TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

From: Staff

Date: May 20, 2011 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Town of Loxahatchee Groves Comprehensive Plan
DCA Reference No. 11-1

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

Loxahatchee Groves is proposing text amendments to the Future Land Use Element and two amendments to the Future Land Use Map (FLUM) of the Town Comprehensive Plan. The Town has requested a formal review of the amendments by the DCA.

Evaluation

Loxahatchee Groves is the newest local government in the Treasure Coast Region, having been incorporated as a Town on November 1, 2006. The Town prepared a comprehensive plan and adopted the plan on February 17, 2009. The plan was found in compliance by the DCA, but a petition to intervene was filed challenging the Finding of Compliance. This challenge has not yet been resolved. As a result, the Town’s adopted plan is not in effect. Therefore, amendments proposed are to the “Effective Plan”, rather than the “Adopted Plan”. The Town Charter provided for the adoption of the Palm Beach County Comprehensive Plan until a final order is issued finding the adopted plan in compliance with the Florida Statutes.
A. Text Amendments (11-1.1A)

1. The purpose of the Multiple Land Use (MLU) FLUM designation is “to allow and facilitate the development of innovative multiple use projects”. The Town proposes to add language to clarify that the designation is for parcels that are planned to utilize more than one FLUM category in a unified plan of development to implement certain Town directives. Some of the criteria that must be met for consideration of a MLU designation are:

   1) Minimum parcel size of 50 acres.
   2) Minimum of 1,000 feet of frontage on an urban principle arterial roadway.
   3) Maximum parcel depth of 2,000 linear feet.
   4) Must include 3 or more land uses from land use table.
   5) There must be a compatible transition from an adjoining use or significant buffering.
   6) Can be governed by Special Policies under Objective 2.10 of the Future Land Use Element.
   7) At least one public workshop to discuss the amendment is required.

2. New Objective 2.10 indicates that special land use policies may be adopted when necessary to address site-specific issues.

3. Special Policy 2.10.1 is applied to the Atlantic Land Investments, LLC property shown on Future Land Use Atlas (FLUA) Map 61. The MLU designation on this property is limited as follows:

   - A maximum of 21.0 acres (91,476 square feet) of retail commercial (CL)
   - A maximum of 21.0 acres (130,000 square feet) of office commercial (CL-O)
   - A minimum of 55.0 acres of Rural Residential (maximum of 19 residential units)

4. Special Policy 2.10.2 is applied to the Solar Sports System, Inc. property shown on FLUA Map 61. The MLU designation on the property is conditioned as follows:

   - Maximum of 34.3 acres (103,000 square feet) of retail commercial (CL)
   - Maximum of 16.0 acres (44,000 square feet) of professional medical office (CL-O)
   - Minimum of 40.0 acres (maximum of 128 congregate living beds) of Institutional (INST)
   - Minimum of 300-foot wide buffer adjacent to the Collecting Canal
Under the County Plan, the Town is located in the Rural Tier. This Tier allows the Commercial Limited, Commercial Limited-Office, and Institutional and Public Facilities FLUM designations. However, there are no locations within the Town that can meet the criteria for new commercial uses. Exceptions to these criteria can be granted if vehicular cross-connections can be established to an adjacent site with a non-residential designation.

The Town indicates the MLU designation as revised will result in development activities that are consistent with several directives of the Town’s “Adopted” Comprehensive Plan, including:

- encouraging the establishment of a commercial center along Southern Boulevard in the area south of Citrus Road.
- providing accessible shopping, recreation and employment opportunities for residents.

The Town also references additional planning documents that provide direction for the review of the FLUM amendments proposed in this round. These include:

- Master Roadway, Equestrian and Greenway Plan
- Guidelines for Loxahatchee Groves Non-Residential Projects
- SR-80/Southern Boulevard Conceptual Access Management Plan

Although most of the Town is planned to accommodate rural and agricultural uses, the Town has decided to encourage commercial development along the Southern Boulevard Corridor. The Town considers the amendments to be consistent with both the County and Town comprehensive plans. The MLU FLUM designation is considered to be an effective means to allow for site design flexibility and the incorporation of Town planning directives within large development projects.
B. Future Land Use Amendments

### Table 1
Proposed Amendments to the Future Land Use Map
Town of Loxahatchee Groves Comprehensive Plan
DCA Reference No. 11-1

