no capital improvement projects related to trails could be added to the Capital Improvement Element.

4. The TCRPC suggested requiring connectivity between new development and redevelopment and modifying Transportation Element Policy 2.5.1. The policy remained due to the fact that the MREG had not been adopted before the comprehensive plan.

5. The TCRPC recommended adding public to the park level of service. The level of service analysis is based upon the one existing public park within the Town.

6. Intergovernmental Coordination Policy 7.2.4 was added to state that the Town would participate in the IPARC to ensure communication and coordination on comprehensive planning issues.

7. The Town determined a housing official is not necessary at this time and it was stricken from Housing Policy 6.1.2.

8. Future Land Use Policy 1.12.3 was added to state that the Town shall encourage a rural-style commercial center along Southern Boulevard to provide a center for accessible employment.

9. Housing Policy 6.4.4 was added to state that within 12 months of receiving 2010 Census and the Florida Housing Data Clearinghouse, the Town would determine the need to implement additional housing programs.

10. Because new school development within the Town is not expected due to School Board projected utilization rates, no additional policies to anticipate new schools were added.

11. The Town and Water Control District are working cooperatively through the new created Intergovernmental Committee. All concerns initially raised by the Water Control District have been resolved. (See attached letter.)

3/12/2009
TO: Matthew Lippman, Town Clerk
FROM: Shelley Eichner, AICP, Vice President
        Lorraine Tappen, AICP, Senior Planner
DATE: February 2, 2009 (Revised)
RE: Comprehensive Plan Objections, Recommendation and Comments Report


This memo serves to highlight changes to the draft Comprehensive Plan to address the ORC Report.

A. FUTURE LAND USE MAP (FLUM)

Objection No. 1: This first Objection refers to changing the land use of 5,750 acres from the existing Palm Beach County RR-10 designation to the RR-5 designation. Recommended actions reflect other objections further discussed in the ORC Report and addressed in this memorandum.

Data and analysis for proposed RR-5 land use designation is provided in Future Land Use Element. See pages 1-4 through 1-9. Also, Table 2-4 in the Transportation Element was adjusted to show revised volumes based upon these future land use map changes.

B. TEXT AMENDMENTS/LOXAHATCHEE GROVES COMPREHENSIVE PLAN

Objection No. 1 Adequate Provision for School Siting, DCA would like to ensure there are adequate provisions for new schools in residential areas in case there is a need to construct a new school and to service nearby residents. Future Land Use Element Policy 1.5.1 allows schools in only the Institutional land use category.

Policy 1.5.1 was revised to allow school in all future land use categories. Table 1-8 was updated accordingly.
Objection No. 2 Inconsistent Data and Analysis. DCA recommended resolving inconsistent data and either include the RR-10 future land use category in the Future Land Use Element or clearly indicate that as part of the new Comprehensive Plan, 5,750 acres are being changes to RR-5.

The data and analysis has been modified to clearly state that the future land use is amended to RR-5. See pages 1-4 through 1-9 of the Future Land Use Element.

Objection No. 3 Population Projections/Planning Timeframes. DCA requested more detail on the methodology or source of the population data. Staff will utilize the County’s population allocation model.

On page 1-2, the Future Land Use Element Data Inventory and Analysis was adjusted to explain that the population projections and projections for housing units and households are from the Palm Beach County Planning Division. The County’s projections did not include projections for 2019 and therefore, the population was extrapolated based upon an average yearly growth trend from 2013 to 2017. The 2006 projections are from the University of Florida Bureau of Business and Economic Research.

Other data adjusted according to the new population projections include the parks level of service analysis on page 5-2 of the Recreation and Open Space Element, projections in the Housing Element pages 6-14 through 6-19 and projections in the Water Supply Plan on page 3-1.

Also, the planning timeframes were changed to 2009 and 2014 throughout the document.

Objection No. 4 Justification of Need/Land Use Allocations. DCA recommended more analysis of existing vacant lands and their development potential. This includes assuming that a portion of the existing agricultural lands may be used for residential development. A methodology for the conversion of agricultural land to residential uses may be needed.

Richard Post at DCA indicated that more detail on the how the Town will protect its rural/agricultural character should be included in this analysis. It would be prudent to state in the Future Land Use Element that the RR-10 to RR-5 future land use change is intended to allow existing large tract owners to keep their agricultural uses by allowing conversion of some of their land to residential uses by reducing the total amount of acreage that they maintain. In addition, various large tract property owners have indicated it is a financial burden to maintain all their land and that selling small tracts of land would allow them to sustain their agriculture uses.

Additionally, DCA would like additional information on soil categories, natural resources and an analysis of the amount of land that could be developed based upon this data.

Table 1-3A Amendment Impact Analysis by Unit, of the Future Land Use Element indicates the number of lots affected by the change from RR-10 to RR-5. Only a small portion of the lots would be eligible to subdivide further. The change to RR-5 is primarily intended to reflect existing land ownership patterns in the Town and also to provide
flexibility to large land owners that want to convert some of their agricultural land to residential that is no longer economically viable.

Objection No. 5 Map Series/Wetlands/Conservation/Existing Land Use/Future Land Use/Transportation. DCA suggested revisions to the map series to include wetlands and conservation lands. Map FLU 1.8 Habitats indicates six types of wetlands that exist in Loxahatchee Groves: shrub swamp, hardwood swamp, freshwater marsh and wet prairie, mixed wetland forest and sawgrass marsh.

Map FLU 1.12 Wetlands was added to display these areas and text specifying total wetland acreage will be added on page 1-15. Also, a statement was added in the Future Land Use Data Inventory and Analysis on page 1-15 that there are currently no conservation lands in the Town and that a future land use category has been created for those property owners that would like to conserve their land for natural resource protection.

DCA also recommended adding the time frame for Map TRN 2.8 Future Land Configuration, TRN 2.9 Future Pedestrian, Bicycle & Multiuse Facilities and Map TRN 2.10 Future Cost Feasible Transit Network. The data came from the Palm Beach County Metropolitan Planning Organization’s 2030 Long Range Transportation Plan; therefore, the year 2030 was added to these maps.

Objection No. 6 Mixed Land Use Categories. Old Policy 1.1.7 states that the Town will encourage mixed development techniques. DCA recommended that the Town include a mixed use land use category in the Future Land Use Element to implement this policy. Such a land use category would need Town Council direction on the specific uses, percentage of each use, densities, intensities that would be included in the future land use category.

This recommendation from DCA conflicts with the 2008 Strategic Plan which states “that the rural residential nature of the Groves shall be preserved into the future by retaining Ag/Res zoning and the other features of the community that make it distinctive from the suburban development pattern common to South Florida.” Staff does not recommend the creation of a new land use category at this time, therefore Policy 1.1.7 should be modified.

Policy 1.1.7 (now renumbered as Policy 1.1.6) was modified as follows: The Town shall encourage the use of innovative land development regulations that enhance the rural atmosphere, reduce energy usage, reduce greenhouse gas emissions.

Objection No. 7 Elimination or Reduction of Incompatible Uses. Old Future Land Use Element Policy 1.1.3 states that the Town shall work toward the elimination of existing land uses which are inconsistent with the Town’s development pattern and incompatible with proposed future land uses.

