

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5F

From: Staff

Date: February 20, 2009 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Town of Cloud Lake Comprehensive Plan
DCA Reference No. 09RWSP-1

Introduction

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

Background

The Town of Cloud Lake has proposed text amendments to the following elements of the Town Comprehensive Plan: Future Land Use, Infrastructure, Conservation, Intergovernmental Coordination and Capital Improvements. The proposed amendments are exempt from the twice per year limitation on amendments (Rule 9J-11.006(1), Florida Administrative Code) because they are to incorporate the Town Water Supply Facility Work Plan (WSFWP) into the comprehensive plan as required in the Florida Statutes. The Town has requested a formal review of the proposed amendments by the DCA.

Evaluation

Some of the text amendments are to address statutory requirements (Chapters 373.0361(7) and 163.3177(6)(c), Florida Statutes) by providing coordination of the Town's 10-Year WSFWP with the South Florida Water Management District's

(SFWMD) Lower East Coast Regional Water Supply Plan (LECWSP). Other text amendments relate to the annual update to the Town's Capital Improvements Element.

Highlights of the amendments are as follows:

1. Future Land Use Element

- New Policy 2 under Objective E indicates the Town should coordinate with the Palm Beach County Water Utilities Department (PBCWUD) to review all future proposed land use change applications to ensure the availability of adequate water supplies.
- New Policy 3 under Objective E is that the Town shall include the PBCWUD in the site plan review and land development process of all proposed development subject to these processes to ensure that water supplies are available to service that development.

2. Infrastructure Element

- New Policy A.4 indicates the Town will consult with the PBCWUD to determine the availability of adequate water supplies. Level of service standards (LOS) are modified, to include the LOS for potable water (125 gallons per capita per day).
- Objective F is revised to indicate the Town will actively participate in potable water supply, conservation and water reuse programs of the PBCWUD and the SFWMD.
- New Policy F.4 is to cooperate and coordinate with PBCWUD and the SFWMD in the preparation and updates to their Water Supply Plans to ensure appropriate input of data and information pertinent to those Plans.
- New Policy F.5 indicates that at the time of each required EAR, the Town shall incorporate necessary Water Supply Plan directives enacted by the PBCWUD and SFWMD.
- New Policy F.6 is to consider revising potable water LOS standard to include residential and non-residential categories pending their prior adoption by Palm Beach County.
- New Objective G is to adopt and maintain a Ten (10) Year Water Supply Facilities Work Plan; and new Policy G.1 indicates the WSFWP is to be adopted as part of this element.

3. Conservation Element

- New Policies under Objective C are to:
 - Participate in the formulation and coordinate in the implementation of potable water conservation programs developed by PBCWUD as part of its 20-Year Water Supply Plan and Consumptive Use Permit.
 - Promote and institute, where practical, water conservation techniques, programs in cooperation with the SFWMD and other appropriate agencies.

- Continue to coordinate with the SFWMD in the conservation of potable water supplies during times of declared water shortages, or water shortage emergencies, by participating in the District's Water Shortage Plan.
- Cooperate with PBCWUD in the development and implementation of water reuse programs, to the extent that they are applicable to Cloud Lake.

4. Intergovernmental Coordination Element

- New policies under Objective A address:
 - Impacts to neighboring jurisdiction public facilities and services.
 - Interlocal agreements and cooperation for joint planning on facilities and services.
 - Required confirmation of the availability of potable water service prior to the issuance of a building permit.
 - Confirmation of the availability of water service in conjunction with the preparation of the EAR.
 - Requiring assurance of adequate water supply allocations to meet future growth from the PBCWUD.
 - Coordination of the WSFWP with Palm Beach County and the SFWMD.
- New Policy B.6 addresses coordination on fair share mitigation for road facilities.

5. Capital Improvements Element

- A number of revisions are proposed to update the data and analysis for this element.
- Tables are revised showing updates to the short and long range schedule of improvements (Tables 3 and 4) and the revised level of service standards for public facilities (Table 5).

Extrajurisdictional Impacts

The Town provided notification of the proposed amendments to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) prior to transmittal, consistent with the Interlocal Agreement. The amendments were noticed by IPARC on December 1, 2008. Council staff is not aware of any objections to the proposed amendments.

Effects on Significant Regional Resources or Facilities

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

Analysis of Consistency with Strategic Regional Policy Plan

Council has no comments/recommendations for modification to the proposed amendments. The amendments are considered to be consistent with the SRPP.