<table>
<thead>
<tr>
<th>Amendment Number/Name</th>
<th>Approx. Acreage</th>
<th>Current FLUM Designation</th>
<th>Proposed FLUM Designation</th>
<th>Approximate Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-1.2A/Atlantic Lands Investments, LLC</td>
<td>96.7</td>
<td>RR-10</td>
<td>MLU 21.0 acres CL, 21.0 acres CL-O, 55.0 acres RR-5</td>
<td>Northwest corner of Southern Boulevard and “B” Road.</td>
</tr>
<tr>
<td>11-1.3A Solar Sports System, Inc. and Loxahatchee Equestrian Partner</td>
<td>90.3</td>
<td>RR-10</td>
<td>MLU 34.3 acres CL, 16.0 acres CL-O, 40.0 acres INST</td>
<td>Northeast corner of Southern Boulevard and “B” Road, south of Collecting Canal.</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>187.0</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Key to FLUM Designations
- RR-5 Rural Residential – maximum of one dwelling unit per five acres
- RR-10 Rural Residential – maximum of one dwelling unit per ten acres
- MLU Multiple Land Use
- CL Commercial Low
- CL-O Commercial Low Office
- INST Institutional and Public Facilities

1. Atlantic Land Investments, LLC (Amendment 11-1.2A)

This 96.7 acre property is located at the northwestern corner of Southern Boulevard and “B” Road (see Exhibits 4, 5). The property is vacant land. The proposed use is for an “integrated development consisting of commercial retail, office and residential”. The current FLUM designation is Rural Residential (RR-10). The proposed FLUM designation is MLU, with a distribution of uses as shown in Table 1.

The existing land use on surrounding properties includes single-family residential and agricultural uses across the Collecting Canal and Canal Road to the north; single-family and agricultural uses across “B” Road to the east; Southern Boulevard and the C-51 Canal to the south; and agricultural uses across the “A” Road Canal to the west. The FLUM designation on surrounding lands is RR-10, except to the south where the Village of Wellington lies beyond the wide right-of-way of Southern Boulevard.
The northern two-thirds of the site consist of pine flatwoods. A minimum of 25% of this native upland habitat would need to be preserved consistent with the County Comprehensive Plan. The potential traffic impacts are consistent with Policy 3.5-d of the County Comprehensive Plan.

The Town considers the proposed amendments to be consistent with directives in the Town Comprehensive Plan and planning studies/documents. Residential development is not considered appropriate along Southern Boulevard where no residential structures with frontage on Southern Boulevard have been built within the last 50 years, according to the Town. Instead, the corridor frontage is characterized by non-residential, institutional, office and medical uses. The Town indicates that the “B” Road intersection with Southern Boulevard is an appropriate location for commercial development, since the intersection is already signalized. The Town will seek the extension of Tangerine Drive to establish connectivity among the properties fronting on Southern Boulevard.

2. Solar Sports System, Inc. and Loxahatchee Equestrian Partners (Amendment 11-1.3A)

This 90.3 acre, L-Shaped property lies at the northeastern corner of Southern Boulevard and “B” Road (see Exhibits 4, 7). It is adjacent to the above amendment, across “B” Road. The property is vacant and contains some pastureland. The proposed use is as a mixed use development with commercial retail, office and a congregate care facility.

The current FLUM designation is RR-10. The proposed FLUM designation is MLU, with the mix of individual uses as shown in Table 1. The existing land uses on surrounding properties include single-family residential and agricultural businesses to the north across the Colleting Canal and Canal Road; vacant land and single-family homes across “C” Road to the east; Southern Boulevard and the C-51 Canal to the south; and vacant land, a commercial nursery, single-family residential and a commercial stable and tack and feed supply business to the west across “B” Road Canal and “B” Road. The FLUM designations include RR-10 and CL to the north and east, and RR-10 to the west. The Village of Wellington is across Southern Boulevard and the C-51 Canal to the south.

The proposed development on this site was revised after a series of community meetings and workshops. The original proposal included senior housing and day care facilities. The proposed development was determined to be consistent with County Transportation Element Policy 3.5-d, with the conditions included. Some native habitat and wetlands exist on the eastern portion of the property. The Town considers the proposed FLUM designation and development to be consistent with Town directives and policies.
Extrajurisdictional Impacts

The proposed amendments were provided to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) by the Town and were noticed to IPARC participants on April 12, 2010. Palm Beach County and the Village of Wellington were notified by Council to determine if any conflicts or negative extrajurisdictional impacts were anticipated as a result of the proposed amendments. As of the date of the preparation of this report, no correspondence has 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

The SRPP encourages a mix of uses that complement the existing activities in a Town (Policy 5.1.1.2); and a balanced, well-planned compatible mix of land uses (Policy 6.1.1.1). The preferred development form set forth in the SRPP calls for compact, mixed-use development and redevelopment projects that are less costly to serve, have less impact to the natural environment, and strengthen the economy of the existing urban area (Policy 15.1.3.3).

