

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Regional Planning Council Members AGENDA ITEM 5D

From: Staff

Date: March 20, 2009 Regional Planning Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Town of Lake Clarke Shores 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 Town of Lake Clarke Shores has proposed text amendments and Future Land Use Map (FLUM) amendments to the Town Comprehensive Plan. The majority of the text amendments, to all elements of the plan, are proposed to implement the recommendations of an Evaluation and Appraisal Report (EAR). The EAR was adopted by the Town on August 23, 2006 and found sufficient by the DCA on December 29, 2006. The FLUM amendments are also related to the recommendations of the EAR.

Additional text amendments are to provide coordination with the Town's Ten-Year Water Supply Facilities Work Plan (WSFWP) of July 2008 with the South Florida Water Management District's (SFWMD) Lower East Coast Water Supply Plan. These amendments are required in Chapter 373.0361(7) and 163.3177(6)(a), Florida Statutes. Finally, amendments are proposed to the Capital Improvements Element to meet the

requirements for incorporating the annual update to the Town's Capital Improvements Program.

Evaluation

Profile of the Community – Taken from the Home Webpage of the Town

Lake Clarke Shores is located in east central Palm Beach County, Florida. It extends from Carambola Road on the north to Lateral No. 10 Canal (south of Mediterranean Road) to the south, and the West Palm Beach Canal on the east to Florida Mango Road on the west. Founded as a lakeside community in the late 1940's, the Town of Lake Clarke Shores was incorporated in 1957, and consists of approximately 1,500 dwellings. The population is approximately 3,600.

EAR Amendments

In the EAR, the Town identified the following major issues to be evaluated:

1. Mixed use redevelopment along Forest Hill Boulevard.
2. Provision of central sewer services to areas currently served by septic tanks.
3. Annexation.

Following are the highlights of the proposed amendments.

A. Future Land Use Element

- New Objective 3.3 indicates that all newly annexed properties shall be assigned a Town FLUM and zoning designation at the time of annexation.
- New Policy 3.3.1 requires an applicant provide a planning and zoning analysis to determine consistency with the Town's comprehensive plan and land development regulations.
- Revised Policy 3.7.5 establishes intensity standards for non-residential FLUM designations.
- New Objective 3.11 indicates that mixed use development may only be permitted in areas designated as Mixed Use Overlay areas on the FLUM.
- New Policy 3.11.1 establishes use and intensity standards in mixed use areas.
- New Policy 3.11.3 requires that expansions or reductions of designated mixed use areas must be by comprehensive plan amendment.
- New Objective 3.12 indicates that central sewer services in residential or commercial areas are to be installed only when determined by the Town Council to be necessary and feasible.

B. Transportation Element

- Revised Policy 4.3.1 indicates that the Town has adopted a level of service of D on all roadways in the Town.
- New Policy 4.9 requires mixed use development along Forest Hill Boulevard to provide for public transit areas and connectivity to adjacent developments where physically and economically feasible.

C. Housing Element

- New Policy 5.5.5 indicates the Town will facilitate additions to affordable housing supply by providing for alternative living accommodations such as second story apartments, lofts and live-work arrangements within mixed use developments.
- New Policy 5.5.6 indicates that by 2010 the Town will determine if there is a shortage of rental housing in the Town. If so, the Town will consider adopting an accessory dwelling unit ordinance.

D. Infrastructure Element

- New Policy 6.1.6 requires an analysis of public facilities and services as part of an application for annexation.
- New Policy 6.1.7 indicates that septic tanks are an acceptable alternative to central wastewater service unless contrary information determines the necessity of central wastewater services.
- New Policy 6.5.3 is to continue to provide opportunities for providing central wastewater service to businesses along the Forest Hill Boulevard Corridor.

E. Intergovernmental Coordination Element

- Policy 9.1.2 is revised to indicate the Town will provide notification prior to annexation actions to Palm Beach County, Palm Springs, Lake Worth and West Palm Beach as appropriate.
- Revised Policy 9.1.6 indicates the Town will continue to participate in the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) process for exchange and review of comprehensive plan amendments to identify areas of mutual concern and potential conflict.
- New Objective 9.5 is to ensure that public school concurrency is maintained by continued participation in the Public School Concurrency Interlocal Agreement. New Policies 9.5.1 and 9.5.2 relate to concurrency determination and the provision of up-to-date information on population growth and development in the Town to the School District.

