MEMORANDUM

To: Council Members
From: Staff
Date: December 8, 2017 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Town of Lake Clarke Shores Comprehensive Plan
Amendment No. 17-2ER

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council 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 Town of Lake Clarke Shores was received on September 29, 2017 and contains amendments to the text of the Future Land Use, Transportation, Housing, Intergovernmental Coordination, and Capital Improvements elements; and updates to the Future Land Use Map Series. The proposed changes are based on the town’s Evaluation and Appraisal Review (EAR). This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed amendments include text changes to the Future Land Use, Transportation, Housing, Intergovernmental Coordination, Capital Improvements elements, and changes to the Future Land Use Map Series. The proposed amendments are based on the town’s EAR, which was completed in May of 2016. The purpose of the EAR is to determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated.

The town’s EAR-based amendment incorporates updated references, dates, and other information required to be consistent with the Florida Statutes. The town has provided revised
text showing the changes in strikeout and underline format. The most significant changes in the comprehensive plan are summarized below:

_Future Land Use Element_

- Revision of Goal 3.0 to indicate promoting increased investment opportunities and property values within the Community Redevelopment Area (CRA) along Forest Hill Boulevard will be a consideration during development and redevelopment.

- Addition of Policy 3.1.2(d) to indicate public facilities and utilities shall be located to promote increased investment opportunities.

- Addition of Policy 3.2.A.2(b) that states replacement or repair of unsafe or dangerous structures damaged by flooding shall be constructed with materials and utility equipment resistant to flood damage, and using methods and practices that minimize flood damage during a base flood.

- Addition of Objective 3.2.B and supporting policies to ensure and enhance the development of an active, vibrant mixed-use corridor which contains uses that are beneficial and desired by town residents within the CRA by implementing the adopted Lake Clarke Shores Community Redevelopment Plan and updates by reference.

- Addition of Policy 3.5.1(c) to indicate the town will continue to administer and enforce its floodplain management program through Chapter 70 of the Code of Ordinances.

- Addition of language to Policy 3.5.2 to include:
  o coordination of disaster and hurricane plans with the Treasure Coast Regional Planning Council (TCRPC), in coordination with Palm Beach County and the Federal Emergency Management Agency;
  o participation with Palm Beach County (PBC) in scheduled updates of the Local Mitigation Strategy, Community Emergency Management Plan, and Post Disaster Redevelopment Program and incorporate appropriate recommendations into the town comprehensive plan and programs;
  o participation with TCRPC and PBC Public Safety Department and Division of Emergency Management to maintain an updated plan for emergency evacuation related to potential hurricane impact; and
  o utilization of the CodeRED Emergency Notification System to inform and direct residents prior to, and during, emergency situations.

- Addition of Policy 3.11.1(c) to limit density from 21 to 15 dwelling units per acre, with an exception being permitted within the area delineated as the Town Center Redevelopment Concept within the Community Redevelopment Plan where density is limited to a maximum of 30 units per acre at the discretion of the Town Council.
**Housing Element**

- Addition of Policy 5.1.1(c) to indicate that through the town’s floodplain development permit process it will be required that building construction elevations be at or above those required by minimum Federal Flood Insurance Regulations.

- Addition of Policy 5.1.1(d) to indicate the town will continue to update its code to include the most current requirements for consistency with the flood-resistant construction requires of the Florida Building Code.

**Intergovernmental Coordination Element**

- Addition of Policy 9.2.6 to indicate continued participation in the Federal Emergency Management Agency’s Community Rating System in order to increase the town’s rating and reduce flood insurance premiums.

- Addition of Policy 9.2.7 to maintain and update the Flood Hazard and Property Protection Information page on the town’s website.

- Addition of Policy 9.2.8 to indicate the town will coordinate with Palm Beach County in the preparation of post-disaster redevelopment plans in accordance with local and federal guidelines.

**Capital Improvements Element**

- Revision of references, dates, and language related to Chapter 163.3177(3)(a)4 of the Florida Statutes.

- Revision of Policy 10.1.1 to indicate the town will continue to include all projects identified in the comprehensive plan within the 5-Year Schedule of Improvements (Schedule) approved as part of the town’s annual budgeting process.

- Revision of Policy 10.1.5 to indicate a comprehensive plan amendment is not required to update the Schedule on an annual basis.

