

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Regional Planning Council Members AGENDA ITEM 5C

From: Staff

Date: October 16, 2009 Regional Planning Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Boynton Beach Comprehensive Plan
DCA Reference No. 09RSW1

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 City of Boynton Beach has proposed text amendments to the Future Land Use, Coastal Management and Intergovernmental Coordination Elements of the City Comprehensive Plan. Under the provisions of Chapter 163.3177(6)(g), recreation surface water use policies are exempt from the twice per year limitation on comprehensive plan amendments. The City requested that the DCA **not** carry out a formal review of the amendments.

Evaluation

The proposed amendments pertain to recreational surface water uses and specifically support economic development and natural resource preservation. The Florida Statutes encourage local governments that have coastal management elements in their comprehensive plan to adopt recreational surface water use policies that address factors

such as resources, manatee protections needs, protection of working waterfronts, public access to the water, and recreation and economic demands.

1. Future Land Use Element

- Policy 1.3.1 is to be revised to allow marine-oriented and water-dependent uses in the Special High Density Residential category in conjunction with the Palm Beach County Manatee Protection Plan (MPP). A site must be designated as “preferred” under the Boat Facility Siting Plan contained in the MPP and be consistent with all applicable recommendations and policies for boat facilities.

2. Coastal Management Element

- New Policy 7.10.11 indicates the City shall abide by the 2007 Palm Beach County MPP which is adopted by reference and shall support the County’s efforts to protect manatees and their habitats.
- New Policy 7.11.6 indicates the City and the City Community Redevelopment Agency shall continue to seek funding to implement improvements to preserve the City’s two existing public waterfronts. The improvements are to maximize public access to waterways for boating and fishing and improve amenities.
- New Policy 7.11.7 indicates that the City shall ensure that any new marine or marina expansion minimizes impacts on coastal and marine resources. Land development regulations shall be established consistent with the Palm Beach County MPP.
- New Policy 7.11.8 indicates that the City shall only allow for locations of marinas, boat ramps, and other water development uses in a manner which protects seagrass and manatees. Provisions are to include minimizing dredging, marking navigation channels, supporting boat speed restrictions, speed zone enforcement, information and restrictive signage, and construction standards. New marinas shall only be permitted within areas identified as a “preferred” siting category in accordance with the Palm Beach County MPP.

3. Intergovernmental Coordination Element

- New Policy 8.13.6 indicates the City shall support the implementation of the Palm Beach County MPP and coordinate with the County on all issues regarding compliance with the MPP’s Boat Facility Siting Plan.

Extrajurisdictional Impacts

The City provided notice of the proposed amendments to the Palm Beach County Intergovernmental Plan Amendment Review Committee on August 5, 2009. Council is

not aware of any negative extrajurisdictional impacts that would occur as a result of 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

The TCRPC has no comments/recommendations for modification to the proposed amendments. The amendments are considered to be consistent with the SRPP. The amendments further Regional Goal 6.5 (Protection of Estuarine Resources) and are consistent with Policies 6.5.1.2, 6.5.1.8 and 6.5.1.9.

Conclusion

Due to the lack of detrimental extrajurisdictional impacts or effects on significant regional resources and facilities, the TCRPC does not recommend that the DCA formally review the proposed amendments.

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 Preferred Siting Location Map
- 3 “Preferred” Boat Siting Designation in Boynton Beach – Palm Beach County
Manatee Protection Plan Map