F. Capital Improvements Element

- Revised Objective 10.1 defines a capital improvement.
- New Policy 10.1.5 commits the Town to the annual update to the Five Year Schedule of Improvements.
- New Policy 10.1.6 indicates the Town shall prepare an analysis of the impacts on public facility levels of service as part of the annexation process, and 10.1.7 indicates the Five Year Schedule of Improvements will be updated as necessary when annexation occurs.
- New Policy 10.1.8 indicates that a developer financed improvement must be accompanied by an enforceable development agreement.
- New Policy 10.1.9 is to prepare, evaluate, monitor and amend the 5-Year Schedule of Improvements on an annual basis as part of the Town budget process; and the need for a comprehensive plan amendment to update the Schedule of Improvements.
- Table 10-1.A (5 Year Schedule of Improvements 2001-2005) is deleted and replaced with three tables:

10-1 List of Capital Budget Projects

10-2 Schedule and Cost of Capital Improvement Projects

10-3 Revenue Sources for Capital Improvement Projects

G. Annexation

- Revised Policy 11.1.2 establishes a new procedure to review and evaluate annexation proposals prior to formally accepting an annexation application. This includes meetings with homeowners and property owners, preparation of an annexation report, meeting with Palm Beach County and a site inspection to address code compliance matters.
- The Future Annexation Area Map is revised to exclude some property generally north of Summit Boulevard and south of the current southern boundary of the Town (see Exhibit 5).

H. Future Land Use Map

- There are two FLUM amendments proposed. The amendments are in the Forest Hill Boulevard Corridor (see Exhibit 4), but are not related to the Mixed Use Overlay discussed above. One amendment is for a 0.5 acre parcel (from Single-Family Residential to Multi-Family Residential) to correct a scrivener's error. The other is to change the FLUM designation on a 2.4 acre Town-owned park from Multi-Family to Recreation/Open Space; consistent with a recommendation in the EAR.

Amendments related to Water Supply Facilities Work Plan

Following are highlights of these amendments:

1. New Policy 3.1.3 in the Future Land Use Element indicates the Town shall update the WSFWP at the time of each required EAR.
2. New Goal 6.0.6 of the Infrastructure Element indicates the Town shall continue to coordinate with the Village of Palm Springs and Palm Beach County in the preparation of their Ten-Year Water Supply Work Plan. New Policy 6.1.1 is that potable water level of service standards shall be consistent with those used by the Village of Palm Springs and Palm Beach County.
3. New Objective 7.11 in the Conservation Element commits the Town to participate in the formulation and implementation of water supply conservation programs developed by the Village of Palm Springs and Palm Beach County. Three new policies under this objective address potable water conservation program coordination, support the County in water reuse programs and coordination with the SFWMD during a declared water shortage.
4. Revised Policy 9.1.2 in the Intergovernmental Coordination Element requires applicants for development approval to provide written confirmation of the availability of potable water service prior to the issuance of a building permit.
5. New Policy 10.4.5 indicates the Town will determine whether adequate water supply facilities will be available to serve a new development prior to the approval of a building permit or functional equivalent.

Extrajurisdictional Impacts

The Town provided notice of the proposed amendments to IPARC. The notice was distributed on December 17, 2008. According to the IPARC Clearinghouse Coordinator, no objections 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/Recommendation for Modification

1. The Town's affordable housing assessment indicates that due to a lack of available developable land, the Town should focus on maintaining and enhancing the condition of the existing housing stock and encouraging the provision of

affordable housing alternatives within mixed-use redevelopment properties along the Forest Hill Boulevard Corridor. The Town proposes a new policy to allow second-story apartments, lofts and live-work arrangements within mixed use development. Another new policy indicates the Town will determine whether a shortage of rental housing exists. If so, the Town will consider adopting an accessory dwelling unit ordinance.

