To: Council Members
From: Staff
Date: July 12, 2019
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Town of Ocean Ridge Comprehensive Plan
Amendment No. 19-01ER

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 Ocean Ridge was received on June 11, 2019 and contains text changes to the Future Land Use, Coastal Management, Conservation, and Recreation and Open Space elements of the comprehensive plan. The proposed changes are based on the City’s Evaluation and Appraisal Review (EAR). This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendments

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 and to address issues of local concern. On August 9, 2017, the Town sent a letter to the Florida Department of Economic Opportunity (FDEO) indicating the Town did not intend to undergo the EAR process to reflect change necessitated by state law. On August 30, 2017, FDEO sent a letter to the Town advising them that in 2015 the legislature made changes to Section 163.3178, Florida Statutes, which requires each local government that is required to have a coastal management element to update the element to contain specific requirements related to sea level rise. Last year, the Town began the state-mandated process of revising the Coastal Management Element of the Town’s Comprehensive Plan to address sea level rise and other related issues. During that process, additional amendments to other elements of the Comprehensive Plan were recommended.
Outlined below is a summary, provided by the Town’s consultant, of the proposed updates for each element:

Future Land Use Element

- Updated the population estimates and projections for the Town. The population projections are from the Shimberg Center for Housing Studies at the University of Florida. The projections are based on data from the U.S. Census and the Bureau of Economic and Business Research, University of Florida.
- Revised Policy 4.1 to require the identification of flora and fauna that are endangered, threatened or of special concern during the development review process.
- Added Policy 9.3., which requires any proposed development within an environmentally-sensitive area to provide an environmental assessment report during the development review process. The definition for “environmentally-sensitive area” has been provided within the proposed revised Conservation Element of the Comprehensive Plan.
- Added Policy 10.6., which requires new development and redevelopment to maximize aesthetic, recreational and economic resources while enhancing resiliency to sea level rise impacts. This policy is consistent with proposed Policy 2.3.5. of the Coastal Management Element.
- Added Policy 10.7., which states that new streets associated with a planned development, subdivision or redevelopment must meet the Town Code with regards to right-of-way and pavement widths.

Coastal Management Element

- Objective 1.1 has been modified to eliminate the phrase “most of all” in reference to retaining mangroves.
- Revised Policy 1.1.4. to call for the protection of all beach dune vegetation and not just the dune vegetation associated with public beaches.
- Added Policy 1.1.5., which encourages reduced boat speeds on the Town’s waterways.
- Modified Policy 1.4.2. to require a dune vegetative analysis for all oceanfront development applications.
- Added Policy 1.4.3 to require the Town to coordinate with local and state agencies on beach restoration and renourishment activities.
- Added Policy 1.4.4. to seek coordination with Palm Beach County to examine impacts of shore protection structures.
- Added Policy 1.5.3., which requires the Town to seek additional beach access for Town residents during the development review process for the redevelopment of multifamily properties.
- Modified Goal 2 to include sea level rise and other related climate change factors to the list of hazards the Town is seeking to minimize.
- Modified Objective 2.1. to further define “high hazard” area as the coastal high hazard area and to add the phrase “east of the Coastal Construction Control line.”
- Amended Policy 2.1.1. to include the phrase “or increases in residential density” as something to avoid in programming infrastructure capacity.
- Added the phrase “and all residents” to Policy 2.1.4., which discusses the need to
identify elderly and infirm individuals that may need special assistance during hurricane evacuations.

- Added Policy 2.1.6. to examine community-wide strategies to increase resiliency of the Town to climate change factors.
- Added Policy 2.1.7. to create a list of climate change factors for the Town to study. A timeframe of the year 2022 was added because these studies may require inclusion in the Town’s budgeting process.
- Added Policy 2.2.2., which requires collaboration with Palm Beach County to increase regional resiliency.
- Added Objective 2.3., which requires the Town to adopt and implement policies that increase community resiliency and protect property, infrastructure and cultural and natural resources from the impact of climate change.
- Added Policy 2.3.1. to require applicants to address sea level rise in all future land use map amendments and rezoning applications.
- Added Policy 2.3.2., which requires the Town, by 2022, to participate in a study regarding stormwater drainage improvements within the Town.
- Added Policy 2.3.3., which requires the Town to use best practices to mitigate the risk of flooding in the Town.
- Added Policy 2.3.4., which states that the Town will continue to participate in the National Flood Insurance Program Community Rating System.
- Added Policy 2.3.5., which requires the Town to regulate development and redevelopment activities while enhancing resiliency to sea level rise.
- Added Policy 2.3.6. to reference the Town’s jurisdiction in regulating coastal development.

Conservation Element

- Added Policy 1.2.5., which requires new automatic irrigation systems to include a water sensing device for conservation purposes.
- Added Objective 1.4., which calls for the Town to adopt land development regulations which would protect environmentally-sensitive areas from the adverse impacts of development.
- Added Policy 1.4.1., which defines environmentally-sensitive areas.
- Added Policy 1.4.2., which requires an environmental assessment report for any development within an environmentally-sensitive area and defines the content requirements of that report.
- Added Policy 1.4.3., which requires any wetland-related development to be reviewed and adhere to the standards and policies of the Florida Department of Environmental Protection, South Florida Water Management District, Treasure Coast Regional Planning Council, and the U.S. Army Corps of Engineers.

Recreation and Open Space Element

- Updated population estimates and projections for the Town’s Recreation and Open Space Element’s level of service analysis.
- Added Policy 1.2.2., which encourages the Town to seek land donations or
financial contributions for the development of recreational opportunities within the community.

- Added Policy 1.3.3. that requires the Town to amend its land development regulations to require a minimum land donation for public park purposes from development applications for planned developments and subdivisions. At a minimum, the park land dedication should be 600 square feet per new dwelling unit. A provision for cash in lieu of land dedication when land is not available, with Town Commission approval, has also been added to the proposed policy.

Regional Impacts

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

Extrajurisdictional Impacts

As part of the review process, Council requested comments from adjacent local governments on the proposed amendment on June 29, 2019. 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 Ocean Ridge and the Florida Department of Economic Opportunity.

Council Action – July 19, 2019

Commissioner Smith from Martin County moved approval of the staff recommendation. Councilmember Marino from the City of Palm Beach Gardens seconded the motion, which carried unanimously.

Attachment
List of Exhibits

Exhibit

1. General Location Map
Exhibit 1
General Location Map