- Addition of Policy 10.1.9 that states until further direction by the town council, revenues and expenditures of the Lake Clarke Shores CRA are considered blended components of the town’s budget and are included as a major town fund for the purpose of the financial audit.

- Deletion of Objective 10.6 containing tables of capital projects, costs, and revenue sources for Fiscal Years 2008/2009 through 2012/2013.
Future Land Use Map Series

Revisions to existing Future Land Use Maps 3-1 to 3-5, and the addition of Map 3-6 depicting the Community Redevelopment Area.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

The proposed amendments were circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on October 6, 2017. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

Recommendation

Council should approve this report and authorize its transmittal to the Town of Lake Clarke Shores and the Florida Department of Economic Opportunity.

Attachments
List of Exhibits

Exhibit

1. General Location Map
2. Text Changes in Strikeout and Underline Format
3. Revised Future Land Use Map Series
Exhibit 1
General Location Map
EXHIBIT A
COMPREHENSIVE PLAN TEXT AMENDMENTS

(words underlined are additions and words struck through are deletions)

3.0 LAND USE

The LAND USE element is required to be included in the comprehensive plan per requirements of state planning law and rule criteria. Specifically, Chapter 163.3177(6) (a), Florida Statutes, establishes the LAND USE element requirement. Requirement, and Chapter 9J-5.006, Florida Administrative Code, establishes minimum criteria to guide its preparation.

A summary of the data, analysis and support documentation necessary to form the basis for FUTURE LAND USE goal, objectives and policies is presented in Chapter 3 of the 1989 Town of Lake Clarke Shores Comprehensive Development Plan, the 1996, and 2006, and 2017 Evaluation And Appraisal Reports, and the 2008 Support Documentation Report.

Goal: 3.0 For the development of the limited remaining undeveloped land use and redevelopment of land within the Town of Lake Clarke Shores, the goal is to provide for the development of suitable and compatible land uses which will preserve, enhance and be within the established character of the Town of Lake Clarke Shores, while promoting increased investment opportunities and property values within the Lake Clarke Shores Community Redevelopment Area (CRA) along Forest Hill Boulevard.

Objective: 3.1 The Town shall ensure that future development orders, approvals, permits and redevelopment efforts are permitted only if the available facilities and services are in place and concurrent with the impacts of such development.

Policy: 3.1.2 Public facilities and utilities shall be located to:

(d) promote increased investment opportunities

Objective: 3.2.A Ensure the redevelopment and renewal of areas in need of renovation.

Policy: 3.2.A.1 Provide that facilities and services meet the locally established level of service standards, and are available concurrent with the impacts of redevelopment.

Policy: 3.2.A.2 Areas in need of redevelopment and renewal will be addressed by strong code enforcement efforts that are coordinated and consistently enforced.

(b) Replacement or repair of unsafe or dangerous structures damaged by flooding shall be constructed with materials and utility equipment resistant to flood damage, and using methods and practices that minimize flood damage during a base flood.

Policy: 3.2.A.3 Promote the infill of land uses that are compatible with and further future redevelopment efforts within existing neighborhoods and areas.

Objective: 3.2.B Ensure and enhance the development of an active, vibrant mixed-use corridor which contains uses beneficial and desired by Town residents within the Community Redevelopment Area.
(Town Ordinance #16-03) by implementing the adopted Lake Clarke Shores Community Redevelopment Plan (Town Resolution #16-20) and its periodic updates, included herein by reference.

**Policy: 3.2.B.1** The Town shall create feasible, economically viable opportunities to increase investment and property values within the Community Redevelopment Area (CRA).

**Policy: 3.2.B.2** The Town shall consider the Redevelopment Concepts presented in the adopted Community Redevelopment Plan (CRP) when reviewing all requests for land use amendments, re-zonings and site plan approvals within the CRA.

**Policy: 3.2.B.3** The Town shall encourage land assembly as a means of promoting redevelopment and infill projects within the CRA.

**Policy: 3.2.B.4** The Town shall require development and redevelopment designs within the CRA that maximize public safety, connectivity among uses, and the use of public transit, pedestrian and bicycle travel as alternatives to the automobile.

**Objective: 3.5** The Town shall coordinate the provision of present and future population densities with the appropriate existing and future local or regional hurricane evacuation plans when applicable.

**Policy: 3.5.1** The Town shall guide development and appropriate population densities toward those land areas that have adequate facilities and services and the ability to accommodate such requested densities and intensities.