The Town's commitment to provide affordable housing opportunities for the workforce could be stronger. The Town should adopt a policy supporting the availability within the Town of a range of housing types, sizes and affordabilities, consistent with Regional Goal 2.2. In addition, the Town should require that a proportion of all new residential development permitted in mixed use overlay areas (which may be up to a maximum of 21 units per acre according to Policy 3.11.1 of the Future Land Use Element) be affordable to low and moderate income members of the workforce, and that the affordability be maintained.

2. New Policy 4.9.6 supports the provision of public transit access and connectivity including additional opportunities for bicycle and pedestrian access in mixed use developments along Forest Hill Boulevard. This is an excellent policy and would be considered consistent with the SRPP. However, the policy is conditioned to "where physically and economically feasible". The policy should be clarified to indicate that if the Town determines such access and connectivity is not physically and economically feasible; alternative mitigation may be required to improve multi-modal transportation in the Forest Hill Boulevard Corridor.

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

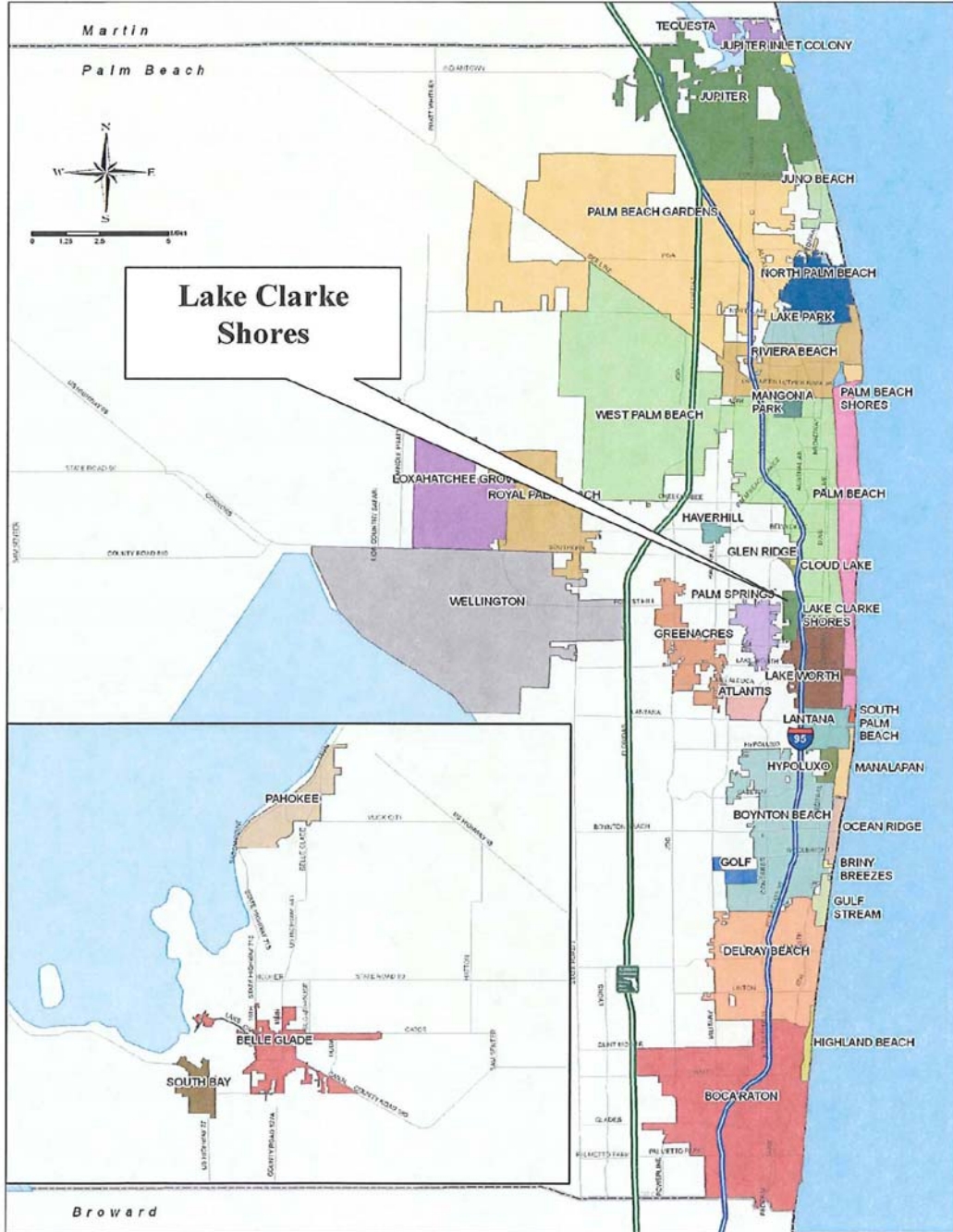
Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Future Land Use Map
- 3 Town Roadways
- 4 Future Land Use Map Amendments
- 5 Revised Future Annexation Area
- 6 Map 4-1 – Future Traffic Circulation Map
- 7 Map 4-2 – Public Transit System