DCA recommended adding an objective to state the same and provide additional policies that guide the Town’s actions to eliminate incompatible uses. Also, the Future Land Use Element text should state that there are no significant issue regarding inconsistent land uses in the Data Inventory and Analysis (page 1-9).
Old Policy 1.1.3 was replaced by Objective 1.11. Old Policies 1.1.12, 1.1.17, and 1.1.18 were moved to policies under Objective 1.11.

Objection No. 8 Blighted Areas/Housing Condition Data. DCA recommended adding policies to the Future Land Use Element to guide programs and strategies that provide for conservation, rehabilitation, and demolition of housing. DCA also recommended a windshield housing survey to estimate approximate age and condition of housing in the Town. This is not feasible as many homes in Loxahatchee Groves are not visible from the roadways and age cannot be determined by visual inspection. In discussion of Objection No. 16, it was determined census data for the County or the most relevant Census Block Group could be used. Such analysis was completed in the Housing Element Data Inventory and Analysis, however, more detailed tables will be provided.

Objective 1.14 was added to state that the Town shall encourage as needed the redevelopment and renewal of blighted areas in order to ensure stability of the community. Policies 1.14.1 and 1.14.2 were added to address rehabilitation, demolition and historic preservation. (reflecting Housing Element Policies 6.1.2(1) and 6.1.3.

Objection No. 9 Strategies for Greenhouse Gases and Energy Efficiency. DCA recommended creating an energy efficient land use pattern that is compact, discourages urban sprawl and promotes use of alternative modes of transportation that will reduce vehicle miles traveled. DCA suggested that the Town develop policies that address the potential aggregation of lots for a future town center, marketplace, or commercial and employment mode that could centrally serve the residents and thereby reduce the number of vehicular trips.

During the spring 2008 visioning process, Town residents generally expressed disinterest in creating a Town Center, but supported further commercial development along Southern Boulevard. The 2008 Strategic Plan allows for “limited non-residential development along Southern Boulevard. To minimize traffic impacts, non-residential uses will be considered south of Citrus Road East.”

Future Land Use Element. The Future Land Use Element Data Inventory and Analysis was edited to include background information on climate change and the basis for policies regarding energy efficiency, greenhouse gas reduction, and urban sprawl (page 1-16 through 1-17). Map 1-13 Energy Conservation Areas and Features was added to highlight features in Loxahatchee Groves that contribute to reduced energy use and greenhouse gas production: agricultural lands, wetlands, parks, the rural-style commercial center, transit, and pedestrian and bike paths.

Objective 1.2 was restated to emphasize the Town’s support of commercial development along the Southern Boulevard Corridor to address this Objection including the Town’s intent to create a rural-style commercial center along Southern Boulevard.

Objective 1.12 was added to require that changes to the future land use plan must be considered based upon energy-efficient land use patterns and discouragement of sprawl accounting for existing and future energy electric power generation and transmission systems. Policies 1.12.1 and 1.12.2 ensure electric substations and solar panels may
be placed within the Town. Policy 1.12.3 encourages the development of a rural-style commercial center along the Southern Boulevard Corridor. Policy 1.12.4 ensures home based businesses would be allowed.

Policies 1.12.5 through 1.12.6 support an efficient multimodal transportation system through the Master Roadway, Equestrian and Greenway Plan with consideration for connectivity and ensuring redevelopment is transit-ready.

Objective 1.13 states that the Town shall implement greenhouse gas reduction strategies. Policies 1.13.1 through 1.13.3 call for education on home energy reduction, automobile idling, and placement of trees to reduce energy consumption.

Policies 1.13.4 and 1.13.5 call for continued support of sustainable agricultural uses and continued open space requirements in development and redevelopment. Policy 1.13.6 requires the City to amend its land development regulations by March 2010 to adopt specific standards and strategies that address greenhouse gas emission, energy efficient housing, and overall energy conservation.

**Housing Element.** DCA also recommended that the Housing Element include policies which promote energy efficiency and the use of renewable energy resources in the construction of new homes as well as during redevelopment activities. Objective 6.5 was added to support energy efficiency and the use of renewable energy resources in existing housing and in the design and construction of new housing. Policy 6.5.1 encourages LEED or other nationally recognized standards for residential construction and Policy 6.5.2 calls for education on home energy reduction.

**Transportation Element.** The Transportation Element was revised to add Objection 2.9 to state that the Town shall support and coordinate with Palm Beach County to reduce greenhouse gas emission by promoting alternative modes of transportation. In addition to emphasizing that the Master Roadway Equestrian and Greenway (MREG) and related projects would reduce GHG production in Policy 2.9.1, the Town can require that new development is "transit-ready" along major collectors and arterials in new Policy 2.9.2.

**Conservation Element.** The Data Inventory and Analysis in the Conservation Element was edited to include background information on climate change (same language as in the Future Land Use Element) and the basis for policies regarding energy efficiency, greenhouse gas reduction, and urban sprawl. (page 4-9, 4-10). In addition Policies 4.1.4 and 4.1.5 were added to state that the Town would promote energy conservation and reduction of greenhouse gases through multi-use trails, roadway efficiency and education of automobile idling. Policy 4.3.8 encourages recycling construction materials in demolitions. Policy 4.6.3 was edited to education the public on the placement of canopy trees to reduce energy consumption.

**Objection No. 10 Urban Sprawl.** As noted in Objection No. 9, DCA recommended creating an energy land use pattern that is compact, discourages urban sprawl and promotes use of alternative modes of transportation that will reduce vehicle miles traveled. Objective 1.2 was restated to emphasize the Town's support of commercial development along the Southern Boulevard Corridor to address this Objection including the Town's intent to create a rural-style commercial center along Southern Boulevard.
Objection No. 11 Consistency with Comprehensive Plan. DCA recommended adding a policy that the Town shall base all of its future land use decisions upon and to be internally consistent with its adopted Comprehensive Plan. This will be added to the Future Land Use Element.

Policy 1.1.12 was added to address this objection.

Objection No. 12 Land Development Regulations. DCA recommended including a policy stating that the Town will adopt and enforce a set of land development regulations that are consistent with and implement the Town’s Comprehensive Plan within one year of adoption of the Comprehensive Plan and submit them to DCA for review. This policy will be added to the Future Land Use Element.

Policy 1.1.13 was added to this effect.

Objection No. 13 Transportation Data and Analysis Required. DCA recommended that the Town coordinate its Future Transportation Map and improvements with the Long Range Transportation Plan of the Metropolitan Planning Organization. The existing Transportation Element does indicate that the maps and Data Inventory Analysis is coordinated with the Palm Beach Metropolitan Planning Organization’s 2030 Long Range Transportation Plan.

TRN-9 Future Pedestrian, Bicycle and Multiuse Facilities 2030 and TRN-10 Future 2030 Cost Feasible Transit Network revised to indicate the 2030 MPO planning horizon.

Objection No. 14 Lack of Data and Analysis/Ensure Level of Service Standard is Met. DCA recommended additional data and analysis on the Town’s ability to achieve and maintain adopted level of service standards particularly for local roads. Richard Post at DCA stated that municipalities are required to set a level of service standards for arterial and collector roadways (i.e., Okeechobee Boulevard, Southern Boulevard, and Folsom Road); however, it is not necessary to have a level of service standard for local roads.