(c) The Town shall continue to administer and enforce its floodplain management program through Chapter 70 of the Code of Ordinances.

**Policy: 3.5.2** The Town shall coordinate its disaster and hurricane evacuation plans with those of Palm Beach County, Treasure Coast Regional Planning Council and the Federal Emergency Management Agency.

(a) Actively participate with Palm Beach County in the scheduled updates of the Local Mitigation Strategy, Community Emergency Management Plan, and Post Disaster Redevelopment Program. Incorporate appropriate recommendations from the updates within the Comprehensive Plan or other Town programs.

(b) Participate with the Treasure Coast Regional Planning Council and the Palm Beach County Public Safety Department and Division of Emergency Management to maintain an updated plan for emergency evacuation related to potential hurricane impact.

(c) Continue to utilize and upgrade the CodeRED Emergency Notification System to inform and direct residents prior to, and during, emergency situations.

**Objective: 3.10** Special land use policies shall be developed by Lake Clarke Shores when necessary to address site-specific issues related to implementing the Town Land Use Goal.

**Policy: 3.10.1** During Fiscal Year 2002, inventory and re-designate existing office structures along Forest Hill Boulevard that are classified as multiple family residential to commercial on the Future Land Use Map.
Objective: 3.11 Mixed-use developments may be permitted only in designated Mixed-Use Overlay areas, as depicted on the Future Land Use Map.

Policy: 3.11.1 The following use and intensity standards shall be used to promote land use efficiency in infill and redevelopment activities, and establish maximum mixed-use development potential:

(c) Residential density: Density is limited to a maximum of 215 units per acre. An exception to this standard is permitted within the area delineated as the Town Center Redevelopment Concept within the CRP where density is limited to a maximum of 30 units per acre at the discretion of the Town Council.

FUTURE LAND USE MAP SERIES

Community Redevelopment Area (CRA) Map

The Town of Lake Clarke Shores CRA is designated on Map 3-6.

5.0 HOUSING

The HOUSING element is required to be included in the comprehensive plan per requirements of state planning law and rule criteria. Specifically Chapter 163.3177(6) (f), Florida Statutes establishes the HOUSING element requirement, and Chapter 9J-5.11 Florida Administrative Code establishes minimum criteria to guide its preparation.

A summary of the data analysis and support documentation necessary to form the basis for the HOUSING goal objectives and policies is presented in Chapter 4 of the 1989 Town of Lake Clarke Shores Comprehensive Development Plan, the 1996, and 2006, and 2017 Evaluation And Appraisal Reports, and the 2008 Support Documentation.

Goal: 5.0 To assure the availability of safe, sanitary, affordable and otherwise adequate housing which satisfying satisfies the needs of the residents of the Town.

Objective: 5.1 To maintain the quality of existing housing, eliminate substandard housing, and to assure that new construction is of the same high quality.

Policy: 5.1.1 Continue with strict enforcement of the Standard Building Code and Standard Housing Code, and adopt updated additions of these codes as they become available to assure new building materials and techniques are allowed within the Town in order to reduce construction costs.

(c) Through the Town’s floodplain development permit process, require building construction elevations to be at or above those required by minimum Federal Flood Insurance Regulations.

(d) Continue to update the Town’s Code to include the most current requirements for consistency with the flood-resistant construction requirements of the Florida Building Code.
9.0 INTERGOVERNMENTAL COORDINATION

The INTERGOVERNMENTAL COORDINATION element is required to be included in the comprehensive plan per requirements of state planning law and rule criteria. Specifically, Chapter 163.3177(6) (h), Florida Statutes, establishes the INTERGOVERNMENTAL COORDINATION element requirement, and Chapter 9J-5.015, Florida Administrative Code, establishes minimum criteria to guide its preparation.

A summary of the data, analysis and support documentation necessary to form the basis for the INTERGOVERNMENTAL COORDINATION goal, objectives and policies is presented in Chapter 8 of the 1989 Town of Lake Clarke Shores Comprehensive Development Plan, and the 1996, 2006, and 2017 Evaluation And Appraisal Reports, and the 2008 Support Documentation.

Goal: 9.0 To assure coordination with other governmental entities for the purpose of maintaining the high quality of life for the residents of Lake Clarke Shores.

Objective: 9.2 Lake Clarke Shores shall coordinate with other governmental jurisdictions in an effort to mitigate and alleviate the negative aspects of present and future growth.