Exhibit 1 General Location Map Town of Lake Clarke Shores



**Exhibit 2
Future Land Use Map**

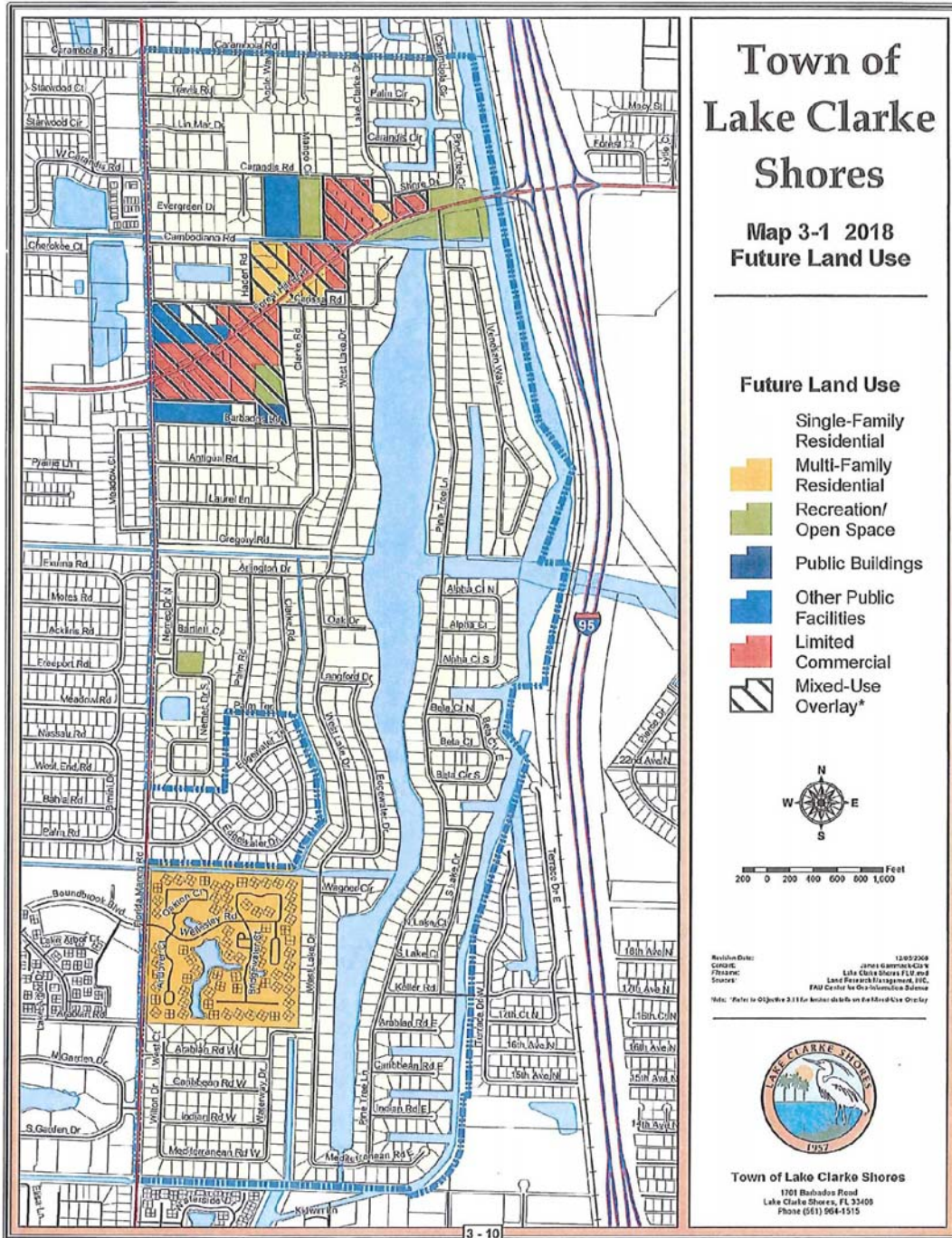


Exhibit 3 Town Roadways

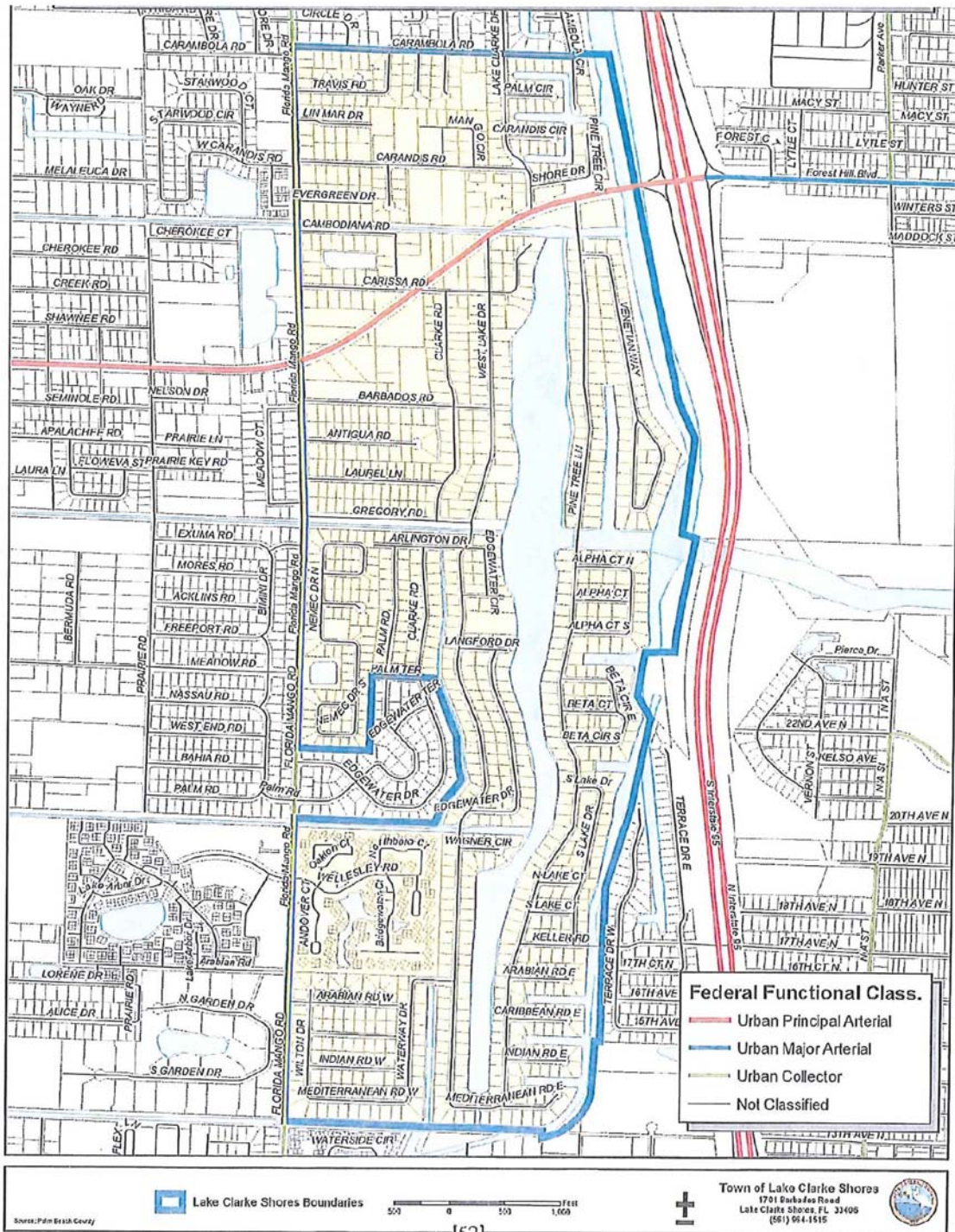