Consistency with Strategic Regional Policy Plan

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

Recommendation

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

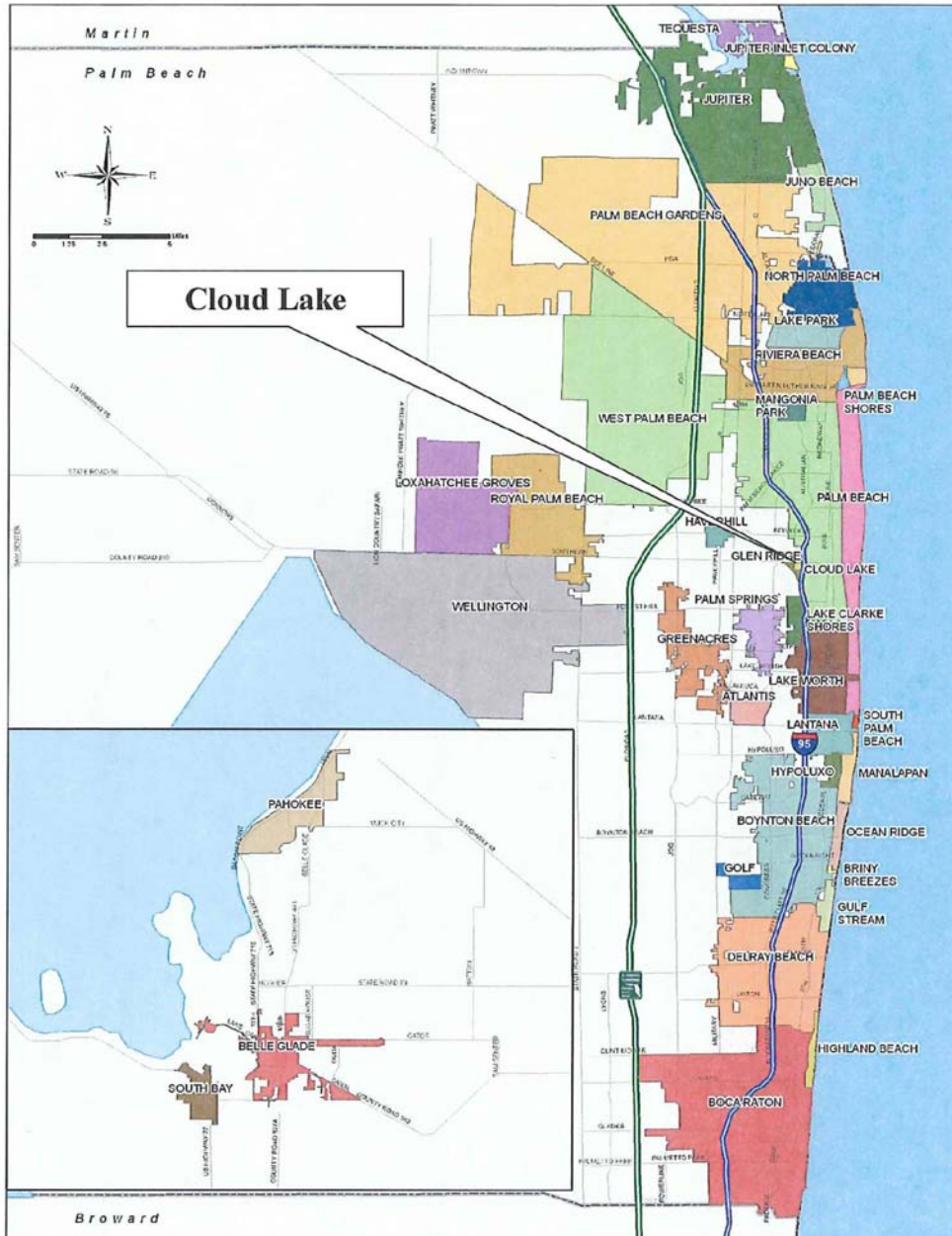
Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Future Land Use Map

Exhibit 1
General Location Map
Town of Cloud Lake



**Exhibit 2
Future Land Use Map**

FUTURE LAND USE MAP

**TOWN OF CLOUD LAKE
PALM BEACH COUNTY, FLORIDA**



LEGEND

- LOW DENSITY RESIDENTIAL
(0-5 D.U./w/AC)
- COMMERCIAL
(BUSINESS/PROFESSIONAL)
- PUBLIC BUILDINGS AND GROUNDS
- CONSERVATION

