MEMORANDUM

To: Regional Planning Council Members
From: Staff
Date: October 16, 2009 Regional Planning Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Town of Jupiter Comprehensive Plan
DCA Reference No. 09-1

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 Jupiter has proposed text amendments to the Future Land Use, Coastal Management, and Transportation Elements of the Town Comprehensive Plan; and sixteen amendments to the Future Land Use Map (FLUM). The Town has requested a formal review of the amendments by the DCA.

Evaluation

A. FLUM Amendments

Information on the FLUM amendments is shown on Table 1 and the location of the amendments and other pertinent information is shown on the attached maps.
### Table 1
**Proposed Amendments to the Future Land Use Map**  
**Town of Jupiter Comprehensive Plan**  
*DCA Reference No. 09-1*

<table>
<thead>
<tr>
<th>Amendment Number/Name</th>
<th>Approx Acreage</th>
<th>Current FLUM Designation</th>
<th>Proposed FLUM Designation</th>
<th>Location Map Exhibit #</th>
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<tr>
<td>1 Town of Jupiter</td>
<td>1.1</td>
<td>Low Density Residential</td>
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<td>2-a W.L. &amp; Emma J. Daughtery</td>
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**Key to FLUM Designations**

**County Designations**

- Low Residential 3 Allows a maximum of 3 dwelling units per acre.
- Medium Residential 5 Allows a maximum of 5 dwelling units per acre.

**Town Designations**

- Low Density Residential Allows a maximum of 2 dwelling units per acre.
- High Density Residential Allows a maximum of 6 dwelling units per acre.
The FLUM is revised to include location of the historic sites listed in Future Land Use Element Policy 1.9.10. The Town also proposes 16 FLUM amendments throughout the Town (see Exhibits 4 – 11). Most of the amendments are for very small parcels; a number for properties annexed by the Town which are being assigned a Town FLUM designation.

Amendment 1 is to make the FLUM designations on the property consistent with the remainder of the water repump station property. Amendments 2a through 2d are to assign Industrial FLUM designations for properties that are to be included within the Bioscience Research Protection Overlay (BRPO). Amendments 2c, 3 and 4a through 4f are for properties annexed by the Town in 2005. Appropriate Town FLUM designations are being assigned. The 6.7 acre property in amendment 2-d already has a General Industrial designation, and is now being included in the (BRPO). Amendments 5a through 5d are to correct FLUM designation assignments that were made erroneously.

Finally, the FLUM U.S. 1 Intracoastal Waterway Corridor Inset Map (See Exhibit 12) is being amended to take into consideration permitting constraints and the reconstruction of the U.S. 1 fixed bridge at the Burt Reynolds County Park.

B. Text Amendments

1. Future Land Use and Coastal Management Elements

The proposed amendments to these elements add policies relating to providing for the protection of Town historic sites. They include:

a. Future Land Use Element

- Minor revisions to Policies 1.3.2.6 and 1.3.2.7 including reference to other policies addressing historic preservation in the Housing and Coastal Management Elements.
- New Policy 1.3.2.8 is that the location of locally recognized historic resources shall be depicted on the FLUM.

b. Coastal Management Element

- Minor revisions are made to Objective 1.9 (Historic Resources) and to Policies 1.9.4, 1.9.6 and 1.9.7.
- New Policy 1.9.10 indicates the Town shall pursue local historic designations and depict on the FLUM the sites that have been identified as historically significant.
2. Transportation Element

The proposed amendments to this element include:

- Modify an objective and policies to update task completion dates;
- Updates to Tables 2 through 4 and Figures 5 through 7 to reflect changes to the Local Roadway Adopted Level of Service Standards;
- Updates to Figure 3 “Sidewalk/Pedestrian Facilities”; 
- Replacement of Figure 3 “The Bicycle Transportation Master Plan”; and 
- Add a policy related to County Constrained Roadways at Lower Level of Services (CRALLS) designations.

Significant changes include:

a) New Policy 3.2.9 which indicates that the Town will issue a development order for a property which relies on a County CRALLS to meet concurrency only if the Town has amended the Transportation Element to be consistent with the County CRALLS.

b) Revised Objective 3.6 indicates the Town will continue to implement the mitigation strategies of the Jupiter Area Study for the Indiantown Road Corridor and/or the strategies contained in Transportation Element Policy 3.2.8 to reduce traffic congestion. Also, the Town shall continue to coordinate with Palm Beach County and the Florida Department of Transportation to implement the mitigation strategies.