Exhibit 4 Future Land Use Map Amendments

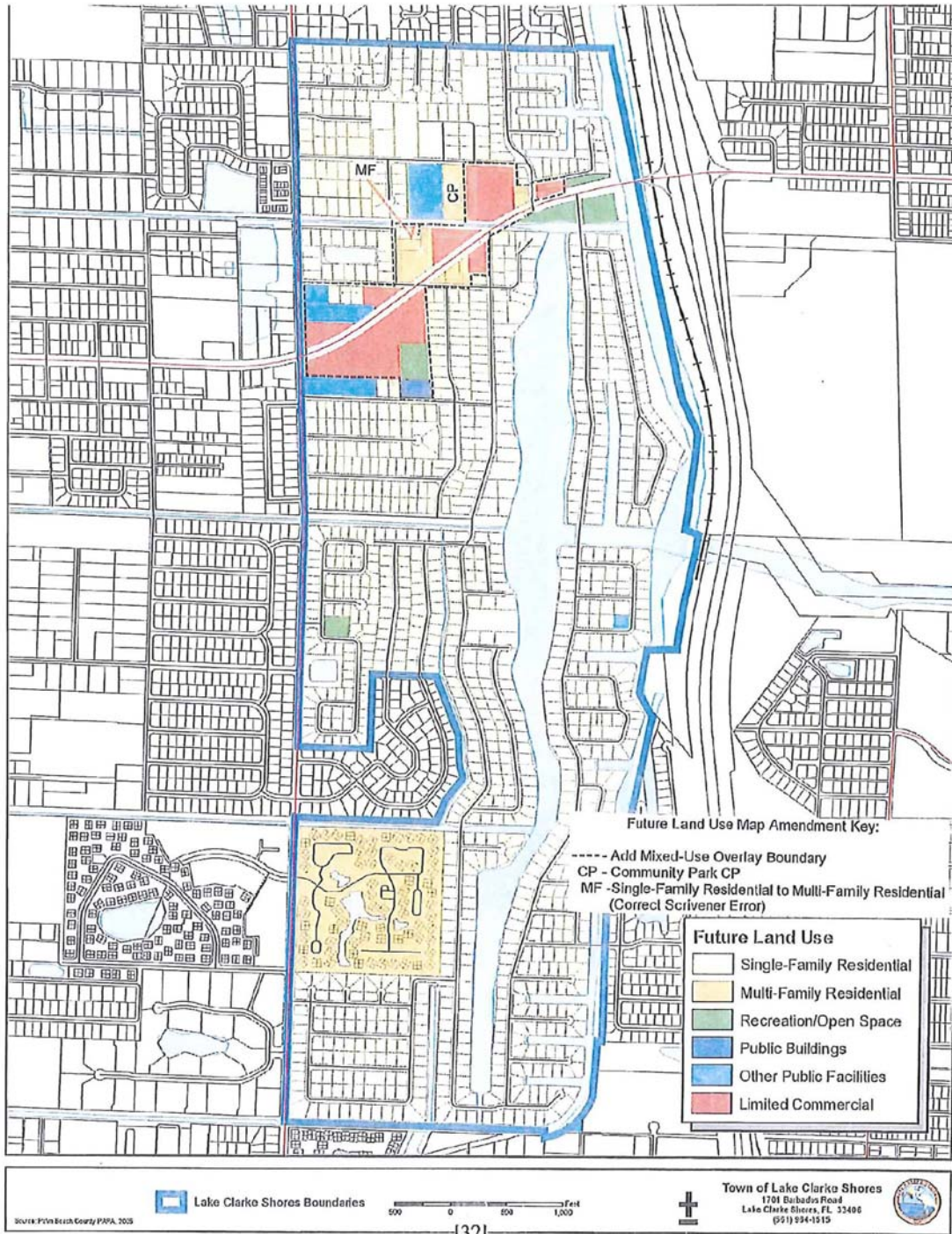


Exhibit 5 Revised