Policy 9.2.6 Continue to participate in the Federal Emergency Management System (FEMA) Community Rating System (CRS) in an effort to increase its CRS rating and reduce flood insurance premiums.

Policy 9.2.7: Maintain and update the Flood Hazard and Property Protection Information page on the Town's website to keep residents and property owners informed regarding flood hazards, flood insurance, flood safety, property protection, and drainage system maintenance issues.

Policy 9.2.8: Coordinate with Palm Beach County in the preparation of post-disaster redevelopment plans in accordance with local and federal guidelines.

11.0 CAPITAL IMPROVEMENTS

The CAPITAL IMPROVEMENTS element is required to be included in the comprehensive plan per requirements of state planning law and rule criteria. Specifically, Chapter 163.3177(6) (ff) (31) (a), Florida Statutes, establishes the Capital Improvements element requirement, and Chapter 9J-5.016, Florida Administrative Code, establishes minimum criteria to guide its preparation.

A summary of the data, analysis and support documentation necessary to form the basis for the CAPITAL IMPROVEMENTS goal, objectives and policies is presented in the 2006, 2006, and 2017 Evaluation and Appraisal Report and the 2008 Support Documentation.

Florida Statutes mandates that the Comprehensive Plan include be financially feasible. Financial feasibility means that sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5, of the Five Year Schedule of Improvements. Include a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities. Committed sources of revenue shall include ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees and developer contributions which are adequate to fund the
projected costs of the capital improvements identified in the Comprehensive Plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the five-year period.

**Goal: 10.0** Lake Clarke Shores shall ensure the provision of all needed public facilities and services in a manner which protects investments in existing facilities and promotes orderly compact urban growth.

**Objective: 10.1** Capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the 5-Year Schedule of Improvements of this element. A capital improvement is defined to include land and/or improvements, plus any planning, engineering, feasibility or appraisal studies related thereto. This shall include any studies oriented to defining the initial need for land and/or facilities so defined. The Town shall include all projects identified in the various elements of this Comprehensive Plan that are determined to be of relatively large scale and high cost ($25,000 or greater), as capital improvements projects, for inclusion within the Five-Year Schedule of Improvements. Normal maintenance activities are not included.

**Policy: 10.1.1** The Town shall continue to include all projects identified in this Comprehensive Plan element for inclusion within a capital budget to be adopted by the Town in a 5-Year Schedule of Improvements approved as part of the Town’s annual budgeting process.

**Policy: 10.1.5** Prepare, evaluate, monitor and amend the Five-Year Schedule of Improvements on an annual basis as part of the Town budget compilation. A Comprehensive Plan amendment is not required to update the Five-Year Schedule of Improvements (Schedule) on an annual basis, or to eliminate, defer, or delay the construction of any facility in the Schedule.

**Policy: 10.1.9** Until further direction by the Town Council, revenues and expenditures of the Lake Clarke Shores Community Redevelopment Agency are considered blended components of the Lake Clarke Shores budget and included as a major Town fund for the purposes of the annual financial audit.

**Objective: 10.3** The Town will administer its fiscal resources to ensure the provision of needed capital improvements for previously issued development approvals for future development and redevelopment and for improvements identified in other plan elements.

**Policy: 10.3.2** The Town shall continue to adopt a 5-year capital improvement program and annual capital budget as a part of its budgeting process.

**Objective: 10.6** The Town of Lake Clarke Shores Five-Year Schedule of Capital Improvements for fiscal years 2008/2009 through 2012/2013 is presented in Table 10-1. The Palm Beach County School District Five-Year Work Plan for fiscal years 2008 through 2012 is presented in Appendix 2 of the 2008 Support Documentation and hereby incorporated herein.

**TABLE 10-1 - List of Capital Budget Projects**

<table>
<thead>
<tr>
<th>Comprehensive Plan Element</th>
<th>Project No. and Description</th>
<th>Comprehensive Plan Consistency (Goal/Objective/Policy Citation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure</td>
<td>SWM 1—Swale</td>
<td>Infrastructure Goals 6.0 and 6.0.3 and</td>
</tr>
<tr>
<td>Public Agency</td>
<td>Project No. and Description</td>
<td>Comprehensive Plan Consistency (Objective/Policy Citation)</td>
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<td>---------------</td>
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<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Palm Beach County School District</td>
<td>SD 1 — Palm Beach County School District-Work Plan (1/2/3)</td>
<td>Capital Improvements Objective 10.6</td>
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<tr>
<td>Florida Department of Transportation</td>
<td>Trans 3 — Resurface Forest Hill Boulevard from west of Haveshill Road to west of I-95 — MPD project number 2298172 (2)</td>
<td>Transportation Policy 4.3.2</td>
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</table>

1 — Existing Deficiency; 2 — Replacement Project; 3 — To Meet Future Need.