Extrajurisdictional Impacts

The Town provided the proposed amendments to the Palm Beach County Intergovernmental Plan Amendment Review Committee and the amendments were distributed by the Clearinghouse on March 20 and May 5, 2009. By copy of a letter dated October 15, 2009, Council has been informed that Palm Beach County is opposed to proposed Policy 3.2.9 of the Town’s Transportation Element regarding developments within the Town that rely on a County CRALLS to meet concurrency.

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

Comment/Recommendation for Modification

Prior to the adoption of proposed Policy 3.2.9 of the Transportation Element, the Town should meet with the County to discuss any negative impacts that may result from implementation of the policy, including effects on proposed development within the BRPO.

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. However, the Town is encouraged to seek resolution of the County concerns regarding Policy 3.2.9 prior to adoption of the amendment.

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 Attachments

Attachment  A  October 15, 2009 letter from Lorenzo Aghemo, Planning Director, Palm Beach County, regarding Comments for Proposed Comprehensive Plan Amendment DCA Amendment # Jupiter 09-1; Town of Jupiter Ordinance 5-09; Transportation Element Policy 3.2.9
October 15, 2009

Ray Eubanks, Administrator
Plan Review and Processing
Department of Community Affairs
2656 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

RE:  Comments for Proposed Comprehensive Plan Amendment
DCA Amendment # Jupiter 08-1; Town of Jupiter Ordinance 5-09;
Transportation Element Policy 3.2.9

Dear Mr. Eubanks:

The purpose of this letter is to provide Palm Beach County’s concerns regarding the comprehensive plan amendment proposed by the Town of Jupiter as referenced above.

Policy 3.2.9 Any properties within the Town, which rely upon a County CRALLS to meet concurrency, shall only be issued a development order by the Town provided the Town has amended its Transportation Element to be consistent with the County’s CRALLS.

Palm Beach County is opposed to this proposed policy for the following reason:

Palm Beach County has sole authority under the County’s Charter to set the Level-Of-Service (LOS) on the arterial and collector roadway network for the purpose of meeting traffic concurrency. The proposed policy violates the Palm Beach County Charter.

County staff provided this comment for inclusion into the Town’s transmittal package. The Town of Jupiter, however, transmitted the policy as referenced above. If you have any questions, please contact Allan Ennis, Assistant Director, County Traffic Division, at 561-884-4030 or Khurshid Mohyuddin, Principal Planner, County Planning Division at 561-233-5351.

Sincerely,

[Signature]

Lorenzo Aghemo
Planning Director

cc:
Commissioner Karen T. Marcus, District 1
Commissioner Jeff Hooton, District 2
Commissioner Shelley Vara, District 3
Commissioner Steven L. Abrams, District 4
Commissioner Bert Aronson, District 5
Commissioner Jess Santamarina, District 6
Commissioner Priscilla Taylor, District 7
Verdiere C. Baker, Deputy County Admin.
Andy Lulichke, Town Manager, Jupiter
Thomas Baird, Town Attorney, Jupiter

Bob Damilo, Rep. Planning Admin., DCA
Members of Town Council, Jupiter
John R. Sidler, Planning Director, Town of Jupiter
Teri Hess, Treasure Coast Reg. Planning Council
Barbara Althman Esq., PBC PZB Executive Director
George Webb, PBC Engineering
Allan Ennis, PBC Engineering
Khurshid Mohyuddin, PBC Planning
List of Exhibits

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>General Location Map</td>
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<tr>
<td>2</td>
<td>Current Future Land Use Map</td>
</tr>
<tr>
<td>3</td>
<td>Proposed Future Land Use Map</td>
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<tr>
<td>4</td>
<td>Location Map – Future Land Use Map Amendments 2009-01</td>
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<td>Current Land Use Designations of Subject Properties Map 2009-01</td>
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<td>December 2008 Bicycle Transportation Master Plan Map</td>
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Exhibit 1
General Location Map
Town of Jupiter
Exhibit 2
Current Future Land Use Map
Exhibit 3
Proposed Future Land Use Map
Exhibit 5
Current Land Use Designations of Subject Properties Map 2009-01

Legend
1. Low Density Residential
2. PBC Local Industrial
3. PBC Commercial Residential (LR-3)
4. PBC Medium Residential (MR-5)
5. Conservation
Exhibit 6
Proposed Land Use Designations of Subject Properties Map 2009-01
Exhibit 7
Future Land Use Map Amendments 2009-01, Location 1
Exhibit 8
Future Land Use Map Amendments 2009-01, Location 2
Exhibit 9
Future Land Use Map Amendments 2009-01, Location 3
Exhibit 10
Future Land Use Map Amendments 2009-01, Location 4
Exhibit 11
Future Land Use Map Amendments 2009-01, Location 5
Exhibit 12
Proposed Intracoastal Waterway Corridor Inset Map