Future Annexation Area

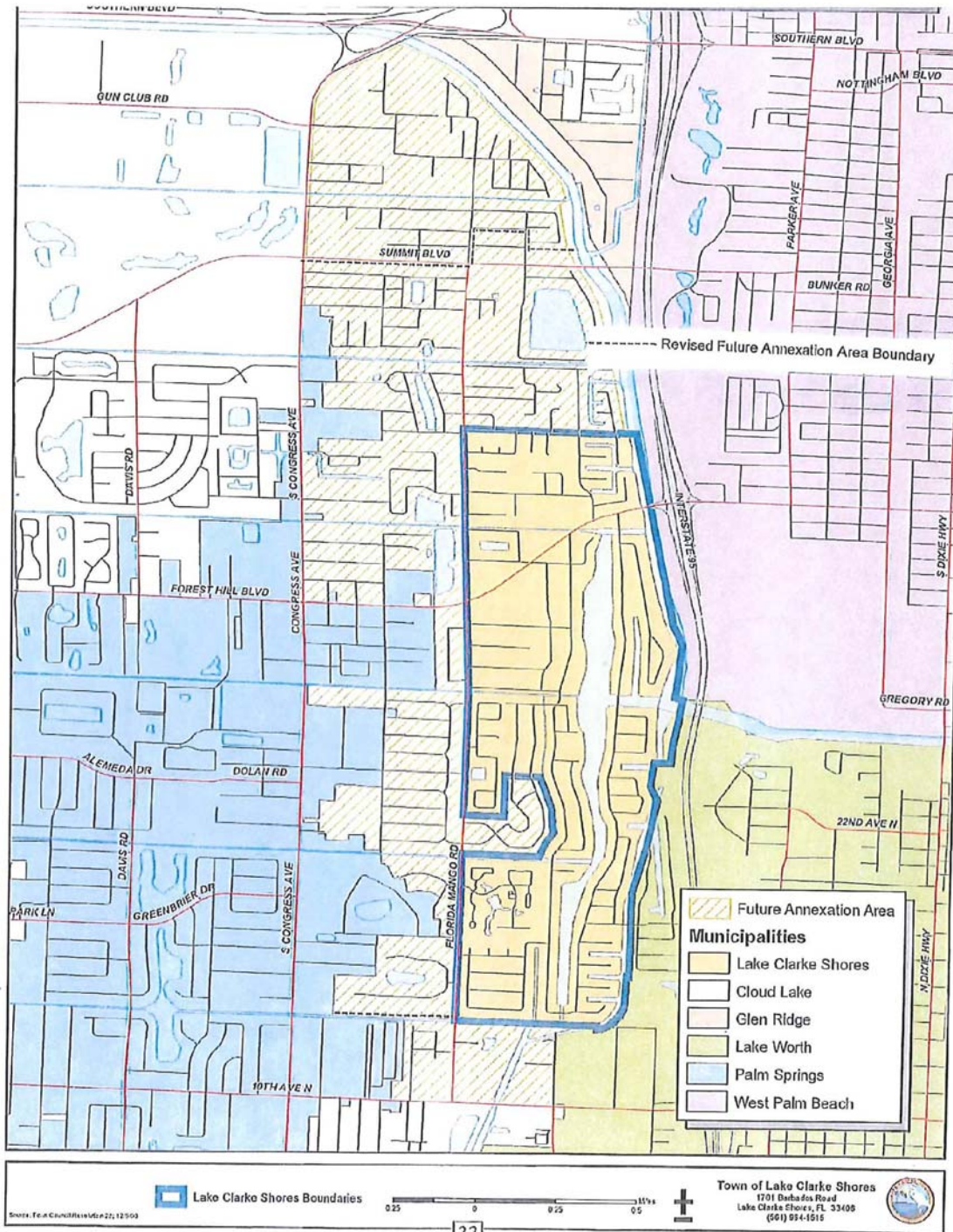


Exhibit 6
Map 4-1 – Future Traffic