MEMORANDUM

To: Regional Planning Council Members
From: Staff
Date: December 11, 2009 Regional Planning Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Village of North Palm Beach Comprehensive Plan
DCA Reference No. 09-1ER

Introduction

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

Background

The Village of North Palm Beach has proposed amendments to all elements of the Village Comprehensive Plan. Most of these amendments are based on an Evaluation and Appraisal Report (EAR) that was adopted by the Village on November 30, 2006 and found sufficient by the DCA on February 6, 2007.

In addition, the Village is proposing amendments to address:

1) statutory requirements for water supply facility planning (Chapter 373.0361(7) and 163.3177(6)(a), Florida Statutes) by providing coordination of the Village’s 10-Year Water Supply Facilities Work Plan (WSFWP) with the South Florida Water Management District’s (SFWMD) Lower East Coast Water Supply Plan (LECWSP);
2) the annual update of the Capital Improvements Element and Five Year Schedule of Improvements; and

3) revisions to the Map Series.

Evaluation

Community Profile (taken from Amendment Materials)

The Village of North Palm Beach, located in Northeastern Palm Beach County, was incorporated in 1956. The Village’s five square miles of incorporated area presently supports a resident population of approximately 12,600 and a peak-day seasonal population of an additional 1,500 residents, many of whom live along Lake Worth and the series of inland waterways that provide direct access to the Intracoastal Waterway and the Atlantic Ocean.

The North Palm Beach County Club and associated facilities, located in the heart of the Village, serves as a Village focal point. Commercial development is restricted to Northlake Boulevard and U.S. Highway One. Industrial development is prohibited.

The 1.5-mile stretch of Atlantic beach that forms the eastern boundary of the Village is located entirely within John D. MacArthur Beach State Park. This 385-acre park site is continually being developed in a cooperative effort among the Village, Palm Beach County and the State of Florida to insure the protection of its sensitive coastal habitats while permitting public access and enjoyment. The Village of North Palm Beach is one of only a few coastal communities that does not permit development along the barrier island within its corporate limits.

The following presents the highlights of the amendments:

1. Amendments Pertaining to EAR and Annual Update of the Capital Improvements Element.

   A. General Requirements

   1. This section of the Village Comprehensive Plan has been totally rewritten. It summarizes statutory and rule requirements for comprehensive plans and sets forth the components of the Village plan. It also contains sections on Support Documentation, the selected Planning Period for the comprehensive plan; and population projections.

   B. Future Land Use Element

   1. New Objective 1.B is to permit mixed-use development in areas designated for commercial land uses.
2. New Policy 1.B.1 establishes the use and intensity standards for mixed use development.

3. New Policy 1.B.2 allows for a workforce housing density bonus. The density bonus can be used on site, or a specific financial contribution can be made to assist in an affordable housing program in another jurisdiction.

4. New Policy 3.4 indicates the Village should update its population projections each time there is a development order approval permitting an increase in residential units.

5. New Policy 4.5 promotes mixed use development and new and improved forms of transit to assist in the reduction of greenhouse gas emissions resulting from traffic congestion.

6. New Policy 4.6 encourages cross-access of new development or redevelopment with neighboring parcels in order to promote more efficient travel.

7. New Policy 4.7 is to educate the public about the advantages of appropriate landscaping to provide shade and reduce energy consumption.

8. Special Policy 5.1 is to identify historic properties with an assigned Florida Master Site File reference number on the Future Land Use Atlas.

9. New Objective 6 and its implementing policies encourage infill development and redevelopment along the Northlake Boulevard and U.S. 1 Corridor. New Policy 6.3 requires new development and redevelopment activities to promote transit readiness.

10. The Land Use Classification System included as Table 3.1 adds a new FLUM classification for Light Industrial/ Business.

C. Transportation Element

1. Revised Policy 1.1 indicates that all local roadways not identified as Urban Collectors or Arterials shall be maintained as two-lane local roadways.