The level of service for local roads was removed since it is not a requirement for comprehensive plans and Policy 2.1.1 was stricken. By doing so, the recommendation to provide data and analysis is no longer valid. The Town can plan for roadway improvements to suit the needs and interests of Loxahatchee Groves’ residents and business owners through its own Master Roadway Equestrian and Greenway Plan.

Objection No. 15 Protection of Future Transportation Rights of Way. DCA recommends that the Comprehensive Plan include a policy for the acquisition, preservation, or protection of right of way.

Transportation Element Policies 2.2.3 and 2.6.2 provide for this recommendation and were revised to add the Loxahatchee Water Control District to the other agencies listed in the policy for coordination.

Objection No. 16 Inventory of Substandard Housing. DCA recommended a windshield housing survey to estimate approximate age and condition of housing in the Town. This is not feasible as many homes in Loxahatchee Groves are not visible from the roadways.
and age cannot be determined by visual inspection. In discussion of Objection No. 16 with Richard Post at DCA, it was determined census data for the County or the most relevant Census Block Group could be used. Such analysis was completed in the Housing Element Data Inventory and Analysis, however, more detailed tables will be provided.

The following Census characteristics were analyzed on page 6-10 of the transmitted Comprehensive Plan: age of structure and home value; over-crowded living conditions; and the lack of plumbing and kitchen facilities. Based upon the analysis of these characteristics, it was concluded that substandard housing and living conditions are not issues at this time (page 6-10). The characteristics discussed are those from the Census that are normally used to assess housing and living conditions.

As the above characteristics are only available at the Block Group Level, the analysis contained in the transmitted Comprehensive Plan was completed assuming that the characteristics of Census Tract 78.16, Block Group 3 were representative of the Town as a whole (Refer to the Comprehensive Plan, page 6-1). Two additional Block Groups are partially located within the corporate limits: Census Tract 78.09, Block Groups 1 and 2. However, these Block Groups were not included in the analysis, since they contain areas outside of the Town that are not representative of its character, and may skew any conclusions and related policies based thereon. The decision to use Tract 78.18, Block Group 3 to represent Town characteristics was discussed with and confirmed by the Palm Beach County Planning Division prior to its use.

It is recognized that using Block Group data that are not coterminous with the corporate limits can result in erroneous conclusions. For example, using Census Tract 78.16, Block Group 3 data, it was concluded (page 6-1) that there are no dwelling units in Loxahatchee Groves that were built prior to 1950. However, data from the Florida Master Site File indicates that there are at least 6 homes that were built during the 1920 – 1940 period. As a result, housing characteristics data used as the basis to prepare specific housing policies should await completion of the 2010 Census.

It is therefore concluded that the "best available" data was used to evaluate housing conditions in Loxahatchee Groves. As the next decennial census will be completed in 2010, any update of related analysis should be tied thereto. Further, according to the Shimberg Institute, specific Florida Housing Data Clearinghouse information necessary to complete the Town’s Affordable Housing Assessment should be available during FY 2009.

Objection No. 17 Historically Significant Housing. DCA recommends including data from the Florida Master Site File with their general locations. Master site file data will be reviewed and included in the Housing and Future Land Use Element.

Table 6-11 was added on page 6-12 to show master site file data.

Objection No. 18 Rural and Farmworker Housing. DCA recommended adding specific objectives and policies on location of special needs housing and rural and farmworker housing to ensure an adequate supply and ensure suitable transit option are available. Relevant data will be included as well if available. These will be included in the Housing
Element. Also, Policy 1.1.11 from the Future land Use Element in regard to regulating accessory dwelling units, caretaker quarters, and groom's quarters will be included in the Housing Element as well.

Using SF 3 data from Census Tract 78.09, Block Groups 1 and 2 and Census Tract 78.16, Block Group 3 (i.e. Block Groups encompassing the corporate limits of Loxahatchee Groves), the 2000 Census farmworker-related data was added on page 6-13.

In order to further support provision of farmworker housing, the following changes have been made to Objective 6.2 and Policy 6.2.3:

6.2 Objective: 
Adequate and affordable housing, consistent with the rural character of the Town, shall be provided for existing residents and anticipated population growth, including housing to accommodate any defined specialized needs of very-low, low and moderate income households, elderly households, or handicapped, or displaced residents, and farmworkers. Also, provisions shall be made for foster care housing and manufactured or mobile homes.

6.2.3 Policy: 
Provide for innovative housing alternatives (e.g. single-room occupancy, accessory residential structures, caretaker quarters, groom's quarters, manufactured and mobile homes and congregate living alternatives) oriented to facilitating reduced housing costs for very low, low and moderate income households and special needs populations.

The need for farmworker housing can be accommodated by Policy 1.1.11 of the Future Land Use Element and Policies 6.2.3 and 6.2.5 of the Housing Element, which direct the Town to provide for opportunities for accessory dwelling units, caretaker quarters, groom's quarters, single-room occupancy, mobile and manufactured housing, and congregate living.

Objection No. 19 Provision of Affordable Housing. DCA recommended that the Town include a policy to address the provision of affordable housing through the private sector or through and interlocal agreement with the County in its application of the Strategic Housing Initiatives Program. Because of the low density nature of the area, it may be most appropriate for the Town to enter into interlocal agreement with the County to provide for affordable housing. Such a policy will be provided in the Housing Element.

Policy 6.2.9 was added to state the following:
The Town shall support regional efforts to address low income and workforce housing by working with the Palm Beach Intergovernmental Plan Amendment Review Committee (IPARC) to develop an Interlocal Agreement whereby municipalities could jointly pursue a comprehensive approach and solution to this county-wide issue within two years from the date of the adoption of this Comprehensive Plan.

Objection No. 20 Principles of Guiding Location of Affordable Housing. DCA recommends adding policies that guide the location of affordable housing including
language that support infrastructure and public facilities. Such policies will be added to the Housing Element.

Policy 6.2.6 was revised to encourage development of affordable and workforce housing in proximity to employment opportunities and major transportation facilities. Also, Policy 6.2.7 was revised to encourage congregate living facilities as a permitted use south of Collecting Canal Road in proximity to Palms West Hospital.

Objection No. 21 Conservation, Rehabilitation, and Demolition Strategies. DCA recommended adding policies that establish strategies for conserving, rehabilitating, or demolishing, if necessary, housing stock.

Policy 6.1.3 was revised as follows:

*During the initial preparation and adoption of land development regulations supporting this Comprehensive Plan, and at the time of each successive required Evaluation and Appraisal Report, evaluate the need to designate any housing structures as locally historically significant and in need of special consideration under the provisions and criteria cited in the Standard Housing Code.*

Objection No. 22 Coordination with Agencies. DCA recommended including appropriate data and analysis demonstrating the coordination of road and drainage facilities within the Town. The Town will include in the Intergovernmental Coordination Element information on roadway maintenance responsibility and details on current coordination procedures with the Loxahatchee Groves Water Control District.

Table 7-1 was adjusted on page 7-7 and 7-8 to state that monthly intergovernmental coordination meetings are held between the Town and the LGWCD to discuss shared responsibility of roadways and drainage to coordinate effective management.