Circulation Map

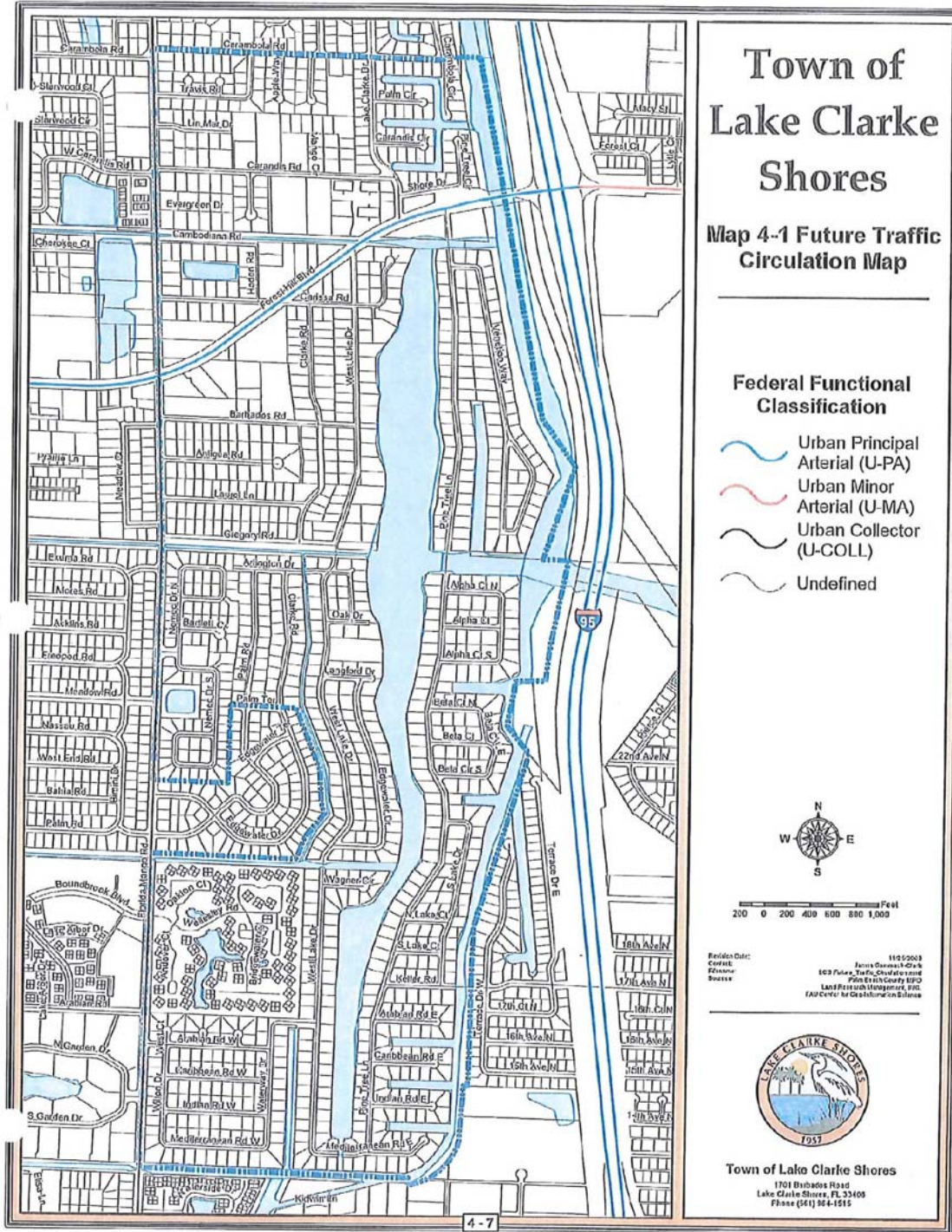


Exhibit 7
Map 4-2 – Public Transit System