C. Other Required Private-Funded Improvements Necessary to Maintain Level-Of-Service Standards

<table>
<thead>
<tr>
<th>Private Entity</th>
<th>Project No. and Description</th>
<th>Comprehensive Plan Consistency (Objective/Policy Citation)</th>
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</thead>
<tbody>
<tr>
<td>NA</td>
<td>No Additional Improvements</td>
<td>NA</td>
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</tbody>
</table>

1 — Existing Deficiency; 2 — Replacement Project; 3 — To Meet Future Need.

D. Improvements to Implement Non-LOS Comprehensive Plan Directives

<table>
<thead>
<tr>
<th>Private Entity</th>
<th>Project No. and Description</th>
<th>Comprehensive Plan Consistency (Objective/Policy Citation)</th>
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<tbody>
<tr>
<td>Recreation &amp; Open Space</td>
<td>ROS 1 — Parks Improvements (3)</td>
<td>Recreation/Open Space Objective 8.2</td>
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</tbody>
</table>

1 — Existing Deficiency; 2 — Replacement Project; 3 — To Meet Future Need.

Source: Town of Lake Clarke Shores Proposed 08/09 Budget, LRM, Inc., 8/08

**TABLE 10-2 — Schedule and Cost of Capital Improvements Projects**

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Fiscal Year Cost ($)</th>
<th>Total Cost (Dollars)</th>
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<td>FY-2009</td>
<td>FY-2010</td>
<td>FY-2011</td>
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</table>

<table>
<thead>
<tr>
<th>Improvements/NPDES (4)</th>
<th>Objective 6.3.0</th>
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<tbody>
<tr>
<td>Infrastructure</td>
<td>SWM 2 — Storm-Drain/Culvert Maintenance (4)</td>
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<td>Infrastructure Goals 6.0 and 6.0.3 and Objective 6.3.0</td>
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<tr>
<td>Infrastructure</td>
<td>PW 1 — Water system renewal and replacement (2/4)</td>
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<td>Infrastructure Goals 6.0 and 6.0.4 and Objective 6.4.0</td>
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<tr>
<td>Infrastructure</td>
<td>WW 1 — Sewer system renewal and replacement (2/4)</td>
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<td>Infrastructure Goals 6.0 and 6.0.1</td>
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<tr>
<td>Transportation</td>
<td>Trans 1 — Bridge Improvements (2)</td>
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<td>Transportation Objective 4.1</td>
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<tr>
<td>Transportation</td>
<td>Trans 2 — Road/Street resurfacing (2/4)</td>
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<td>Transportation Objective 4.1, Policy 4.1.2</td>
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<tr>
<td>Project Number</td>
<td>Revenue Source</td>
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<tr>
<td>WW-1</td>
<td>6</td>
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<tr>
<td>Totals</td>
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</tbody>
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— Refer to Table 17.
Exhibit 3
Revised Future Land Use Map Series

Town of Lake Clarke Shores
Map 3-1 2027 Future Land Use

Future Land Use
- Single-Family Residential
- Multi-Family Residential
- Recreation/Open Space
- Public Buildings
- Other Public Facilities
- Limited Commercial
- Mixed-Use Overlay

Scale: 1 inch = 200 feet

Legend:
- Residential
- Agricultural
- Conservation
- Industrial
- Commercial
- Limited Commercial
- Mixed Use
- Recreation
- Open Space
- Public Buildings
- Other Public Facilities

Town of Lake Clarke Shores
220 Lake Dr. #13
Lake Clarke Shores, FL 33449
boroughoffice@lcsfl.org

Map: 2027-06
Revision: 1

Title: Revised Future Land Use Map Series

Date: June 2027
Town of Lake Clarke Shores

Map 3-4
Flood Zones

FEMA Flood Zones
- A: 100-year flood
- AH: 100-year shallow flood
- B: 500-year flood