2. New Policy 1.2 adopts a traffic level of service standard of "D" for all arterials and collector roadways, consistent with the Palm Beach County traffic performance standards.

3. New Policy 4.2 is to coordinate with and support the County in reducing greenhouse gas emissions by promoting alternative modes of transportation.

4. New Policy 4.8 is to reduce traffic congestion and air pollution by developing improved transit alternatives, in cooperation with Palm Beach County.

5. New Policy 4.9 is to ensure that new development and redevelopment along transportation corridors is transit ready.
6. New Policy 13.7 supports public transit areas, connectivity and opportunities for pedestrian and bicycle access when considering redevelopment proposals.

D. Housing Element

1. Revised Objective 3 adds “workforce” (as defined by Palm Beach County) to those categories of population that require adequate and affordable housing.
2. Revised Policy 3.11 is to work with the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) to support regional efforts to address low income and workforce by developing an Interlocal Agreement for a comprehensive approach and solution to the issue within two years.
3. New Policy 3.12 is to encourage alternative housing accommodations in mixed use developments to facilitate the supply of workforce housing.
5. Objective 6 and its implementing policies is to support energy efficiency and the use of renewable energy resources in existing housing and in the design and construction of new housing.

E. Coastal Management Element

1. New Policy 3.3 addresses redevelopment proposals for existing water-dependent land uses. Such uses may exceed maximum intensity standards if they are compatible with neighboring uses, public access is retained and provided that the water dependent land use is retained and enhanced.
2. New Policy 5.4 commits the Village to continued cooperation with Palm Beach County and other municipalities for reducing vulnerability to natural and man-induced hazards.

F. Capital Improvements Element

1. New Policy 3.4 requires an enforceable development agreement when capital improvements are to be funded by a developer.
2. New Policy 3.6 requires that an alternative revenue source be identified for scheduled improvements that are to be funded by a source that requires a public referendum or other similar action.
3. Revised Policy 4.3 requires an amendment to the comprehensive plan to update the five-year schedule of capital improvements, or
to eliminate, defer or delay the construction of any facility in the schedule of improvements.

G. Annexation Element

This is an optional element. The Element is entirely new and was recommended by the Local Planning Agency during the EAR process. The Goal Statement is to “Annex areas through a process that considers the effects upon public services, as well as benefits to the Village as a whole, and ensures that development within the annexed area is consistent with the North Palm Beach Comprehensive Plan”.

Objectives of the Element include:

13.1 The North Palm Beach Annexation Area shall be within officially designated geographic boundaries as established by the Village Council.

13.2 Annex areas within the designated Annexation Area that can be economically provided with municipal services and will serve to enhance the Village’s fiscal condition.

13.3 Utilize the range of annexation options available to the Village under Florida law, including voluntary and involuntary alternatives, as appropriate, in order to maintain the integrity of existing neighborhoods, and promote logical municipal service delivery.

13.4 The Village shall encourage economic growth by diversifying the property tax base through annexation.

2. Amendments Related to Water Supply Facility Planning

A. Future Land Use Element

1. New Policy 2.6 commits the Village to update the WSFWP at the time of each EAR.

B. Infrastructure Element

1. New Goal Statement 6.2.6 is to coordinate with the Seacoast Utility Authority and Palm Beach County in the preparation of 10-Year Water Supply Work plans, consistent with the LECWSP.

2. Revised Policy 1.1 indicates that potable water level of service standards shall be consistent with those of the Seacoast Utility Authority.
C. Conservation Element

1. New Objective 8 is to participate in water supply conservation programs developed by the Seacoast Utility Authority.
2. New Policy 8.1 commits the City to coordinate with Seacoast Utility Authority to implement potable water conservation programs established as part of its Ten-Year WSFWP and Consumptive Use Permit.
3. New Policy 8.2 indicates the City will cooperate with Seacoast Utility Authority in the development and implementation of water reuse programs, to the extent that they may apply to North Palm Beach.