Objection No. 23 Siting of Facilities with County-Wide Significance. DCA recommends including a policy regarding siting of facilities with county-wide significance. This has already been provided in Intergovernmental Coordination Element Policy 7.2.2, but additional policies will be developed to address the establishment of a joint process.

Item 3 was added to Policy 7.2.2 to address joint planning processes or joint planning areas regarding siting facilities with county-wide significance with local governments, the School District of Palm Beach County, other governmental units providing services but not having regulatory authority over the use of land, the region, and the state. Also, Policy 7.2.4 was added to state that the Town shall participate in the Intergovernmental Plan Amendment Review Committee (IPARC) in order to ensure communication and coordination with other municipalities on comprehensive planning issues.

Objection No. 24 Public School Concurrency Suspension. DCA recommends not adopting Public School Facilities Element Policy 8A.2-j regarding suspension or school concurrency. This policy will be stricken.

Policy 8A.1.5 was stricken.
Objection No. 25 CIE Policies/Financial Feasibility/5-Year Schedule of School Facilities. DCA recommends adding policies in the Capital Improvement Element that establish level of service for school and incorporate the current 2009-2013 Plan and Capital Budget adopted by the School Board of Palm Beach County.

Policy 9.2.17 was added to state that the FY2009-2013 Plan & Capital Budget adopted by the School District of Palm Beach County on September 10, 2008 shall be incorporated into the Capital Improvement Element by reference. Policy 9.2.18 was added to restate the public school concurrency level of service standard.

Objection No. 26 Roadway Responsibility and Maintenance. DCA recommends that all roadways shown to fail should have appropriate financially feasible improvements in the Five Year Schedule of Capital Improvements and identify committed funding sources for those facilities. However, this is not required if a level of service is not established for local roads.

As previously mentioned in regard to Objection No. 14, Richard Post of DCA stated that municipalities are required to set a level of service standards for arterial and collector roadways (i.e., Okeechobee Boulevard, Southern Boulevard, and Folsom Road) however, it is not necessary to have a level of service standard for local roads. Okeechobee, Southern and Folsom are all state and county roadways. The Town can plan for roadway improvements to suit the needs and interests of Loxahatchee Groves’ residents and business owners through its own Master Roadway Equestrian and Greenway Plan.

Comments from the Loxahatchee Groves Water Control District. An Intergovernmental Coordination Committee was established by the Town and Water Control District. Each agency appointed one member to the committee which also included the Town Manager and District Administrator. This committee reviewed the District’s concerns and amended language was incorporated into the Comprehensive Plan to the satisfaction of both entities.
To: Council Members
From: Staff
Date: April 17, 2009 Council Meeting
Subject: Local Government Comprehensive Plan Amendment Review
Adopted Amendments to the Village of Palm Springs Comprehensive Plan
DCA Reference No. 09-1

Background

On February 26, 2009, the Village of Palm Springs adopted text amendments to the Future Land Use and Transportation Elements and ten amendments to the Future Land Use Map (FLUM) of the Village Comprehensive Plan.

The Treasure Coast Regional Planning Council (TCRPC) reviewed the proposed amendments at a regular meeting held on December 12, 2008. The Florida Department of Community Affairs (DCA) issued an Objections, Recommendations and Comments (ORC) Report on the proposed amendments on December 3, 2008.

Evaluation

A. TCRPC Report

The report approved by the TCRPC contained three comments/recommendations for modification. All applied to the 10th Avenue North (Sunshine Village Mobile Home Park) FLUM amendment. The comments/recommendations are shown in Attachment A.

B. DCA ORC Report

The ORC Report contained two objections. Both of the objections had to do with the text amendments. The objections are shown in Attachment C.

C. Village Response

1. To TCRPC Comments/Recommendations for Modification

A response to the TCRPC comments/recommendations from a representative of the landowners for the Sunshine Village Mobile Home Park property is shown as Attachment B.
2. To the DCA ORC Report

The Village response is shown in Attachment C.

Conclusion

For information only.

Attachments
Comments/Recommendations

*FLUM Amendments*

1. The 10th Avenue North (Sunshine Village Mobile Home Park) FLUM amendment will result in the loss of housing units that are affordable to lower income residents. The applicant has prepared a very thorough housing analysis which documents a considerable inventory of affordable housing units in the area that are potentially available for those residents who are being displaced. However, most of the old, single-section mobile homes within the Sunshine Village Mobile Home Park are probably not structurally sound enough to be relocated. The mobile home owners may find it difficult to afford alternate housing. Moving assistance is available for those mobile home owners from the Florida Mobile Home Relocation Corporation. The Village should try to ensure that the moving assistance is provided in a timely manner.

2. The 10th Avenue North (Sunshine Village Mobile Home Park) FLUM amendment property is to be used for a big-box retail facility. It is very difficult to incorporate such a facility and its surface parking into the fabric of an urban area. However, many of the potential customers of this retail facility are likely to access the facility by walking, bicycling or by public transit. The Village should ensure there are pedestrian and bicycle connections to surrounding properties, and that special safety accommodations are made for pedestrian and bicycle traffic on the property. Also, the Village should work closely with Palm Tran to see that transit access will result in safe pedestrian access to the retail facility. Following are some specific urban design recommendations for consideration by the Village during the site planning process:

   a. Ideally there should be vehicular and pedestrian connections to the parcels east and west. At a minimum, there should be pedestrian connections. These connections should be clearly marked as pedestrian, be lined with shade trees, and be a minimum 8’-0” wide.

   b. There should be a 20’-0” minimum median section along the 10th Avenue frontage to accommodate a wide sidewalk, regularly spaced shade trees, and a permanent bus shelter. If this location is not appropriate for a permanent bus shelter, mitigation should be provided to improve the nearest shelter.

   c. The parking lot of the retail facility should be planted with shade trees (ideally live oaks) at a regular spacing which will enhance shopper comfort and reduced heat generation of non-shaded asphalt.

   d. The side and rear perimeter of the structure should be adequately screened from the adjacent parcels. Particular attention should be paid to the northern property line where loading and truck noise could be amplified across the canal unless adequate plantings and screening are provided.
e. Signage should be integrated into the architecture of the building and garden features (e.g. landscape architectural treatments within the frontage median).

f. The storefront should provide deep, continuous, and covered sidewalks for shoppers waiting in inclement weather.

3. Prior to adoption of the 10th Avenue North (Sunshine Village Mobile Home Park) FLUM amendment, the Village should address the concerns raised by the County in the letter from Quazi Bari, P.E., dated October 10, 2008.
Terry Hess

From: Glas-Castro, Kimberly [Kimberly.Glas-Castro@ruden.com]
Sent: Friday, March 13, 2009 10:30 AM
To: Bette Lowe; thess@tcrpc.org
Cc: Rob Ippolito
Subject: Sunshine MHP land use amendment

Good Morning,

This serves as a summary of my understanding of the Applicant and Village's responsive actions to address TCRPC's comments on the #09-1 amendments.

1) The Applicant is beginning to put together a relocation package for the current residents. The residents' attorney was present at the Village's adoption hearing, and entered into the record that they were not objecting to the land use amendment. The Applicant will be meeting with the residents' attorney to discuss their concerns as the relocation assistance package is being compiled.