The area that is now incorporated as the Town of Loxahatchee Groves was first developed in 1917 and was oriented toward small agricultural holdings and large lot (5 acres or larger) home sites for those seeking a more rural setting. Over the years, the Town has been literally surrounded by development that is more urban in nature. The Town was incorporated in 2006 “with the objective of having more control over their future.” The vision for the community as set forth in a Strategic Plan of 2008 is to protect the natural environment and rural character in the midst of an urbanizing region. The Town is to continue as an agricultural and rural residential community. The Town Comprehensive Plan (“Adopted Plan”) indicates that any new commercial development is to be located between Citrus Road and SR 80. Policy 1.1.2 of the Town Comprehensive Plan, in fact, restricts new commercial development to this area.

The two proposed FLUM amendments would allow commercial development outside the area identified above by assigning a MLU FLUM designation; and modifying the definitions of the FLUM designation to allow for multiple use projects under a unified plan of development. Concept Plans have been included with the application materials (see Exhibits 6, 8) that show the general location of each of the land uses to be permitted under the special conditions attached to each amendment (Special Policies 2.10.1 and 2.10.2).

To the extent that these proposed amendments will diversify and improve the land use mix of the Town, the amendments are consistent with the SRPP. It is noted, however, that the Town seeks to separate these new uses from the remainder of the Town with large amounts of buffering and a transition area of large lot residential uses. The SRPP encourages that uses be integrated and interconnected by a street system which allows for different modes of travel and accommodates...
bicycle and pedestrian traffic safely. The amendment materials indicate that vehicular cross connections between adjacent uses will be required.

**Comments/Recommendations for Modification**

1. The CL (Commercial Low) designation that is to be applied to a portion of the lands within each FLUM amendment is by definition, for “a limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas.” The Town should modify the Special Policies to be adopted for each amendment to ensure that retail uses are of a size and nature to meet the definition of the CL FLUM category.

2. FLUM Amendment 11-1.2A (Atlantic Land Investments, LLC) includes a residential component. A minimum of 55.0 acres is to be used for residential purposes with a maximum of 19 residential units. Clustering will be permitted, but lot sizes must be a minimum of 2.5 acres.

   Council recognizes the Town’s intent to establish the residential area as a buffer between the commercial uses to the south and the low density residential uses to the north. However, the SRPP indicates in Regional Goal 2.2 that there should be a range of housing types and affordabilities in proximity to employment and services; and that all areas should have a reasonable mix of housing types and affordabilities, for both owner and renter households.

   Since the Town currently contains only large-lot, single-family residential uses, perhaps the clustering of these units should be permitted in a manner that encourages the provision of smaller housing units. This would allow some of the employees of the commercial retail and commercial office facilities an opportunity to live and work within close proximity, reducing transportation costs. Another option would be to require that the residential units be located in the same buildings as the commercial uses, consistent with Regional Goal 7.1 that calls for a variety of building types and uses. Clustering the units on a smaller land area would also allow the Town to require the preservation of a larger amount of the pine flatwoods native habitat located on the northern portion of the site, consistent with Regional Goal 6.7. This would also result in a more expansive buffer from adjoining uses.

3. The Town should ensure that as much as feasible of the native upland habitat and wetlands on FLUM Amendment 11-1.3A are preserved consistent with Regional Goals 6.6 and 6.7.

4. The improvements and capacity expansions identified as needed by the Town for “B” Road should be included as conditions/requirements under the unified plan of development required on both FLUM sites.

**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 Existing Land Use Including Adjacent Land Use Map
3 Vacant Land with Future Land Use Map
4 Amendment Location Map
5 MLU 1: Refer to Special Policy 2.10.1 Map
6 Map 1 – MLU Concept Map
7 MLU 2: Refer to Special Policy 2.10.2 Map
8 Solar Sportsystems Inc & Loxahatchee Equestrian Partners, LLC Conceptual Master Plan
Exhibit 1
General Location Map
Town of Loxahatchee Groves