Exhibit 1 General Location Map City of Boynton Beach

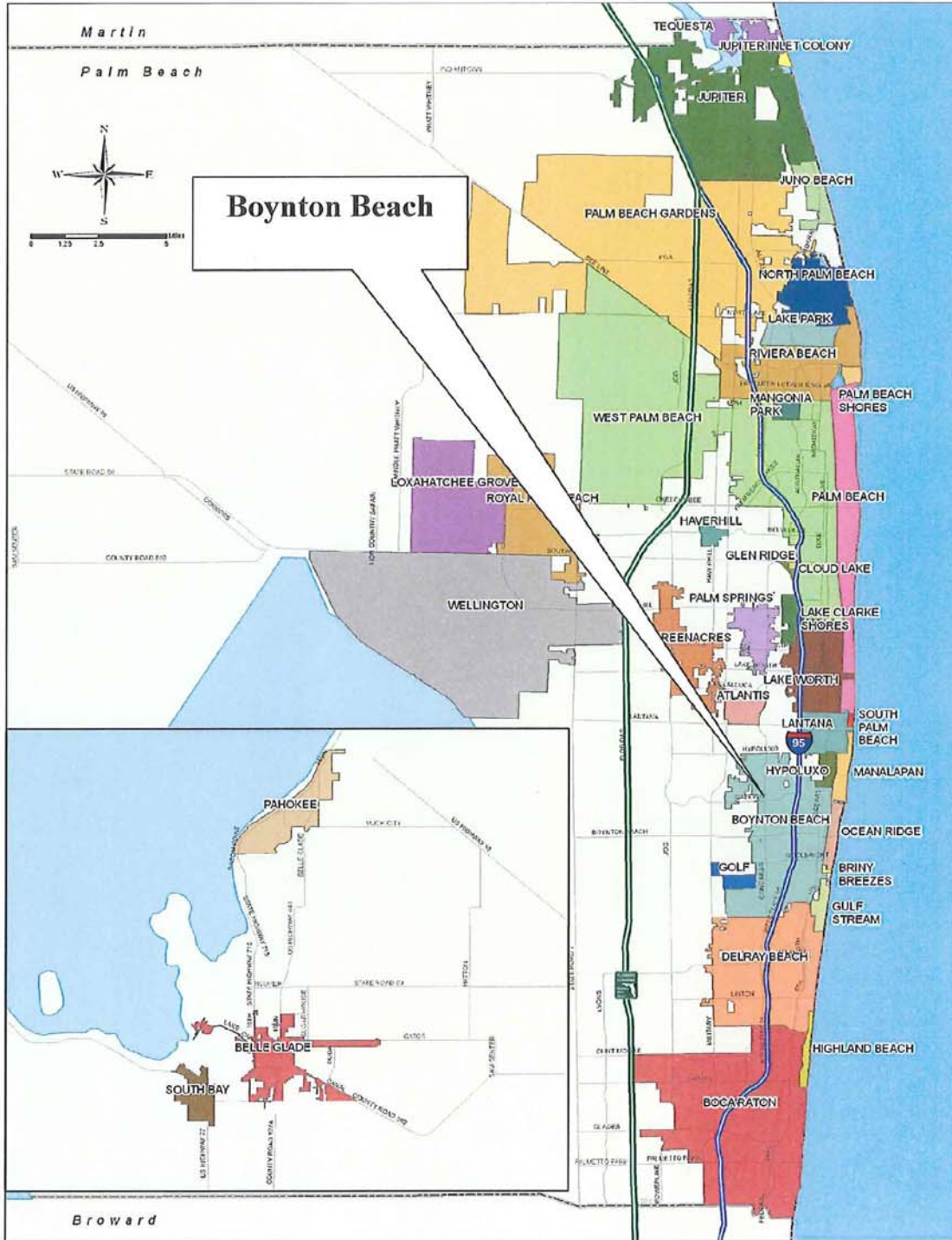


Exhibit 2
Preferred Siting Location Map

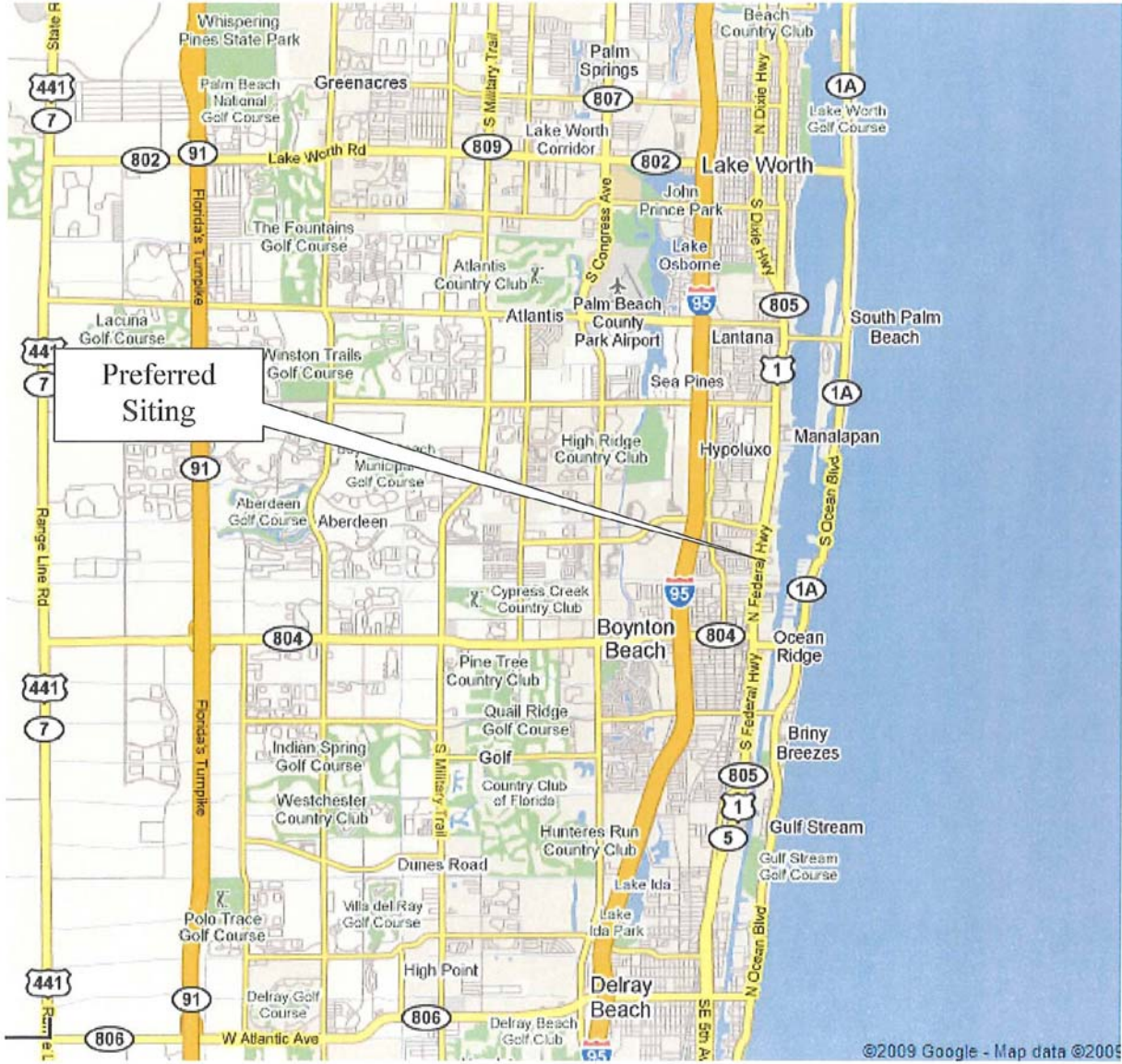
