TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members                                         AGENDA ITEM 4B4
From: Staff
Date: April 12, 2019
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the City of Lake Worth Comprehensive Plan
Amendment No. 19-01ESR

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 City of Lake Worth was received on March 3, 2019 and contains two text amendments to the Future Land Use Element of the comprehensive plan. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendment

Cultural Master Plan

In 2016, the City, along with the Cultural Council of Palm Beach County and its partners, and the Lake Worth Community Redevelopment Agency, developed an Arts and Cultural Master Plan for Downtown Lake Worth. The proposed amendment revises Future Land Use Element Policy 1.1.1.12 to formally approve, accept, and establish a Cultural Master Plan as guidelines for the Cultural Arts Overlay. The Cultural Arts District Overlay land use category is intended to provide for arts related uses within other land use categories near the urban core of the City and along the FEC railway corridor within close proximity to the historic downtown.

Transfer of Development Rights Program

The amendment proposes to add an objective and subsidiary policies to the Future Land Use Element to establish a Transfer of Development Rights Program for the City. The staff reports
indicates that many City owned properties have underlying development potential, but due to their historic significance and/or current use, which does not allow for significant changes, there is development potential that likely will not be utilized. The proposed Transfer of Development Rights Program will provide guidelines to establish a process for selling a portion of the unused development rights from a number of City owned properties to incentivize and encourage private development. The program will allow additional height, density, and floor area ratio for projects on other developable properties.

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 December 5, 2018. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. However, Council recommends that Policy 1.2.4.4(1)(2) and 1.2.4.4(3)(b) be clarified to indicate if the ten percent increase in overall Floor Area Ratio (FAR) is calculated as an increase of 0.10 or 10% (i.e. 0.35 becomes 0.385). Additionally, under Policy 1.2.4.4(7), because dwelling units can also be transferred through the Transfer of Development Rights program, the City will need to establish a cost for the dwelling units. An alternative approach would be to establish a conversion rate between square feet and dwelling units.

Recommendation

Council should approve this report and authorize its transmittal to the City of Lake Worth and the Florida Department of Economic Opportunity.

Council Action – April 19, 2019

Commissioner Smith from Martin County moved approval of the staff recommendation. Councilmember Parrish, Gubernatorial Appointee from St. Lucie County, seconded the motion, which carried unanimously.

Attachments
List of Exhibits

Exhibit

1. General Location Map
2. Proposed Text Amendments in Strikeout and Underline Format
Exhibit 1
General Location Map

City of Lake Worth

Palm Beach County
Exhibit 2
Proposed Text Amendments in Strikeout and Underline Format

Amendment to the Future Land Use Element

Cultural Master Plan:

Policy 1.1.1.14 Cultural Arts Overlay

The Cultural Arts Overlay land use category is intended to provide for the establishment and enlargement of cultural arts related uses within a variety of broader land use categories near the urban core of the city and along the FEC railway corridor within close proximity of the historic downtown and shall follow the guidelines established in the Cultural Master Plan, which is adopted by reference. The implementing zoning districts may be DT, MU-E, MU-DH, SF-R, SF-TF 14, TOD-E, and AI.

Transfer of Development Rights Program:

Objective 1.2.4 The City shall establish incentives to encourage the redevelopment of the City’s stressed and blighted areas and to increase and strengthen the City’s tax base through a formal Transfer of Development Rights Program.

Policy 1.2.4.1 The City shall implement a Transfer of Development Rights Program as described in Policy 1.2.4.4 to provide for increased density, intensity and height allowances through the purchase of development potential from the City’s properties with a Public Future Land Use Designation.

Policy 1.2.4.2 The City’s Transfer of Development Rights Program shall include a trust account to be used solely for the accumulation of funds received as part of the transfer of development rights program. Such funds shall only be expended on city projects related to parks, public facilities and infrastructure.

Policy 1.2.4.3 The City’s Transfer of Development Rights Program shall be reviewed and ratified by the City Commission on an annual basis, including project priorities for the annual expenditure of trust funds and the value of the transfer development rights available under the program.

Policy 1.2.4.4. The Transfer of Development Rights Program shall reflect the guidelines outlined below:

1. Incorporation of transferred developed rights from City-owned properties with a future land use designation of Public (P) shall be required in order to obtain the following:
   a. One additional story of no more than 15’-0” in overall height.
   b. An increase in overall density of ten units per acre.
   c. An increase in overall floor area ratio (FAR) of ten percent
2. The additional story, height, density and/or floor area ratio available under the Transfer Development Rights Program will be in addition to any maximums allowed under the City’s Sustainable Bonus Incentive Program.
3. Projects incorporating transferred development rights may be located anywhere in the city predicated on the following:
   a. For projects east of Dixie Highway transferred development rights may increase density by up to ten units per acre.
b. For projects west of Dixie Highway transferred development rights may increase density by up to ten units per acre, provide for one additional story of not more than 15'-0" in height, and/or increase overall floor area ratio (FAR) by up to ten percent.

4. Projects incorporating transferred development rights must be an urban planned development, planned development, mixed use planned development or residential planned development.

5. Projects must have incorporated all of the density, height and intensity bonuses available under the Sustainable Bonus Program prior to being eligible for the Transfer of Development Rights Program.

6. The City shall maintain a bank of development rights available for transfer from City owned sites with a future land use designation of Public.

7. The City shall establish on an annual basis the value of each square foot available for transfer under the Transfer of Development Rights Program.

8. The City's Transfer of Development Rights Program shall be further developed and clarified through the adoption of appropriate and supportive amendments to the City's Land Development Regulations.