To: Council Members

AGENDA ITEM 8C

From: Staff

Date: October 17, 2014 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Village of Palm Springs Comprehensive Plan
Amendment No. 14-2ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

The amendment package from the Village of Palm Springs contains a text amendment to the Future Land Use Element of the comprehensive plan. This report includes a summary of the proposed amendment and TCRPC comments.

Summary of Proposed Amendment

The proposed amendment is to change the text in the Future Land Use Element to create a mixed use land use category. The proposed revisions are summarized below:

- Add Policy A.9. This policy allows for the development of live-work units within residential land use districts.

- Delete Objective H and Policies H.1 and H.2. This objective and policies refer to the development of land development regulations based on standards for commercial land use intensities.

- Delete Objective N and Policies N.1 through N.5. This objective and policies call for the development of a mixed use overlay designation to be placed upon the Congress Avenue
Corridor that protects existing residential uses while the area within the overlay transitions to commercial uses.

- Delete Objective O and Policies O.1 through O.5. This objective and policies call for the development of a mixed use overlay designation to be placed upon the Lake Worth Road Corridor that allows light industrial and commercial development within the overlay area.

- Add Objective N and Policies N.1 through N.3. This objective and policies encourage the development of a variety of innovative types of mixed use projects.

**Extrajurisdictional Impacts**

The proposed amendment was circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on August 9, 2014. No extrajurisdictional impacts have been identified.

**Regional Impacts**

No adverse effects on significant regional resources and facilities have been identified.

**Conclusion**

The proposed amendment is consistent with the SRPP.

**Recommendation**

Council should approve this report and authorize its transmittal to the Village of Palm Springs and the Florida Department of Economic Opportunity.

Attachments
List of Exhibits

Exhibit

1  General Location Map
2  Ordinance No. 2014-18
Exhibit 1
General Location Map

Village of Palm Springs
ORDINANCE NO. 2014-18

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM SPRINGS, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT TO THE TEXT OF THE VILLAGE’S FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO CREATE A “MIXED USE” LAND USE CATEGORY, WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

WHEREAS, the Village Council (“Council”) of the Village of Palm Springs, Florida (“Village”) has adopted a Comprehensive Plan (“Plan”) pursuant to the “Local Government Comprehensive Planning and Land Development Regulation Act”; and

WHEREAS, The Village’s Plan has been determined to be “in compliance” with the provisions of the Act and Rule 9J-5 of the Florida Administrative Code; and

WHEREAS, the Council wishes to create a “Mixed Use” land use category in the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, Pursuant to Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code, all subsequent amendments to the Plan must be adopted in accordance with detailed statutory procedures; and

WHEREAS, the Village’s LPA has considered the proposed amendments at a duly advertised meeting and has recommended that the Council adopt the Plan Amendments as set forth in the attached Exhibit “A”; and

WHEREAS, the Village Council of the Village of Palm Springs has held all required public hearings; both prior to transmittal and submission of the proposed amendments to the Plan to the Florida Department of Economic Opportunity, and after the proposed amendments to the Plan were returned to the Village of Palm Springs, in accordance with Chapter 163, Florida Statutes; and

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:
Ordinance No. 2014-18

Section 1. The Village Council of the Village of Palm Springs, Florida hereby amends the current Comprehensive Plan dated November 9, 1989, as amended, to create a "Mixed Use" land use category in the Future Land Use Element, which amendment consists of the pages attached hereto as Exhibit "A" and made a part hereof, and which will be incorporated into the current Comprehensive Plan. A copy of the Comprehensive Plan, as amended, is on file in the office of the Village Clerk.

Section 2. This Ordinance shall be effective within the corporate limits of the Village of Palm Springs, Florida.

Section 3. The Village Clerk is hereby directed to transmit five (5) copies of the amendments to the current Comprehensive Plan to the Department of Economic Opportunity as the State Land Planning Agency, and all other interested parties, along with a copy to the Treasure Coast Regional Planning Council, and to any other unit of local government who has filed written request for a copy, within ten (10) working days after adoption, in accordance with Section 163.3184, Florida Statutes.

Section 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

Section 6. Effective Date. The effective date of this Plan Amendment shall be in accordance with Section 163.3184, Florida Statutes; however, no later than thirty-one (31) days after the State Land Planning Agency has received the completed Amendment package. No development order, development permits, or land uses dependent on this Amendment may be issued or commence before the Amendment has become effective.

Council Member ______________________, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member ______________________, and upon being put to a vote, the vote was as follows:
Ordinance No. 2014-18

BEV SMITH, MAYOR
SERGIO ESCALADA, VICE MAYOR
DOUG GUNther, MAYOR PRO TEM
JONI BRINKMAN, COUNCIL MEMBER
PATTI WALLER, COUNCIL MEMBER

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the ____ day of ________________, 2014.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: __________________________________________
    BEV SMITH, MAYOR

First Reading: 8-28-2014
Second Reading: ____________

ATTEST:
BY: ____________________________
    VIRGINIA M. WALTON, VILLAGE CLERk

REVIEWED FOR LEGAL FORM AND SUFFICIENCY
BY: ____________________________
    GLEN J. TORCIVIA, VILLAGE ATTORNEY
EXHIBIT "A"

Chapter I
Future Land Use Element
Goal, Objectives, and Policies

Goal:  "A residential oriented community with an appropriate mix of land uses compatible with living styles and conditions established within the Village."