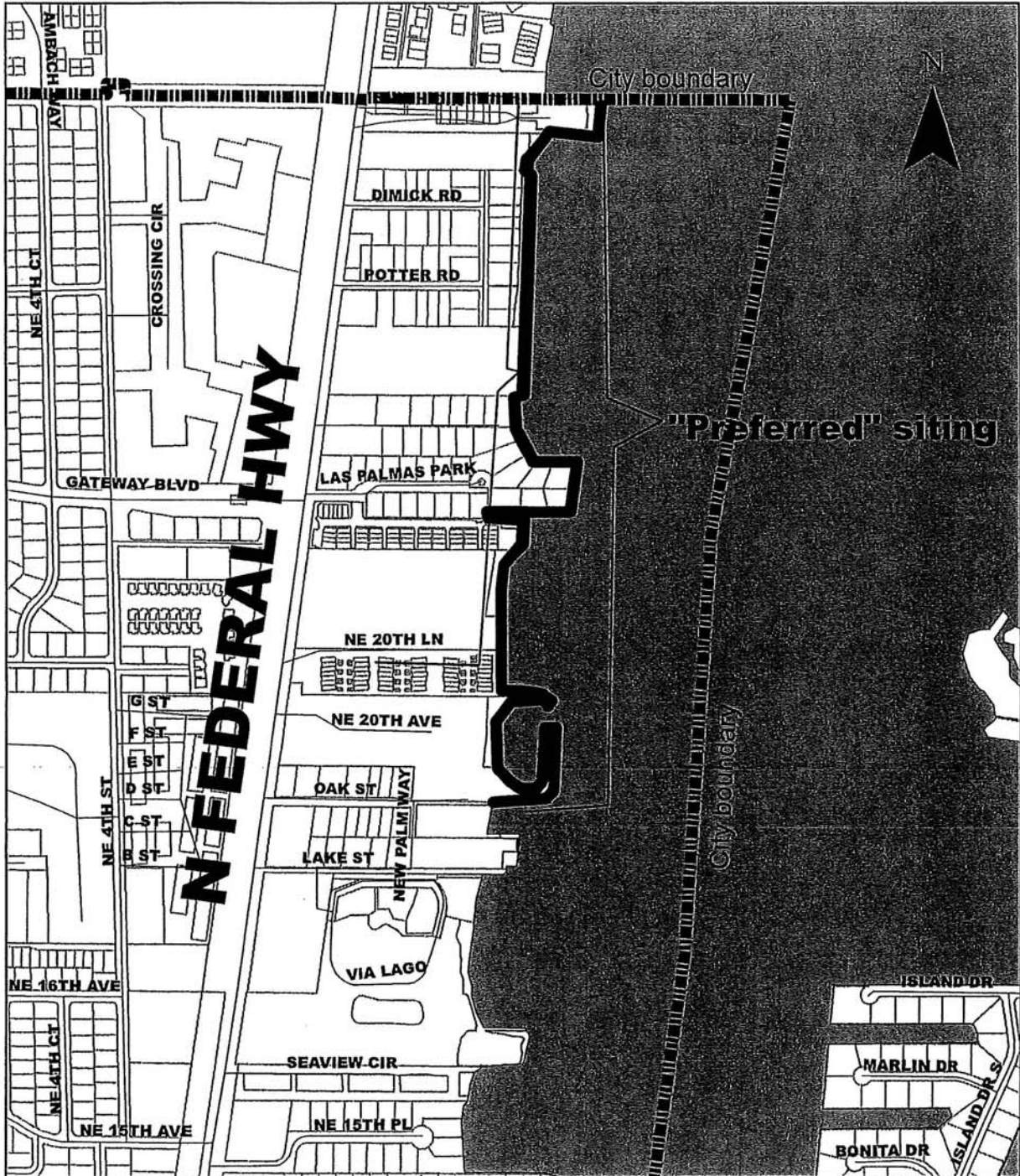


Exhibit 3
"Preferred" Boat Siting Designation in Boynton Beach – Palm Beach County
Manatee Protection Plan Map



0 125 250 500 750 1,000 Feet