3) DCA's ORC included a comment similar to that of Treasure Coast that we needed to revise the traffic analysis to address the County's comments. The Applicant's consultants and Village staff met with County Traffic staff to discuss their comments and the clarifications or additional information that would be needed to satisfy them. Kimley-Horn prepared a revised analysis and response letter to address County Traffic's comments.

2) At the meeting with County Traffic, the Applicant was put on notice that connectivity would be a requirement of the TPS letter. The Village also committed that during the rezoning and site plan approval processes that they would be requiring connectivity. The Applicant has informed the Contract Purchaser of TCRPC's comments regarding transit access, vehicular and pedestrian connections, the need to reduce heat island effect, effective screening, building vestibules, etc; and has recommended that the Contract Purchaser design the initial site layout with these characteristics because the Village has indicated that they will be looking for these during site plan review.

Bette, please correct me if I have misstated something.

- Kim

3/16/2009
RESPONSE TO ORC 09-1
RESPONSE TO
OBSJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
VILLAGE OF PALM SPRINGS
PROPOSED COMPREHENSIVE PLAN AMENDMENT 09-1

I  Consistency with Chapter 163, F.S., and Rule 9J-5, F.A.C.

The Village of Palm Springs proposed comprehensive plan amendment has a total of 13 proposed amendments; two text amendments and 11 Future Land Use Map Amendments. The Department has identified the following objections and comment to the proposed comprehensive plan amendment:

II  Objections

Objection 1: Objective F and Policy F.1 of the Transportation Element are proposed to create Transportation Concurrency Exception Areas within the Village. The objective and policies lack meaningful and predictable standards and a measureable outcome to promote the development of public transportation and urban infill development. The Village has not fulfilled the requirements pursuant to 9J-5.0055(6) F.A.C., to establish a Transportation Concurrency Exception Area. Additionally, the Transportation Concurrency Exception Area as identified in Figures 1A through 1D does not include the same geographic area as established by the Palm Beach County Transportation Concurrency Exception Area and includes areas of the County that have not yet been annexed by the Village.

Authority: Section 163.3 180(5), F.S.; Rule 9J-5.0055(6), F.A.C.

Response:
The Village of Palm Springs will update its Comprehensive Plan with regard to its established TCEA and accompanying transportation concurrency policies in accordance with the Palm Beach County’s update to their Comprehensive Plan regarding Transportation Concurrency Exceptions Areas (TCEA). This update will take place on or before 2011. Maps have been revised depicting only Palm Springs URA/TCEA and a separate map has been included for future annexation area in the Palm Beach County URA/TCEA.

See proposed Transportation Element policy revision to Objective (F).

Policy F.2  The Village shall update Objective F and the accompanying policies regarding Transportation Concurrency Exception Areas within 18 months of Palm Beach County’s update to their Comprehensive Plan regarding Transportation Concurrency Exception Areas pursuant to Section 163.3180(g), Florida Statutes.

Objection 2: The Village did not include adequate data and analysis to demonstrate that it has sufficient water and wastewater treatment capacity and road capacity to serve the maximum development potential from the proposed land use designations. The Village failed to address the maximum development potential of the Oxygen and Cornerstone Amendments by including the commercial and light industrial land uses in the analysis and specifying the maximum Floor Area

February 21, 2009
RESPONSE TO
OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
VILLAGE OF PALM SPRINGS
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Ratio for Commercial and Light Industrial land uses. Additionally, the Village did not identify the water supplier for the annexed parcels and any additional water demand that will result from the change in land use.

Due to the absence of an impact analysis on public facilities the Village has not demonstrated that its Future Land Use Map is coordinated with the availability of adequate public facilities or that the proposed land use change is internally consistent with the Future Land Use Element Objective F and Policies F.2 and F.4; Transportation Element Objective C and Policy C.3; Infrastructure Element Objective A and Policy A.1; and Capital Improvements Element Objective A and Policy A.3. These objectives and policies require the Village to ensure coordination between land uses and the provision of public facilities and to ensure new development and redevelopment are provided services that meet the Village's level of service standards.

Authority: Sections 163.3167(32); 163.3167(13); 163.3177(2), (3), (6)(a), (b), (c), (d), and (j) and (8), F.S.; Rules 9J-5.005(2), (3), and (5); Rules 9J-5.006(2), (3)(b)l and (c)3; and 9J-
5.011(1), (2)(b)l and 2, (2)(c)l and 2; 9J-5.016(1), (2), (3)(b)l, 3, 4, and 5, (3)(c)6 and 8, and (4); and 9J-5.019(3), (4)(b)2,3, and (3)(c)11, F.A.C.

Response:
The Village has included data and analysis that demonstrates that there is sufficient water and wastewater treatment capacity to serve the Oxygen and Cornerstone Plan Amendments. Water suppliers have been identified specifically for the annexed parcels. Maximum development potential for Oxygen and Cornerstone has been addressed and a site specific Future Land Use policy will be added to establish a maximum square footage limitation for the Cornerstone Plan Amendment.

See new Future Land Use site specific policy below:

Policy F.6 Development for the Cornerstone Plan Amendment (17.93 acres) located at 2765 10th Avenue shall be limited to 175,000 square feet.

February 21, 2009
Consistency with Chapter 187, F.S.

The proposed amendment is inconsistent with the following provisions of Chapter 187, F.S., the State Comprehensive Plan:

Section 187.201(7), Water Resources, Policy (b)5 concerning water resources and ensuring that new development is compatible with existing local and regional water supplies.

Section 187.201(15), Land use, Policy (b)1 concerning land use and directing development to areas that have the capacity to accommodate growth.

Section 187.201(19), Transportation, Polices (b) 3, 9 and 13 concerning the availability of an efficient transportation system.

Section 187.201(25), Plan Implementation, Policies (b) 1, 3 and 5: Ensure that local plans implement and accurately reflect State goals and policies.

By addressing the concerns noted in Section I., these inconsistencies with Chapter 187, Florida Statutes, can be addressed.

Response:
The above concerns have been addressed by answering objections I and II of the ORC.
To: Council Members

From: Staff

Date: April 17, 2009 Council Meeting

Subject: Local Government Comprehensive Plan Amendment Review
Adopted Amendments to the Village of Palm Springs Comprehensive Plan
DCA Reference No. 09-RWSP1 (previously 08-RWSP1)

Background

On February 12, 2009, the Village of Palm Springs adopted text amendments to several elements of the Village Comprehensive Plan. The amendments were to address statutory requirements for water supply facility planning.

The Treasure Coast Regional Planning Council (TCRPC) reviewed the proposed (draft) amendments at a regular meeting held on September 19, 2008. The Florida Department of Community Affairs (DCA) issued an Objections, Recommendations and Comments (ORC) Report on the proposed amendments on September 30, 2008.

Evaluation

A. TCRPC Report

The report approved by the TCRPC had no comments or recommendations for modification. The amendments were considered to be consistent with the Strategic Regional Policy Plan.

B. DCA ORC Report

The ORC Report contained six objections. The objections have been summarized by the Village in Attachment A.

C. Village Response

1. To TCRPC Comments/Recommendations for Modification
   No response necessary.

2. To the DCA ORC Report
   The Village response to the DCA objections is shown in Attachment A.
Conclusion

For information only.