Objective A: To maintain Palm Springs primarily as a residential area consistent with the densities established in the Comprehensive Development Plan and Future Land Use Map, and which offers a variety of housing types that follow locational and design parameters to guide residential development and redevelopment decisions, by utilizing innovative land development concepts such as Planned Unit Developments and mixed-use concepts.

Policy A.1: Any vacant, undeveloped single family lots within the residential hub of Palm Springs shall be developed only as single family detached dwellings.

Policy A.2: Encourage the development of cluster-planned developments (townhouse, zero lot line) projects as an alternative single family living style to accommodate the demand and to preserve the character of the Village, and incorporate regulations into the Village of Palm Springs' Comprehensive Zoning Ordinance.

Policy A.3: Promote the location of multi-family residential development in areas with direct access to collector or arterial streets. The location of multi-family residential development shall be consistent with the high and medium density residential areas established on the Future Land Use Map.

Policy A.4: Utilize the Planned Unit Development and/or mixed use concepts on large tracts of land as an alternative way to meet residential demands and when it is consistent with the overall character of Palm Springs.

Policy A.5: Separate and buffer intense multi-family residential and clusterplanned development areas from single family residences through landscape regulations in the Village of Palm Springs' Comprehensive Zoning Ordinance.

Policy A.6: Continually maintain and update, when necessary, development regulations which assure efficient, high quality residential design construction, and redevelopment activities.

Policy A.7: In an effort to maintain the amenities and quality of life typified by the residential character of Palm Springs, the Village shall approve, where
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necessary, ordinances pertaining to noise, pollution, and other nuisances
deemed offensive or contrary to acceptable standards of the community.

Policy A.8: The Village shall continuously review and amend its Official Zoning Map to
ensure its consistency with the Village of Palms Springs Future Land Use
Map.

Policy A.9: The Village shall allow for the development of live-work units within
residential land use districts.

Objective H: Reserved for future use.

To develop land development regulations which implement this
Comprehensive Development Plan that are based-on and consistent with
standards for commercial land use intensities.

Policy H.1: Commercial uses shall not be permitted within areas designated for
residential development on the Future Land Use Map, unless they are
permitted as part of a P.U.D., and consistent with regulations established
in the Village of Palm Springs' Comprehensive Zoning Ordinance.

Policy H.2: The Property Development Regulations of the CN — Commercial
Neighborhood, and CG — Commercial General, zoning districts in the
Village's Comprehensive Zoning Ordinance shall, along with the Future
Land Use Map and Plan, provide the locational and development
standards for commercial development in Palm Springs.

Objective N: The Village shall develop a mixed use overlay designation to be placed
upon the Congress Avenue Corridor which will protect existing residential
uses while the area within the overlay transitions to commercial.

Policy N.1: The Village shall conduct a study of the Congress Avenue Corridor to
determine the extent to which the Overlay designation shall be applied by
2012.

Policy N.2: The Village shall, within its land development regulations, provide for the
overlay designation for the Congress Avenue Corridor.

Policy N.3: Commercial areas shall be allowed to replace residential uses along the
designation overlay corridor which is intended to be employed in areas of
less than 10 acres.

Policy N.4: The overlay designation is intended to protect existing residential uses as
areas adjacent may be redeveloped for commercial uses by providing for
controls on buffering, parking, ingress and lighting.
Policy N.5: The intent of the overlay is to regulate land uses within its entire length, not on a parcel-specific basis, so that the entire corridor shall not exceed 25% residential nor shall it exceed 80% commercial.

Objective O: The Village shall develop a mixed-use overlay designation to be placed upon the Lake Worth Road Corridor which will allow light industrial and commercial development within the overlay area.

Policy O.1: The Village shall conduct a study of the Lake Worth Road Corridor to determine the extent to which the overlay designation shall be applied by 2012.

Policy O.2: The Village shall, within its land development regulations, provide for the overlay designation for Lake Worth Road Corridor.

Policy O.3: Light industrial areas shall be allowed to replace commercial uses along the designated overlay corridor which is intended to be employed in areas of less than 10 acres.

Policy O.4: The overlay designation is intended to protect existing commercial uses as areas adjacent may be redeveloped for industrial uses by providing for controls on buffering, parking, ingress and lighting.

Policy O.5: The intent of the overlay is to regulate land uses within its entire length, not on a parcel-specific basis, so that the entire corridor shall not exceed 70% industrial nor shall it exceed 50% commercial.

Objective N: The Village shall encourage the development of a variety of innovative types of mixed-use projects.

Policy N.1: The Village shall encourage and promote sustainable development by establishing a mixed use land use designation and mixed use land development district regulations.

Policy N.2: The mixed use land use designation is an umbrella category which requires a non-residential designation and a residential designation, for a minimum of two distinct land uses. The project shall have minimum and maximum intensities/densities for each land use.

- Residential Density: The maximum number of units for the parcel shall be calculated by multiplying the total acreage of the parcel by the density permitted through the specified residential land use designation.

- Nonresidential Intensity: The maximum intensity for each specified non-residential use shall be calculated by assigning all non-residential uses a percentage of the total site area, not to exceed 100% for
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vertically integrated projects and 50% for non-vertically integrated projects.

Policy N.3: Projects that utilize the mixed use land use designation shall concurrently rezone to the mixed-use land development district and obtain site plan approval, and shall be subject of a Unity of Control instrument to ensure a consistent and cohesive project.

Objective O: Reserved for future use.