

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5N

From: Staff

Date: February 20, 2009 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Palm Beach Gardens Comprehensive Plan
DCA Reference No. 09-RWSP1

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 City of Palm Beach Gardens has proposed text amendments to the Future Land Use, Infrastructure, Conservation, Intergovernmental Coordination and Capital Improvements Elements of the City Comprehensive Plan. The City has requested that the DCA carry out a formal review of the amendments. 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 City's Water Supply Facilities Work Plan (WSFWP) into the comprehensive plan as required in the Florida Statutes.

Evaluation

The purpose of the text amendments is to address statutory requirements (Chapters 373.0361(7) and 163.3177(6)(c), Florida Statutes) by providing coordination of the City's

10-Year WSFWP with the South Florida Water Management District's (SFWMD) Lower East Coast Regional Water Supply Plan.

The proposed amendments are as follows:

1. Future Land Use Element

- Policy 1.2.1.10: The City shall continue to coordinate with Palm Beach County's Department of Environmental Resource Management to ensure that incompatibilities with the Palm Beach County Wellfield Protection Ordinance do not occur when reviewing applications for land use changes.
- Policy 1.2.1.11: The City shall coordinate with Seacoast the review of all land use change applications to ensure the availability of adequate water supplies.
- Policy 1.2.1.12: The City shall update the 10-Year Water Supply Facilities Plan at the time of the Evaluation and Appraisal Report.

2. Infrastructure Element

- Policy 4.D.1.1.8: The City shall coordinate with Seacoast and Palm Beach County in the preparation of their 10-Year Water Supply Work Plans, consistent with the directives of the Lower East Coast Water Supply Plan.
- Policy 4.D.1.1.9: At the time of each required Evaluation and Appraisal Report, the City shall incorporate necessary 10-Year Water Supply Work Plan directives enacted by its water supplier and the regional water supply plan.
- Policy 4.D.1.1.10: The 10-Year Water Supply Work Plan is hereby adopted by reference in the City's Comprehensive Plan and implemented by Seacoast Utility Authority, as the local water provider.

3. Conservation Element

- Policy 6.1.1.9: The City shall actively participate in the formulation and implementation of water supply conservation programs developed by Seacoast Utility Authority considering the SFWMD's Lower East Coast Regional Water Supply Plan.
- Policy 6.1.1.10: The City shall coordinate with Seacoast Utility Authority to implement potable water conservation programs established as part of its 10-Year Water Facilities Work Plan and Consumptive Use Permit.
- Policy 6.1.1.11: The City shall cooperate with Seacoast Utility Authority in the development and implementation of water reuse programs, to the extent that they may apply to Palm Beach Gardens.

4. Intergovernmental Coordination Element

- Policy 8.1.4.6: The City shall continue requiring that all applicants for development approval procure written confirmation of potable water capacity from Seacoast prior to the issuance of a development order.

- Policy 8.1.4.7: The City shall update the 10-Year Water Supply Plan and confirm the availability of water for existing, new development and redevelopment at the time of the required Evaluation and Appraisal Report; this should be consistent with the SFWMD's Lower East Coast Regional Water Supply Plan, and the 10-Year Water Supply Facility Plans of Seacoast Utility Authority and Palm Beach County.

5. Capital Improvements Element

- Policy 9.11.4: A development order shall be issued based on written confirmation of potable water capacity from Seacoast. Further, prior to the approval of a building permit, the applicant shall provide to the City a written documentation of potable water service reservation issued by Seacoast to determine whether adequate water supply will be available.

Extrajurisdictional Impacts

The City provided notice of the proposed amendments to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) and a notice was distributed by IPARC on October 10, 2008. As of the date of preparation of this report, Council 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 Seacoast Utility Authority Service Area

Exhibit 1
General Location Map
City of Palm Beach Gardens