Attachment
Note: Responses with headings in YELLOW have been supplied to the Village by Eckler Engineering's Evan Kennedy, E.I. Revised Policies responses and final comment response have been supplied by LaRue Planning & Management Services, Inc.

I. Consistency with Rule 9J-5, F.A.C., and Chapter 163, F.S.

The Village of Palm Springs proposed comprehensive plan amendment consists of revisions to the Potable Water Sub-element, and the Conservation, Intergovernmental Coordination, and Capital Improvements Elements incorporating the adopted 10-Year Water Supply Facilities Work Plan into the Village's Comprehensive Plan. The Department has identified the following objections to the proposed comprehensive plan amendment:

Objection 1: The Village provides bulk water sales to the Town of Lake Clarke Shores and purchases bulk water from Palm Beach County. The Village has not included information in its data and analysis to demonstrate that its projections of bulk water sales to Lake Clare Shores has been coordinated with the Town of Lake Clark Shores' population projections and water supply demands. The Village has not included information in its data and analysis to demonstrate that its projections of bulk water purchases has been coordinated with Palm Beach County's Water Supply Plan and the County's ability to provide the water projected to be needed by the Village.

Response: As was stated in the 10-Year Water Supply Facilities Work Plan, the Village is still in the process of renewing their Water Use Permit and an agreement between Palm Beach County and the Village for the purchase of bulk water has not yet been finalized. At this point, it is unclear whether or not the Village will need to purchase water from Palm Beach County and how much water is actually needed. The Village is also in the process of trying to obtain a larger amount of water for their water use permit from the South Florida Water Management District. Since there are still many questions about this issue, a table has been added on page 2-5 of the Work Plan stating the amount of water that may be needed to be purchased from Palm Beach County.

The Work Plan has been edited to coordinate populations within the Town of Lake Clarke Shores with the Town's population projections from their 10-Year Water Supply Facilities Work Plan. Tables 2-1, 2-2, 2-4, and 2-5 have been edited to coordinate the populations within the Town of Lake Clarke Shores' 10-Year Water Supply Facilities Work Plan. In addition, mention has been given to the bulk sale of water to the Town of Lake Clarke Shores on page 2-1 of the Village's Work Plan. The Village of Palm Springs does have adequate water supplies to continue to supply the Town of Lake Clarke Shores through 2025.

Objection 2: Palm Springs operates two water treatment plants. The Village has not indicated whether the water treatment plants are interconnected or operate independently. The Village's data and analysis does not include information about the permitted capacities for the two water treatment plants, their available capacities, or their service areas. The Village has not evaluated projected demand within each water treatment service area. The Village has not demonstrated that each water treatment plant service
area will have sufficient water treatment capacity to meet the demands within their respective service areas.

Response: The two treatment plants operate on an interconnected transmission and distribution system. The Main Water Treatment Plant has a design capacity of 6 million gallons per day, and the R.L. Pratt Water Treatment Plant has a design capacity of 4 million gallons per day. Text on this has been added into the Village's Work Plan in Section 1.2.2.

Objection 3: The Village has not evaluated reclaimed water as a possible water conservation measure that could be implemented by the Village to offset projected potable water use.

Response: The Village of Palm Springs Utility Department does not have control, either directly or indirectly, of any wastewater treatment plant. Therefore, the application of reclaimed water would not be feasible. Moreover, the cost of implementing a reclaim system outweighs the benefit at this time.

Objection 4: The Village has not developed an adequate water conservation program as part of its Water Supply Plan nor has the Village incorporated an adequate water conservation program in its comprehensive plan. Existing Potable Water Sub-Element Policy E.2 required the Village to revise its Landscaping Ordinance to "encourage" water conservation through the use of native vegetation and drought resistant vegetation; Policy E.4 requires the Village to "encourage" new development to use irrigation systems that reduce peak demand on the potable water supply; and Policy E.7 required the Village to institute a graduated water use rate structure by 2000.

In addition, revised Conservation Element Policy C.1 will "encourage" wastewater reuse, dual conveyance, and use of gray water. New Conservation Policy C.4 states that the Village shall "determine" appropriate landscape water conservation measures" and "encourage" or require where appropriate, ... the use of native drought tolerant plants and the use of low volume irrigation." New Conservation Policy C.11 states: The "Village shall 'consider' alternative means and incentives to conserve water such as low plumbing fixture programs, irrigation meters, reuse of stormwater, surface water pumps and the identification of other alternative water supplies." These policies do not include specific programs and activities to be undertaken by the Village to implement these water conservation programs.

Response: The Village of Palm Springs Water Supply Plan Policies has been modified to implement water conservation practices as described:

08-RWSP1
ORC Response
Village of Palm Springs
RESPONSE TO:
OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
VILLAGE OF PALM SPRINGS
PROPOSED COMPREHENSIVE PLAN AMENDMENT 08RWSP1

Infrastructure Element:

Policy E.2:  Revise the Adopt a Landscape Ordinance to encourage which requires the use of water-efficient landscaping in all new development and redevelopment, and require functioning rain-sensor devices on all new automatic irrigation systems on both new and existing systems, and requires the conservation of water in irrigation by promoting the use of native vegetation and/or the SFWMD South Florida Water Management's xeriscape practices when considering all proposals for development and/or redevelopment.

New Policy E.2.1:  The City will enforce the SFWMD's lawn and landscape irrigation rule, which limits irrigation to two days per week (based on address) between the hours of 12 a.m. to 10 a.m. and/or 4 p.m. to 11:59 p.m. with some exceptions, as may be revised.

Policy E.4:  The Village shall encourage new developments to provide separate irrigation systems which reduce peak demands on the potable water supply as part of the site plan and land development review process, will promote the use of low impact development techniques such as the Florida Water Star™ program, which is a point based, new home certification program for water-efficient developments, similar to the Federal Energy Star program.

New Policy E.4.1:  The Village shall issue no development orders or development permits without first consulting with the Village of Palm Springs Utilities District and the Palm Beach County Water Utilities District to determine whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the Village or a certificate of occupancy or its functional equivalent. The Village will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its equivalent.

Policy E.7:  In an effort to facilitate better water conservation management, the Village shall encourage the stabilization or reduction of consumptive water use for the Village's water system by instituting graduated water use rates by 2006–2010, that establishes a premium charge for potable water usage above the LOS standards developed in Policy A.1 (Table 2) Policies B.2.1 and B.2.2.

New Policy E.7.1:  The Village shall inform residents and businesses of, and shall encourage their participation in, the local and regional water conservation programs. These
information and educational programs shall include the following types of efforts:

a. brochures and signage to be made available at Village Hall;

b. pursuing funding through SFWMD Community Education Grant and cooperative funding programs for educational efforts such as demonstration gardens and prototype landscaping on public properties; and,

c. inviting speakers for forums or workshops at Village Hall.

New Policy E.7.2: The Village shall develop a leak detection and repair program for all Village facilities by 2010. It shall also encourage its citizens to adopt such a program for their own individual properties.