D. Intergovernmental Coordination Element

1. New Policy 1.15 requires all applications for development approval to procure written confirmation of availability of potable water service prior to issuance of a building permit.
2. New Policy 4.5 has to do with a coordinated effort to confirm the availability of potable water service, consistent with the regional water supply plan, the Ten-Year WSFWP and with Palm Beach County.

E. Capital Improvements

1. Revised Policy 7.1 requires the Village to consult with the applicable service provider to determine the adequacy of water supplies no later than the anticipated date of the issuance of a Certificate of Occupancy.

3. Revisions to the Map Series

The map series amendments are as follows:

- FLUA Maps 3A, and 5 include the Northlake Boulevard Overlay Zone.
- Figure 3-18 was deleted and incorporated as Figure 13-1 of the new Annexation Element.
- FLUA Maps 2 and 3b were amended to depict the Village’s north substation and Public Safety parcels.
- Figure 3-7 was amended to illustrate the revised Coastal High Hazard Area boundary.
- Figures 4-2 to 4-4 were added or revised to reflect current conditions.
Extrajurisdictional Impacts

The Village provided a notice of the proposed amendments to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC). An IPARC Clearinghouse Notice was distributed on June 29, 2009. Council provided a memorandum to all surrounding local governments on October 27, 2009 seeking comments regarding negative extrajurisdictional impacts that may result from the proposed amendments. As of the date of preparation of this report, no comments have been received.

Effects on Significant Regional Resources or Facilities

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

Analysis of Consistency with Strategic Regional Policy Plan

Comments/Recommendations for Modification

1. Proposed Policy 1.B.2 allows for a workforce housing density bonus for lands designated with the Mixed Use FLUM category. If units are constructed on site, 50 percent of the bonus units shall be for affordable as defined under the County Workforce Housing Program Income Guidelines. A developer can also get the density bonus if funding is provided to assist an affordable housing program in another jurisdiction. Such funds, estimated to be 5 percent of the cost of construction of the bonus units, are to be contributed to the Palm Beach County Affordable Housing Trust Fund or other appropriate alternative as determined by the Village.

This is an important policy, and is consistent with SRPP Policy 2.1.1.4. While the SRPP is silent on the issue of the location of units that are given as a bonus to meet affordable housing needs, it is preferable that these units be provided on the site of the development, or at least within the municipality that is granting the density bonus. The location of those units outside the granting municipality may be appropriate in some cases, but they should be located so that there is a nexus between that location and the workforce locations. In applying this policy, the Village is encouraged to ensure that those units are built in such locations that the employees who work in and about the Village but cannot afford to live in the Village can still live in a reasonable proximity to their jobs.

2. Revised Policy 3.11 in the Housing Element indicates the Village will work with the Palm Beach County IPARC to develop an interlocal agreement whereby coastal municipalities could jointly pursue a comprehensive approach and solution to the county-wide low income and workforce housing
shortage problem. This is to occur within two years. This is an excellent policy. The Village should formally request that the IPARC initiate this effort, if this has not been done previously.

3. Reference is made in Section 6.1 of the Infrastructure Element to the WSFWP. However, the Plan has not been adopted as part of the comprehensive plan. Consistent with the requirements of 163.3177(6)(c) F.S., the Village should adopt the WSFWP as part of the Infrastructure Element.

Consistency with Strategic Regional Policy Plan

The contract agreement with the DCA requires the TCRPC to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. The TCRPC finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

The Treasure Coast Regional Planning Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Exhibits

Exhibit

1  General Location Map
2  Location Map
3  Corporate Limits Map
4  Future Land Use Map
5  Future Annexation Areas Map
6  Target Annexation Areas Map
Exhibit 1
General Location Map
Village of North Palm Beach

North Palm Beach
Exhibit 3
Corporate Limits Map

The Village of
North Palm Beach
Fig 2-2 Corporate Limits
Exhibit 6
Target Annexation Areas Map

The Village of
North Palm Beach
Fig 13-2 Target Annexation Areas