Conservation Element:

Policy C.4: Promote water conservation through the enforcement of the adopted Florida Building Code which requires such items as low-volume commodes, water flow restrictions for showers and spigots and similar devices in all new construction and renovations, and will comply with the SFWMD water use restrictions and ensure that low water use plumbing fixtures are used in all new buildings or in conjunction with permitted renovations in accordance with Florida Water Conservation Act, Section 553.14, Florida Statutes, as may be amended.

Policy C.1: Institute encourage and promote water conservation techniques and programs, by 2010, in cooperation with the South Florida Water Management District and other appropriate agencies such as use of low volume plumbing fixtures, wastewater re-use, dual conveyance, gray water, and others, through local regulation in order to promote a low per capita consumption of potable water within one (1) year from submittal of this Comprehensive Development Plan.

New Policy C.1.1: The Village shall inform residents and businesses of, and shall encourage their participation in, the local and regional water conservation programs. These information and educational programs shall include the following types of efforts:

a. brochures and signage to be made available at Village Hall;
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b. pursuing funding through SFWMD Community Education Grant and cooperative funding programs for educational efforts such as demonstration gardens and prototype landscaping on public properties; and,

c. Inviting speakers for forums or workshops at Village Hall.

New Policy C.1.2: The Village shall develop a leak detection and repair program for all Village facilities by 2010. It shall also encourage its citizens to adopt such a program for their own individual properties.

New Policy C.1.3: The Village will continue to cooperate with the South Florida Water Management District (SFWMD) in its efforts to restrict the unnecessary consumption of potable water, particularly as it relates to irrigation, lawn watering, and car washing during periods of drought, supply reduction, and other emergencies.

New Policy C.1.4: The Village shall coordinate local water conservation education efforts with the SFWMD and the Palm Beach County School Board.

New Policy C.11: The Village shall consider require alternate means and incentives to conserve water such as low flow plumbing fixture programs, irrigation meters, reuse of stormwater, surface water pumps and the identification of other alternative water supplies.

Objection 5: New Intergovernmental Coordination Policy B.9 requires the Village to coordinate with Palm Beach County on population and water supply estimates and projections, but the policy does not include coordination with the Town of Lake Clarke Shores.

Response: Policy B.9 has been revised as follows:

Policy B.9: The Village shall coordinate with Palm Beach County, the Town of Lake Clarke Shores, Greenacres City, Atlantis, and South Florida Water Management (SFWMD) and adjacent municipalities to ensure that the Village’s estimates and projections for potable water demand are incorporated into the County’s estimates of demand. In addition, the Village will:

a. Continue to maintain relationships with the SFWMD, Palm Beach County, the Town of Lake Clark Shores, Greenacres City, and Atlantis to maintain or reduce potable water consumption thorough education, conservation, and participation in ongoing programs of the region.
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county and local jurisdictions including coordinating local conservation education efforts with the SFWMD and the Palm Beach County programs.

b. Continue to coordinate, as appropriate, with the Town of Lake Clarke Shores, Greenacres City, Atlantis, Palm Beach County, and SFWMD regarding water supply issues. The coordination efforts will include, but not be limited to, sharing of information regarding water supply needs, implementing alternative water supply projects (including reuse and other conservation measures), establishing level of service standards, and serving newly annexation areas.

Objection 6: The Table of Contents in the Proposed Water Supply Facilities Work Plan dated June 25, 2008 includes a reference to "10 Year Water Supply Projects" as being included with the Capital Improvements Element. The 10 Year Water Supply Projects item was not included. The proposed revisions to the Capital Improvements Element notes that existing Table 4 (School District of Palm Beach County Six Year Capital Improvements Schedule) will be replaced with a new Table 4 (School District of Palm Beach County Six, Ten and Twenty Year Capital Improvements Schedule). The new table was not included.

Response: to Objections 4 -5 - 6

These objections do not apply to the 10-Year Water Supply Facilities Work Plan portion of the Comprehensive Plan Amendment.

In addition to the above responses to ORC, the following revisions to the Work Plan have been completed according to our meeting with Palm Beach County.

1. Figure 1-1 has been revised to be better coordinated with Palm Beach County’s maps.
2. The minimum level of service within the Village of Palm Springs Service Area is 110 gallons per day per person. Reference to this being the minimum level of service has been added to the report.
3. Section 2 of the Village’s Work Plan has been revised to show that the Village may possibly be purchasing water from Palm Beach County. Since the County’s Work Plan has already been finalized at this time, the County cannot modify their Work Plan at this time to show the same.
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Comment: Proposed Potable Water Sub-Element Policies B.1.2, B.4.1, B.8.1, C.1, and C.3 require the Village to coordinate with "appropriate entities", "applicable agencies", "relevant entities", and "relevant agencies" regarding changes in service area as a result of annexations, evaluating water consumptive rates to ensure consistency with level of service and permitted amounts, to identify long-term water supply strategies, and to evaluate opportunities for additional water supply sources. These policies should be revised to include the specific entities with which the village will coordinate, such as the South Florida Water Management District, Palm Beach County, and the Town of Lake Clark Shores.

Response: The Policies have been revised by stating agencies in a more specific nature such as SFWMD, Palm Beach County Water Utilities District, and the adjacent municipalities of Town of Lake Clark Shores, Greenacres City, and Atlantis.

II. Consistency with Chapter 187, F.S., State Comprehensive Plan

The proposed amendment is inconsistent with the following provisions of Chapter 187, F.S.:

Section 187.201(7), Water Resources, Policies (b) 3,5,9, 11,13, and 14: Ensure that new development is compatible with existing local and regional water supplies, protect aquifers, and promote water conservation;

Section 187.201(15), Land Use, Policies (b) 1 and 6: Locate development in areas that have the capacity to serve new development and consider the impact of land use on water quality and quantity;

Section 187.201(16), Urban Downtown Revitalization, Policy 8: Regarding schools in urban areas:

Section 187.201(17), Public Facilities, Policies (b) 3,4,5,6,7,9: Encourage the development, use, and coordination of capital improvement plans by all levels of government and to ensure the availability of public facilities;

Section 187.201(19), Transportation, Policies (b) 3,7,9, and 13: To provide an efficient transportation system; and

Section 187.201(25), Plan Implementation, Policy (b) 7: Ensure that local plans implement and accurately reflect state goals and policies.

Response: By addressing the concerns noted in Section I., these inconsistencies with Chapter 187, Florida Statutes, have been addressed.
To: Council Members
From: Staff
Date: April 17, 2009 Council Meeting
Subject: Local Government Comprehensive Plan Amendment Review
        Adopted Amendments to the Village of Tequesta Comprehensive Plan
        DCA Reference No. 09-1ER

Background

On February 12, 2009, the Village of Tequesta adopted text amendments to all elements of the Village Comprehensive Plan. The amendments were pursuant to an Evaluation and Appraisal Report (EAR) that was adopted by the Village on May 10, 2007.

The Treasure Coast Regional Planning Council (TCRPC) reviewed the proposed amendments at a regular meeting held on December 12, 2008. The Florida Department of Community Affairs (DCA) issued an Objections, Recommendations or Comments (ORC) Report on the proposed amendments on January 2, 2009.

Evaluation

A. TCRPC Report

The TCRPC report contained two comments/recommendations for modification. The comments indicated the Village should:

1. Clearly indicate how new affordable workforce housing will be provided and how existing affordable housing shortages will be addressed.
2. Revise the potable water level of service so that it reflects reasonable needs and takes into account the need to conserve and protect potable water supplies.

B. DCA ORC Report

The ORC Report contained ten objections. The subject of the objections is shown in Attachment A.

C. Village Response

1. To TCRPC Comments/Recommendations for Modification

   No response was received from the Village. In response to an objection in the DCA ORC Report regarding Potable Water Level of Service Standards, the Village elected to retain the existing level of service.
2. To the DCA ORC Report

The Village response to the DCA ORC Report is shown in Attachment A.

Conclusion

For information only.

Attachment
Mr. Ray Eubanks, Plans Processing Administrator  
Florida Department of Community Affairs  
Division of Community Planning  
Bureau of Local Planning  
2555 Shumard Oaks Blvd.  
Tallahassee, FL 32399-2100  

February 25, 2009  

RE: Transmittal of the Village of Tequesta's Adopted Evaluation and Appraisal Report-based Amendments  

Dear Mr. Eubanks:  

Enclosed please find three copies of: Ordinance No. 16-08 authorizing adoption of the Village of Tequesta's Evaluation and Appraisal Report (EAR)-based amendments; the Village's 2009 Adopted EAR-Based Amendments, and; the Citizens' Sign-in Sheet. Copies of this package are also being transmitted to the review agencies listed at the end of this letter. The Village's adopted Evaluation and Appraisal Report and Comprehensive Plan were previously submitted to the Department of Community Affairs (DCA) and all review agencies.  

The data and analysis for these amendments is contained in the EAR which was adopted by the Village on May 10, 2007 and found sufficient on July 23, 2007. Section 163.3191(10), Florida Statutes (F.S.), requires that a governing body amend its Comprehensive Plan based on the recommendations in the EAR after the report is determined sufficient by DCA. The Village Council authorized transmittal to DCA through first reading of Ordinance No. 16-08 on October 9, 2008. In the January 2, 2009 Objections, Objectives, Recommendations and Comments (ORC) Report, DCA provided objections, recommendations and comments regarding the Village's proposed amendments (DCA No. 09-1ER). The Village's response and corrective actions are as follows:
Objections 1 and 2: The Village has not adopted a Ten-Year Water Supply Facilities Plan, or included a policy that requires the plan to be updated within 18 months of the Lower East Coast Water Supply Plan Update.

Response: The Village is preparing its Ten Year Water Supply Plan, which will be transmitted and adopted separately. New Potable Water Subelement Objective 1.7.0 and Policy 1.7.1 (P. 38) address the statutory requirements.

Objection 3: The Village proposes to replace its existing potable water Level of Service Standard with a system-wide standard without providing the requisite data and analysis.

Response: Proposed Amendment 16 to the Potable Water Subelement (P. 35) and proposed Amendment 9 to the Capital Improvements Element (P. 73) have been deleted to address this Objection. The existing adopted potable water Level of Service Standard will remain unchanged.

Objection 4: Table FLU-1 in Land Use Policy 1.1.2 does not specify the non-residential intensity standard or percentage distribution of uses for mixed-use development.

Response: The intensity standard and percentage distribution of uses for the Mixed Use District were added to Table FLU-1 in Policy 1.1.2. (P. 4). Please note that the Village is not establishing a new Mixed Use District or amending the Future Land Use Map. The Mixed Use District is already identified on the Future Land Use Map and addressed in the existing Comprehensive Plan and Land Development Regulations. The inclusion of Table FLU-1 in Policy 1.1.2 is intended to improve the readability of the Plan, make it easier to interpret, and include density and intensity standards as per statutory requirements.

Objection 5: The Village does not address the new definition of the Coastal High Hazard Area.

Policy 1.5.1 in the Coastal Management Element (P. 61) was revised to include the new statutory definition for the Coastal High Hazard Area, and to correctly identify the location of this area on Figure FLU-19.


Response: The following new or revised objectives and policies were added to address this Objection: Land Use Element – New policies 1.5.9 (P. 6), 1.5.10 (P. 6), revised Objective 1.11.0 (P. 8), new policies 1.11.2 (P. 9) and 1.11.3 (P. 9) were added;
Transportation Element – Revised Objective 1.1.0 (P. 13) and new Policy 1.1.9 (P. 14) were added; Housing Element – New policies 1.3.6, 1.3.7 and 1.3.8 were added (P. 24), and; Conservation Element – New Objective 2.14.0 and policies 2.14.1, 2.14.2., and 2.14.3 were added (pp. 48 – 49).

Objection 7: The Village did not submit its annual de minimus report with the update to the Capital Improvements Element.

Response: The Village is meeting its adopted Level of Service (LOS) Standard on all roadways and has not issued any de minimus exceptions.

Objection 8: The Village has not adopted a Public School Facilities Element.

Response: The Village has adopted a new Public School Facilities Element (Application 14, pp. 78 – 85).

Objection 9: The proposed amendments regarding the protection of historic and archaeological resources are vague and non-specific.

Response: Future Land Use Element Policy 1.4.2 on Page 5 and Housing Element Policy 1.4.3 on Page 25 were revised to provide for increased specificity. Moreover, previously proposed amendments 49 and 50 to the Coastal Management Element were also deleted to address this Objection.

Objection 10: The Five Year Capital Improvements Schedule should cover the period between 2008/09 through 2012/13.

Response: The Capital Improvement Schedule was revised to cover the period 2008/09 – 2012/13, and to include additional information on projected revenues (pp. 76 – 77).

The Village of Tequesta is not located in: an area of critical state concern; Orange, Lake or Seminole County, or; the Wekiva River Protection Area. The Amendments are not one of the exemptions to the twice per calendar year limitation on the adoption of comprehensive plan amendments, and are not proposed to be adopted under a joint planning agreement pursuant to Section 163.3171, F.S.
Mr. Ray Eubanks
February 25, 2009
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Thank you for your assistance in this matter. Please contact me if you have any questions or need additional information. As the Village's designated contact person, my contact information is on the letterhead address.

Sincerely,

Jerry H. Bell, AICP
Principal

Enclosures
Village of Tequesta
EAR-based Amendments Mailing List

Lorenzo Aghemo, Director
Palm Beach County Department of Planning, Zoning and Building Planning Division
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West Palm Beach, FL 33406-5813

Mr. John Sickler, AICP, Director Planning and Zoning Department Town of Jupiter
210 Military Trail
Jupiter, FL 33458

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Florida Department of State Bureau of Historic Preservation 500 South Bronough Street Tallahassee, FL 32399-0250

Nicki Van Vonno, Director Martin County Growth Management Department Administrative Center 2401 SE Monterey Rd. Stuart, FL 34996

Terry Hess, AICP, Deputy Director Treasure Coast Regional Planning Council 421 SW Camden Avenue Stuart, FL 34994

James A. Wolfe, Secretary FDOT District 4 3400 West Commercial Boulevard Ft. Lauderdale, FL 33309

Ms. Joann Manganiello, Town Administrator Town of Jupiter Inlet Colony One Colony Road Jupiter Inlet Colony, FL 33469

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Jim Quinn, Environmental Manager Florida DEP Office of Intergovernmental Programs 3900 Commonwealth Blvd., Mail Station 47 Tallahassee, FL 32399-3000